

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

| | | | | |
|---------------------------------|---|-----------------------------|-------------------------------|----------------------|
| 1. File Number: 41463 | 2. Status Change Date: 10/23/2018 | 3. Change Num: C2 | 4. Field Office: 04 | 5. GMD: 03 |
|---------------------------------|---|-----------------------------|-------------------------------|----------------------|

| | |
|---|---|
| 6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return | 7. Filing Date of Change: 16-JUL-2018 |
|---|---|

| | |
|--|---|
| 8a. Applicant(s) New to system <input type="checkbox"/> GREWELL LAND LLC 193 ROAD 12 HUGOTON KS 67951 Person ID <u>62698</u> Add Seq# _____ | 8c. Landowner(s) New to system <input checked="" type="checkbox"/> GPG LLC 1114 ROAD A HUGOTON KS 67951 Person ID <u>60392</u> Add Seq# <u>1</u> |
| 8d. Landowner(s) New to system <input checked="" type="checkbox"/> DKGG LLC 1114 ROAD A HUGOTON KS 67951 Person ID <u>60393</u> Add Seq# <u>1</u> | |

| | |
|--|--|
| 8b. Landowner(s) New to system <input type="checkbox"/> GREWELL LAND LLC 193 ROAD 12 HUGOTON KS 67951 Person ID <u>62698</u> Add Seq# _____ | 8e. WUC New to system <input type="checkbox"/> DONALD PAUL GREWELL 1114 ROAD A HUGOTON KS 67951-5125 Person ID <u>38625</u> Add Seq# <u>1</u> NO CHANGE |
|--|--|

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/30/2018 N & P Date to Comply: _____

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **10/01/18** By: **RAK**
 Date Entered: **10/25/2018** By: **UM**

File No. **41463** 11. County: **SV** Basin: **CIMARRON RIVER** Stream: Formation Code: **200/211** Special Use:

12. Points of Diversion Rate and Quantity
 CHK Authorized Additional
 MOD PDIV Qualifier S T R ID 'N 'W Comment (AKA Line) Rate Quantity Rate Quantity
 DEL ENT gpm/cfs af/mgy gpm/cfs af/mgy Overlap PD Files

MOD 66759 SW¼ SW¼ NW¼ 14 34 38W 3 2775 5252 1200 g.p.m. 495 AF 1200 g.p.m. 495 AF NO

√ 2242 SE¼ SE¼ SE¼ 15 34 38W 1 365 210 1200 g.p.m. 500 AF 1200 g.p.m. 500 AF NO

UPDATE ID 3 PDIV ID 66759 WITH GPS FEET DISTANCES

REDUCTION IN QUANTITY FROM 1000 AF to 995 AF

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

| 16. Place of Use CHK MOD DEL ENT | PUSE | S | T | R | ID | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Total | Owner | Chg? | Overlap Files |
|--|-----------|-----------|------------|----------|--------------|--------------|--------------|--------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|------------|------------|------------------|------------------|---------------|
| | | | | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | | | | |
| MOD 53314 | 14 | 34 | 38W | 3 | | | | | | 40 | 40 | | | 40 | 40 | | | | | 160 | 8c | YES | see above | | |
| MOD 18623 | 15 | 34 | 38W | 1 | 13 | 36 | 40 | 36 | 36 | 13 | 36 | 40 | 40 | 36 | 13 | 36 | 36 | 40 | 36 | 13 | 500 | 8d | YES | see above | |
| ENT 38480 | 16 | 34 | 38W | 1 | 32.50 | 32.50 | 32.50 | 32.50 | | | | | | | | | | | | | 130 | 8b | NO | see above | |
| MOD 33138 | 16 | 34 | 38W | 2 | | | | | 32 | 32 | 32 | 32 | 36 | 13 | 36 | 40 | 40 | 40 | 40 | 40 | 413 | 8c | YES | see above | |

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

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

TO: Files

DATE: October 9, 2018

FROM: Richelle A. Krueger

RE: Water Right
File Nos. 41,463; 42,210;
42,336 and 44,186

Greg Grewell and Donald P. Grewell, on behalf of Grewell Land, L.L.C., GPG L.L.C. and DKGG L.L.C., water right owners, filed applications for approval to change the authorized point of diversion for Water Right, File Nos. 42,210 and 44,186, and the authorized place of use for File Nos. 41,463; 42,210; 42,336 and 44,186, all files authorized groundwater for irrigation use in the Cimarron River Basin.

The referenced files do not appear abandoned as per K.S.A. 82a-718.

File No. 42,210 has no overlaps in the point of diversion and place of use and is authorized 61 acre-feet and 620 gallons per minute from one well for irrigation of 130 acres all located in Section 16, Township 34 South, Range 38 West, Stevens County, Kansas. File No. 41,463 has two wells with no overlaps while File Nos. 42,336 and 44,186 are authorized the same well. File Nos. 41,463, 42,336 and 44,186 are authorized a limited total of 1,960 acre-feet for irrigation of the same 1,073 acres in Sections 14,15 and 16 of the aforementioned township and range. The water right owners of File No. 44,186 propose to unstack the authorized quantity and diversion rate from the well it shares with File No. 42,336 and move it a distance of 2,280 feet to a well to be drilled 1,074 feet North and 808 feet West of the Southeast corner of Section 16 pursuant to K.A.R 5-5-16 *Additional wells*. The currently authorized well for File No. 44,186 will remain authorized under File No. 42,336.

File No. 44,186 is limited to 1,960 acre-feet of water per calendar year when combined with File Nos. 41,463 and 42,336; and further limited to 2,400 g.p.m. when combined with File No. 42,336 for irrigation use from the diversion point. Since the additional well regulation requires that each point of diversion authorized by an approval of an application for change for an additional well shall have a specific assignment of a maximum instantaneous rate of diversion and a maximum annual quantity of water, it was determined that rates and quantities should be divided among File Nos. 41,463; 42,336 and 44,186 in order to eliminate the additional rate and quantity limitations on File No. 44,186. In a phone conversation on August 8, 2018 between Mike Meyer, Water Commissioner of the Garden City Field Office and Brent Turney, Change Application Unit Supervisor, Mike indicated the 1,960 acre-foot limitation was a place of use limitation only, that File Nos. 42,336 and 44,186 perfected 1,172 acre-feet of water (all additional) and would be able to pump the full amount if File No. 41,463 does not pump, therefore the consumptive use reduction must be to the 1,172 acre-feet currently authorized by File Nos 42,336 and 44,186. Pursuant to the K.A.R. 5-5-16 (a)(2)(C)(i) calculation:

$586 \text{ max acres (File Nos. 42336/44186)} \times 1.40' (80\% \text{ Stevens}) = 965 \text{ AF to be authorized between File Nos. 42,336 and 44,186.}$

However, 1960 acre-feet is all that is authorized amongst File Nos. 41,463; 42,336 and 44,186 combined so:

$1960 \text{ AF} - 965 \text{ AF (File Nos. 42,336 and 44,186)} = 995 \text{ acre-feet to remain authorized for File No. 41,463.}$

A rate test conducted on the presently authorized well by Southwest Groundwater Management District No. 3 staff indicates that 1,907 gallons per minute will be split between File Nos. 42,336 and 44,186. The water right owners chose to retain 753 acre-feet and 1,350 g.p.m. on the well to remain authorized by File No. 42,336 and move 212 acre-feet and 557 g.p.m. for File No. 44,186 to the new well.

The water right owners also propose to move the 61 acre-feet and 620 g.p.m. authorized by File No. 42,210 to the new well location to be authorized by File No. 44,186, a distance move of approximately 2,368 feet. The proposed well appears to meet well spacing requirements.

Memorandum

File Nos. 41,463; 42,210; 42,336 and 44,186

October 9, 2018

Page 2

The water right owners also propose to create an exact overlap in the place of use among File Nos. 41,463; 42,210; 42,336 and 44,186 for a total of 1,203 acres to be irrigated in Sections 14,15 and 16. The total quantity to be authorized under the referenced file numbers, 2,021 acre-feet, can irrigate the proposed 1,203 acres with 1.68 acre-feet per acre which appears reasonable and complies with K.A.R. 5-3-19.

Based on WRIS and the application map the only wells within one-half mile of the proposed new well are owned by the water right owners, and the proposed change in place of use creates an exact overlap in place of use among all of the referenced file numbers, so no nearby well owner notification letters sent.

The same local source of supply will not change, previously determined to be Tertiary System (200)/Ogallala Formation (211).

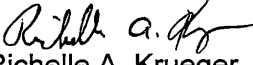
Approval of the application for File No. 44,186 will be subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (July 16, 2018) to add the additional well.

In a letter dated September 25, 2018, Jason L. Norquest, Assistant Manager of Southwest Groundwater Management District No. 3, indicated that the Board of Directors recommended approval of the referenced applications at this time.

In an e-mail dated September 27, 2018, Mike Meyer, Water Commissioner of the Garden City Field Office recommended approval of the applications.

Water flow meters are required. A water level measurement tube and 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, and that no change in the local source of supply will occur, it has been recommended that the referenced applications be approved.


Richelle A. Krueger
Environmental Scientist

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

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

GREWELL LAND LLC
192 ROAD 12
HUGOTON KS 67951

October 26, 2018

FILE COPY

RE: Water Right, File Nos. 41,463; 42,210; 42,336 and 44,186

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.

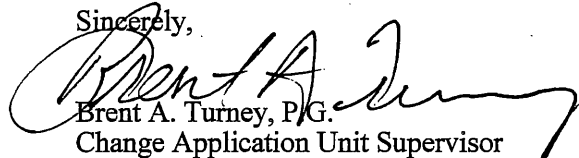
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

Please note that the application to change the point of diversion for File No. 44,186 is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (July 16, 2018) to add the additional well. In addition, the Chief Engineer specifically retains jurisdiction in this matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on the review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

Since these orders modify the original documents 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
GPG LLC/DKGG LLC

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 REDUCING
 THE AUTHORIZED QUANTITY
 WATER RIGHT
 FILE NO. 41,463**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Greg Grewell and Donald P. Grewell, on behalf of Grewell Land L.L.C., 193 Road 12, Hugoton, Kansas, 67951, and GPG L.L.C. and DKG L.L.C., 1114 Road A, Hugoton, Kansas, 67951, received in this office on July 16, 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 December 6, 2001, approving the application to change the point of diversion, by the Order of the Chief Engineer dated June 12, 2003, approving the application to change the place of use, and by the Findings and Order of the Chief Engineer dated August 22, 2013, reducing the authorized 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 application, therefore, is approved subject to the condition that the water right is reduced to a quantity not to exceed 995 acre-feet of water per calendar year in accordance with the Application to Change the Place of Use, File No. 41,463 received on July 16, 2018.

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 irrigation place of use shall be:

| 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 | |
| 14 | 34S | 38W | | | | | | 40.00 | 40.00 | | | | 40.00 | 40.00 | | | | | 160.00 |
| 15 | 34S | 38W | 13.00 | 36.00 | 40.00 | 36.00 | 36.00 | 13.00 | 36.00 | 40.00 | 40.00 | 36.00 | 13.00 | 36.00 | 36.00 | 40.00 | 36.00 | 13.00 | 500.00 |
| 16 | 34S | 38W | 32.50 | 32.50 | 32.50 | 32.50 | 32.00 | 32.00 | 32.00 | 32.00 | 36.00 | 13.00 | 36.00 | 40.00 | 40.00 | 40.00 | 40.00 | 40.00 | 543.00 |

a total of 1,203.00 acres in Township 34 South, Range 38 West, Stevens County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use and the locations of the authorized points of diversion are better described as.

one(1) well located in the Southwest Quarter of the Southwest Quarter of the Northwest Quarter (SW¼ SW¼ NW¼) of Section 14, more particularly described as being near a point 2,775 feet North and 5,252 feet West of the Southeast corner of said section, at a diversion rate not in excess of 1,200 gallons per minute (2.67 c.f.s.) and a quantity of water not to exceed 495 acre-feet per calendar year, and

one(1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼ SE¼) of Section 15, more particularly described as being near a point 365 feet North and 210 feet West of the Southeast corner of said section, at a diversion rate not in excess of 1,200 gallons per minute (2.67 c.f.s.) and a quantity of water not to exceed 500 acre-feet per calendar year,

both in Township 34 South, Range 38 West, Stevens 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.

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. 41,463, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated April 10, 2001, 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
- 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.

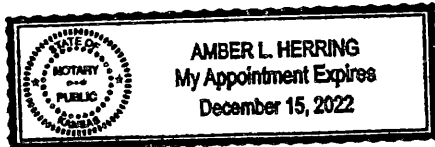
Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 23rd day of October, 2018, in Manhattan, Riley County, Kansas.

Lane P. Letourneau
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 23rd day of October, 2018, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Amber L. Herring
Notary Public

CERTIFICATE OF SERVICE

On this 20th day of October, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 41,463, dated October 23rd, 2018 was mailed postage prepaid, first class, US mail to the following:

DKGG LLC/GPG LLC
1114 ROAD A
HUGOTON KS 67951

With a true and correct copy sent to:

GREWELL LAND LLC
193 ROAD 12
HUGOTON KS 67951

With photocopies sent to:

Garden City Field Office
Groundwater Management District No. 3

Danielle Wilson
Division of Water Resources

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283
www.ksda.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
 Point of Diversion
 Use Made of Water

(Check one or more)

Water Resources
Received

JUL 16 2018

1:39

KS Dept Of Agriculture

File No. 41463

2. Name of applicant: Grewell Land LLC %Greg Grewell

Address: 193 Road 12

City, State and Zip: Hugoton, KS 67951

Phone Number: (620)428-5530

E-mail address: grewell.greg@gmail.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Donald Paul Grewell

Address: 1114 Road A

City, State and Zip: Hugoton, KS 67951

Phone Number: () _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): Complete overlap in place of use

The change(s) (was) (will be) completed by as soon as approved

(Date)

For Office Use Only:

F.O. 4 GMD 3 Meets K.A.R. 5-5-1 (YES/NO) Use IRR Source G/S County SV By LI Date 7/16/18
Code CPD Fee \$ 200.00 TR # _____ Receipt Date 7/16/18 Check # 2026

STEVENS

RECEIVED

APPLICATION COMPLETE

9/25/18

Reviewer RAIL

JUL 12 2018

DWR 1-120 (Revised 06/29/2009)

Garden City Field Office
Division of Water Resources

Assisted by:

SCANNED

7/17/18 DAW

4. The presently authorized place of use is:

Owner of Land — NAME: GPG LLC

ADDRESS: 1114 RD A, Hugoton, KS 67951

| 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 | |
| 14 | 34s | 38w | | | | | | 40.0 | 40.0 | | | | 40.0 | 40.0 | | | | | 160.0 |
| 16 | 34s | 38w | | | | | 32.0 | 32.0 | 32.0 | 32.0 | 36.0 | 13.0 | 36.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 413.0 |

List any other water rights that cover this place of use. 41463, 42336 & 44186

Owner of Land — NAME: DKGG LLC

ADDRESS: 1114 RD A, Hugoton, KS 67951

| 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 | |
| 15 | 34s | 38w | 13.0 | 36.0 | 40.0 | 36.0 | 36.0 | 13.0 | 36.0 | 40.0 | 40.0 | 36.0 | 13.0 | 36.0 | 36.0 | 40.0 | 36.0 | 13.0 | 500.0 |

List any other water rights that cover this place of use. 41463, 42336 & 44186

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: GPG LLC

ADDRESS: 1114 RD A, Hugoton, KS 67951

| 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 | |
| 14 | 34s | 38w | | | | | | 40.0 | 40.0 | | | | 40.0 | 40.0 | | | | | 160.0 |
| 16 | 34s | 38w | | | | | 32.0 | 32.0 | 32.0 | 32.0 | 36.0 | 13.0 | 36.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 413.0 |

List any other water rights that cover this place of use. 41463, 42210, 42336 & 44186

Owner of Land — NAME: DKGG LLC

ADDRESS: 1114 RD A, Hugoton, KS 67951

| 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 | |
| 15 | 34s | 38w | 13.0 | 36.0 | 40.0 | 36.0 | 36.0 | 13.0 | 36.0 | 40.0 | 40.0 | 36.0 | 13.0 | 36.0 | 36.0 | 40.0 | 36.0 | 13.0 | 500.0 |

Water Resources
Received

JUL 16 2018

List any other water rights that cover this place of use. 411463, 42210, 42336 & 44186

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY Agriculture

SCANNED

- 6. The presently authorized point(s) of diversion are 2 wells and discharge
(Provide description and number of points)
- 7. The proposed point(s) of diversion are 2 wells and discharge
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the SW Quarter of the SW Quarter of the NW Quarter of Section 14, Township 34 South, Range 38 W, in STEVENS County, Kansas, 2825 feet North 5200 feet West of Southeast corner of section.
 Authorized Rate 1200GPM Authorized Quantity 500AF
 (DWR use only: Computer ID No. 3 GPS 2775 feet North 5252 feet West)
 This point will not be changed This point will be changed as follows: per WRES RAC/own 10/1/18
Proposed point of diversion: (Complete only if change is requested) *Reduction in Quantity
 One in the SW Quarter of the SW Quarter of the NW Quarter of Section 14, Township 34 South, Range 38 (E/W), in Stevens County, Kansas, 2825 feet North 5260 feet West of Southeast corner of section.
 Proposed Rate 1200 gpm Proposed Quantity 495 AF 2775'N 5252'W
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the SE Quarter of the SE Quarter of the SE Quarter of Section 15, Township 34 South, Range 38 W, in STEVENS County, Kansas, 365 feet North 210 feet West of Southeast corner of section.
 Authorized Rate 1200GPM Authorized Quantity 500AF
 (DWR use only: Computer ID No. 1 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 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 _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **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 _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 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 _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* per 9/14/18 email Jason Norquest 6/18/18 per GPS in WRES
 * RAC/own 9/15/18 RAC/own 10/1/18

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

FILE NO. _____

MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: Grewell Land LLC
ADDRESS: 193 Road 12, Hugoton, KS 67951

| 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 | |
| 16 | 34s | 38w | LISTED ON PREVIOUS PAGE | | | | | | | | | | | | | | | | (43) (4) |
| | | | | | | | | | | | | | | | | | | | |

Owner of Land ---- NAME: _____
ADDRESS: _____

| 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 | |
| | | | | | | | | | | | | | | | | | | | |

Owner of Land ---- NAME: _____
ADDRESS: _____

| 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. *Continued:* 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: Grewell Land LLC
ADDRESS: 193 Road 12, Hugoton, KS 67951

| 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 | |
| 16 | 34s | 38w | 32.5 | 32.5 | 32.5 | 32.5 | | | | | | | | | | | | | 130.0 |
| | | | | | | | | | | | | | | | | | | | |

Owner of Land ---- NAME: _____
ADDRESS: _____

| 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 | |
| | | | | | | | | | | | | | | | | | | | |

Owner of Land ---- NAME: _____
ADDRESS: _____

| 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 | |
| | | | | | | | | | | | | | | | | | | | |

Water Resources
Received
JUL 16 2018

SCANNED

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. _____

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:

Proposed point of diversion: (Complete only if change is requested)

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 _____

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:

Proposed point of diversion: (Complete only if change is requested)

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 _____

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:

Proposed point of diversion: (Complete only if change is requested)

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 _____

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:

Proposed point of diversion: (Complete only if change is requested)

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 _____

12. The presently authorized use of water is for IRR purposes.
It is proposed that the use be changed to IRR purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
Change in place of use in for a complete overlap, KAR 5-5-11(b)(1)

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NA 995 (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NA gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

See attached maps

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

Application meets criteria of current area rules

Water Resources

Received

JUL 16 2018

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* per 9/14/18 email Jason Norquest G103 - Consumptive use reduction for additional well under File No 44186

* Rain Run 9/18/18

KS Dept Of Agriculture
SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at GMD3 office, Kansas, this 12th day of July, 2018.

Gravel Land LLC (Owner) _____ (Spouse) _____
_____ (Please Print) _____ (Please Print)

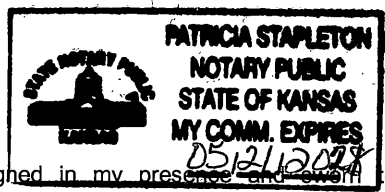
GP6 LLC (Owner) _____ (Spouse) _____
GP6 LLC (Please Print) _____ (Please Print)

Dad of Phil Mays (Owner) _____ (Spouse) _____
Dad of Phil Mays (Please Print) _____ (Please Print)

DK66 LLC (Owner) _____ (Spouse) _____
DK66 LLC (Please Print) _____ (Please Print)

Dad of Phil Mays (Owner) _____ (Spouse) _____
Dad of Phil Mays (Please Print) _____ (Please Print)

State of Kansas }
County of Finney } SS



I hereby certify that the foregoing application was signed in my presence and I am a Notary Public to before me this 12th day of July, 2018.

Patricia Stapleton
Notary Public

My Commission Expires 5-21-2021

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

Property Details for PID: 095175160000000200A

QuickRef ID : R4565

Owner Name : GPG LLC

Location: 749 ROAD 7, HUGOTON, KS 67951

Abbreviated Boundary Description: S16 , T34 , R38W , ACRES 159.0 , NW LESS ROW

Owner Information:

Owner GPG LLC

Mailing Address 1114 ROAD A HUGOTON, KS 67951-5125

Property Information:

Type Farm Homesite

Status Active

Taxing Unit 060 - VOORHEES TOWNSHIP

Neighborhood Code 320.0

SCANNED

Property Details for PID: 095175160000000200B

QuickRef ID : R4566

Owner Name : GPG LLC

Location: 0000 COUNTY, , KS

Abbreviated Boundary Description: S16 , T34 , R38W , ACRES 158.2 , SW LESS TRACT BEG SWCORSW E2240' TO POB 400'E, 200'N, 400'W, 200'S

Owner Information:

Owner GPG LLC

Mailing Address 1114 ROAD A HUGOTON, KS 67951-5125

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 060 - VOORHEES TOWNSHIP

Neighborhood Code 320.0

SCANNED

GMD3 Change Review

File No(s): 41463, 42210, 42336 & 44186.

DWR office: GC.

App filed to change: PU & PD.

Is Landowner(s) correct in WRIS: Documentation to correct ownership.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11, KAR 5-5-16 & KAR 5-23-3

Point of diversion ID No(s) being changed.

| | ft. North | ft. West | | | |
|--|-----------|----------|---|--|--|
| Authorized PD | | | | | |
| Proposed PD | | | | | |
| Difference | 0 | 0 | | | |
| a ² + b ² = c ² | 0 | 0 | 0 | | |

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? New PD for 42210. Also unstacking 44186 and stacking on proposed 42210 PD.

Is Proposed PU overlapping existing WRs? Creating a complete 100% place of use on all files.

Land Owner(s) notified: .

Name . Name .

Address . Address .

Zip . Zip .

Neighboring certified well(s) notified: Only applicant's within half mile for the PD change.

Name . Name .

Address . Address .

Zip . Zip .

Domestic well(s) notified: .

Name . Name .

Address . Address .

Zip . Zip .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Is a waiver needed: No.

Final Recommendation: GMD3 assisted with the applications and will send final recommendation letter upon notice for official review.

Water Resources
Received

JUL 16 2018

SCANNED Dept Of Agriculture

Krueger, Richelle [KDA]

From: Jason Norquest <norquest@gmd3.org>
Sent: Friday, September 14, 2018 1:25 PM
To: Krueger, Richelle [KDA]
Subject: RE: Grewell Applications, File Nos. 41463;42210;42366; 44186

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.

Sorry it took a bit to get back to you. I did finally get in touch with Greg and believe we have it figured out. I put the answers below. Hopefully this will take care of the questions. If anything else does come up, just let me know. Appreciate all your help.

Have a good weekend!!!

Jason Norquest

Assistant Manager, GMD3
Office: 620-275-7147 Cell: 620-271-1289
norquest@gmd3.org
www.gmd3.org

From: Krueger, Richelle [KDA] [<mailto:Richelle.Krueger@ks.gov>]
Sent: Friday, September 07, 2018 8:45 AM
To: Jason Norquest <norquest@gmd3.org>
Subject: Grewell Applications, File Nos. 41463;42210;42366; 44186

Hi Jason,

It was good to see you when you were here a week (or two maybe three lol) ago! We had talked a bit about the Grewell applications and I think you wanted me to send you what we need. Unfortunately I am just now getting back to this. I had discussed this with Mike and Brent and here is what we need to get these applications moving:

- They need to determine how they want to split the 1907 g.p.m between the well to remain authorized by File No. 42336 and the proposed additional well to be authorized by File No. 44186 - the 2400 g.p.m. limitation on the rate on File No. 44186 will then be removed We will keep 1350gpm on the current well under 42336 and move 557gpm over with 44186.
- They will have to determine how to split 965 acre-feet between File No. 42336 and 44186 since they perfected their quantity from the same well
K.A.R. 5-5-16 calculation: 586 max perfected acres (File Nos. 42336/44186) x 1.40'(80% Stevens) = 965 AF Here we will keep 753AF on current well under 42336. Then move the 212AF over with 44186 to stack on the 61AF of 42210.
- Senior File No. 41463 would have to take a reduction to 995 acre-feet to get rid of the quantity limitation on File No 44186(44186 limited to 1960 AF w/c 41463 and 42336). If all File Nos. 42336 and 44186 can pump is 965 AF all 41463 could pump would be 1960 AF – 965 AF(42336/44186) = 995 AF left for File No. 41463 - so I guess they need to decide which well takes the 5 AF reduction. To reduce the 5AF, he wants to take it all off one well. So the well under ID 1 in section 15 will stay at 500AF and the well under ID 3 in section 14 will drop to 495AF.

If you need something else or prefer I write them a letter, just let me know. Thanks, as always, for your help!

Richelle

Richelle Krueger, Environmental Scientist
Kansas Department of Agriculture
Water Appropriation Program
(785) 564-6635
Richelle.Krueger@ks.gov (**please note e-mail address change**)
www.ksda.gov/dwr

PS you guys getting any of this rain we have been getting?

Krueger, Richelle [KDA]

From: Meyer, Mike [KDA]
Sent: Thursday, September 27, 2018 7:59 AM
To: Krueger, Richelle [KDA]
Subject: RE: Request for Recommendation Change in PD PU File Nos. 42210 and 44186 and PU File Nos. 41463 and 42336 Grewell

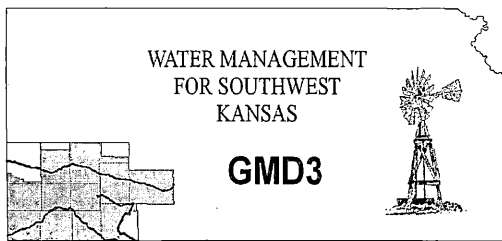
Approve
Thanks!

Mike

From: Krueger, Richelle [KDA]
Sent: Wednesday, September 26, 2018 4:56 PM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Cc: Makens, Thom [KDA] <Thom.Makens@ks.gov>
Subject: Request for Recommendation Change in PD PU File Nos. 42210 and 44186 and PU File Nos. 41463 and 42336 Grewell

Hi Mike,
Attached is a draft memo for the referenced change apps for Grewell, 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

September 25, 2018

Richelle A. Krueger
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

Water Resources
Received

SEP 28 2018

RE: Change Application
Water Right, File Nos. 41463, 42210, 42336 & 44186

KS Dept Of Agriculture

Dear Richelle:

We assisted the applicant for the above referenced water rights. The proposals for change in place of use, in order to make a complete overlap in the place of use for all the water rights, is 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.

The applicant is also proposing to move the well under Water Right 42210. At the same time, they are wanting to unstack Water Right 44186 from the current point of diversion and then stack it on the new proposed point of diversion for 42210. Spacing for this change meets the criteria of K.A.R. 5-23-3. At the same time, the additional well rule to move 44186 is in accordance with K.A.R. 5-5-16. Considerable time was spent to make sure the new wells location complies with the associated rules. It is therefore recommended that all the applications, place of use and point of diversion, 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,

A handwritten signature in black ink, which appears to read "Jason L. Norquest". The signature is fluid and cursive, with a large loop at the end.

Jason L. Norquest
Assistant Manager

Krueger, Richelle [KDA]

From: Jason Norquest <norquest@gmd3.org>
Sent: Tuesday, September 25, 2018 3:53 PM
To: Krueger, Richelle [KDA]
Subject: Grewell
Attachments: RK_41463+_PU_PD.docx

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.

Good afternoon Richelle. Hope you had a good weekend. I made it back Garden late yesterday afternoon after taking a road trip up to Duluth with my son. Got him fairly settled in and he started the new job yesterday. I would have to say, just the little bit of time I was there, it is an interesting place and would be worth seeing if you ever felt like it. Quite a bit of stuff for people with all interests to do up there. The weather was damp, but it was cool watching the ships and stuff come in off the lake and all the work going on at the docks.

Anyway, here is my review letter for the Grewell applications. Thought I would get it back to you as soon as I could. Since I helped with the applications, it was simpler. I will send the signed letter in the mail.

Let me know if you need anything else. Thanks for your help on these applications.

Jason Norquest

Assistant Manager, GMD3

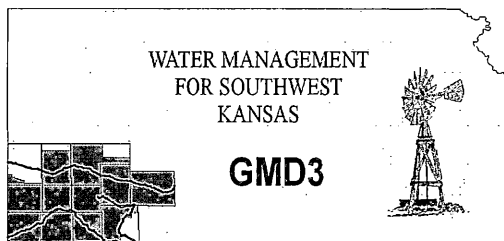
Office: 620-275-7147 Cell: 620-271-1289

norquest@gmd3.org

www.gmd3.org

WATER RESOURCES
RECEIVED
SEP 25 2018
KS DEPT OF AGRICULTURE

SCANNED



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

September 25, 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. 41463, 42210, 42336 & 44186

Dear Richelle:

We assisted the applicant for the above referenced water rights. The proposals for change in place of use, in order to make a complete overlap in the place of use for all the water rights, is 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.

The applicant is also proposing to move the well under Water Right 42210. At the same time, they are wanting to unstack Water Right 44186 from the current point of diversion and then stack it on the new proposed point of diversion for 42210. Spacing for this change meets the criteria of K.A.R. 5-23-3. At the same time, the additional well rule to move 44186 is in accordance with K.A.R. 5-5-16. Considerable time was spent to make sure the new wells location complies with the associated rules. It is therefore recommended that all the applications, place of use and point of diversion, 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
SEP 25 2018
KS DEPT OF AGRICULTURE

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

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 September 19, 2018
MANAGEMENT DISTRICT NO 3
ATTN JASON NORQUEST
2009 E SPRUCE ST
GARDEN CITY KS 67846

FILE COPY

Re: Water Right, File Nos. 41,463; 42,210; 42,336 and 44,186

Dear Jason:

We are enclosing copies of the applications to change the place of use for File Nos. 41,463; 42,210; 42,336 and 44,186 and applications to change the point of diversion for File Nos. 42,210 and 44,186.

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

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

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

GREG GREWELL
193 ROAD 12
HUGOTON, KS 67951

July 17, 2018

RE: File No 41463

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: GARDEN CITY Field Office GMD3

SCANNED

Change App. PD, File No.

Pu

41463, 42336 N
110112699
44186

S5-T34S-R38W

S4-T34S-R38W

S3-T34S-R38W

S2-T34S-R38W

41202-2191
22908 34433

Current
Proposed

S8-T34S-R38W

S9-T34S-R38W

S10-T34S-R38W

S11-T34S-R38W

1094112700

26232

41879

42319

S17-T34S-R38W

41968
S16-T34S-R38W

4119141191
24942 24942

41463

S15-T34S-R38W

S14-T34S-R38W

32381

** 160 acres in W¹/₂W¹/₂
in Sec 14 is all that
is authorized
** RAK/own 9/18/18

S20-T34S-R38W

S21-T34S-R38W

S22-T34S-R38W

S23-T34S-R38W

2012710042655

73001

S29-T34S-R38W

S28-T34S-R38W

S27-T34S-R38W

S26-T34S-R38W

25828

415341786

Water Resources
Received

JUL 16 2018

KS Dept Of Agriculture

Scale: 1"=2000'

SCANNED