Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:			
21750		C2	04	03			
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:			
				1/14/19			
8a. Applicant(s)		8c. Landown		Person ID			
Landowner New to system □	Person ID 56131 Add Seq# 1	New to sy	stem [_]	Add Seq#			
I EUGENE & R JOHN NA 19604 1 RD PIERCEVILLE KS 67868							
8b. Landowner(s)	Person ID	8d. WUC		Person ID			
New to system □	Add Seq#	New to sy	stem 🗖	Add Seq#			
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Compl	y: 12/31/19	⊠ N & P Date to	Comply: <u>12/31/20</u>			
☐ Anti-Reverse Meter ☐ Meter S	Seal 🛛 Check Valve	⊠ N & P Form	🛚 Water Tube 🔻 D	riller Copy			
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to	Comply:			
10. Use Made of Water From:		To: _					
			Date Prepared: 1/14/1 Date Entered:	9 ву: МАМ Ву:			

File I	No. 2175 0)	11. County	/: HS	Ва	sin: A	rkansa	as Riv	er			S	tream	:						Fo	ormation	Code: 2	11 Special Use	:
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DEL	48450	NCNW	9	26	30 \	N										101	5	238		10	15	238	NONE	
MOD	46105	NCSE	9	26	30 \	N	131	1'	13	320'						102	20	259	·	10:	20	259	NONE	
снк	51271	NCSW	9	26	30 \	W										870)	272		₽7	0	272	NONE	
снк	74555	NESWNE	9	26	30	W	39	950'		1570'	l					98	55	272		95	55	272	NONE	
13. S	torage: Rate				Qua						_ ac/ft	A	dditior	nal Rat	te				NF	Addi	itional Qu	antity _		ac/ft
14. L	imitation:		af/yr									cfs) w	hen co	ombine	ed with	n file n	umber	(s)						
L	imitation:		af/yr	at				gpm (_				cfs) w	hen co	ombine	ed with	n file n	umber	(s)			===			
15. 5	YR Allocation	: Allocation	Туре	Sta	art Yea	r		5 YR	Amou	ınt		Amo	ount U	nit	_	Base	Acres		_ C	omment .				
16. I	Place of Use				N	E1⁄4			NV	N½			SV	N¹/4	7		9	6E1/4	-	Total	Owner	Chg	? Overlap Files	
MOD DEL ENT		STR	ID	NE		SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4					
NC																					SEE 8	a		
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Base	Acres:	Year:		Minimur	n Reas	onable	e Quar	ntity:																
Com	ments:																							

Garden City Field Office 2508 Johns Street Garden City, KS 67846-2804



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

January 19, 2019

I EUGENE & R JOHN NALLY 19604 1 RD PIERCEVILLE KS 67868

RE:

Approval of Application to Change the Point of Diversion

Water Right, File No. 21750

Dear Sir:

Enclosed is an order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since this order modifies the original documents referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate. Please also submit a copy of the current ownership deed to have our records changed.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Michael A. Meyer

Water Commissioner

MAM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 14th day of January, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 21,750, dated 14th day of January, 2019 was mailed postage prepaid, first class, US mail to the following:

I EUGENE & R JOHN NALLY 19604 1 RD PIERCEVILLE KS 67868

With photocopies to:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Division of Water Resources Staff

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.

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of d	iversion a	and/or p	lace o	f use.													<u>‡</u>	REC	EIVED
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						I	File No	. <u>2175</u>	50					-			J	AN 1	0 2019
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						□P	lace o	f Use		\boxtimes	Point	of Dive	ersion				division	of Wa	ter Resource
	under th	e water	right v	vhich i	s the s	ubject	of this	applic	cation i	in acco	rdanc	e with	the co	ndition	s desc	ribed l	below.		
	The sou	rce of s	upply i	s:		\boxtimes G	Ground	water			Surfa	ce wat	er						
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	Phone N								Email	addre									
3.	The pres																		
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5.	Presently authorize	zed point of	<u>diversion:</u>				
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					ed or if existing point		
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	Proposed Rate /	015 EPA	Proposed Quantity	22-62 41	Proposed well dept	h (foot)	nor or ocolion.
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6.	Presently authorize			NC	Ougaday of the	C.E.	O and an
1					Quarter of the		
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	in GRAY	Col	unty, Kansas,	feet North _	feet West o	f Southeast cor	ner of section.
	Authorized Rate		Authorized Quantity	17 700	Depth of well	() () ()	feet)
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					ed or if existing point		
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- [of Section		, Township	26	South, Range	30	(EO(V)),
- 1	in GAAY	Cοι	unty, Kansas, <u>[3//</u>	feet North _	<u> 【3スク</u> feet West o	f Southeast cor	ner of section.
					Proposed well dept		
	This point is:	dditional Well	I ☐ Geo Center List	other water rig	hts that will use this poi	nt	
7.			I for the following reason				
	(please be specific)	REPLACE EX	KISTING WELL		Nor) 200 100 0	th 100 20	00 300
					<u>mhadaahanlaadaa</u>	mhulunhui	mmm <u>a</u>
						<u> </u>	- =
8.	If a well, is the test h	nole log attach	ned? 🛛 Yes 🔲 No	200	-1 + 1 + 1 =	- 1 + 1 -	<u> </u>
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9.	The change(s) (was)(Will be) com	pleted by?				_
	UPON APPROVAL			_ 100	-1+1+1=	- + -	├
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10.	If the point of divers			Wost 0	#4100400400400400 *		
	(a) What are you g	oing to do with	h the old well?	Westo	:	'	cast
	PLUG OR CAP				-		- 🗐
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	(b) When will this b	e done? <u>UPC</u>	IN APPROVAL	- [<u>_</u> <u> </u>
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11.			t recommendation attach	ied? 200	- + + =	- - -	├
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14.	Assisted by <u>AM/GCI</u>	0		~ 300		100 20	00 300 hmark=10 ft
13a	a.If the proposed point	t of diversion v	vill be relocated more tha	n 300			-
	feet but within 2,640	feet of the ex	isting point of diversion, a notograph. For ground	attach 13b.lfthe	proposed point of diversi	ion will be reloca	ted within 300 feet
	sources, show all we	ells (including	domestic) within one-hal	f mile diag	e existing point of diver ram shown above in r	relation to the	existing point of
	of the proposed poi	nt of diversion	n and the names and m	ailing dive	sion. (PLEASE NOTE:	The "X" in c	enter of diagram
	names and addre	ners. For sur	rface water sources, sho landowner(s) one-half	w the abov	<i>r</i> e represents the presion.)	resently author	orized point of

lines

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

FILE NO. <u>21750</u>

	ed point of diversion:				
One in the	Quarter	of the <u>NC</u>	Quarter of theSouth, Range	SW	Quarter
in GRAY	County, Kansas,	feet Norti	n feet West o	of Southeast cor	ner of section.
Authorized Rate	Authorized	d Quantity	Depth of well	(feet)
(DWR use only: Co	omputer ID No. <u>の</u> う	GPS	feet North	feet \	Nest)
			: 🔲 No change, point bette		
Proposed point of	diversion: (Complete on	lly if change is reque	sted or if existing point	<u>is better descr</u>	ibed by GPS)
One in the	Quarter	of the	Quarter of the		Quarter
			South, Range		
			n feet West o		
Proposed Rate	Proposed	Quantity	Proposed well dep	th (feet)	·
This point is: Add	ditional Well 🔲 Geo Ce	nter List other water i	rights that will use this poi	nt	
	ed point of diversion:				
One in the	NE Quarter	of theSW	Quarter of the _	NE	Quarter
			South, Range _		
in GRAY	County, Kansas,	3950 feet North	n <u>1570</u> feet West o	of Southeast cor	ner of section.
Authorized Rate	Authorized	d Quantity	Depth of well	(1	eet)
(DWR use only: Co	omputer ID No <i>OS</i>	GPS	feet North	feet \	Vest)
☑This point will not b	e changed This point w	ill be changed as follows	: 🔲 No change, point bette	r described with (GPS as follows:
Proposed point of	<u>diversion: (Complete on</u>	ly if change is reque	sted or if existing point	<u>is better descr</u>	ibed by GPS)
One in the	Quarter	of the	Quarter of the		Quarter
of Section	, Towns	hip	South, Range		(E/W),
in	County, Kansas,	feet North	n feet West o	of Southeast cor	ner of section.
Proposed Rate	Proposed	Quantity	n feet West o	th (feet)	
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	ed point of diversion:				
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he proposed groundwater point of diversion	is 300 or fewer feet from the ex	isting point of diversion, complete	the following:
Does the undersigned represent all owner ☐ Yes ☐ No (If no, all owner	s of the currently authorized pla rs must sign this application.)	ce(s) of use identified in this appli	cation?
affected if this application is approved as r	equested?	e(s) of use identified in this appli	cation be adversely
		amage to property, public health c	or safety?
ange in place of use, the application must be	signed by all owners of the cu	ater change in point of diversion of the control of	greater than 300 fee their duly authorize
d the owner, the spouse of the owne ehalf, in regards to the water right(s	r, or a duly authorized age) to which this application	nt of the owner(s) to make ti	his application o
		day of JANGARY	, 20_19
		,	
(Owner)		(Spouse)	
Κμογ Ν Αμμ γ (Please Print)		(Please Print)	
(Owner)		(Spouse)	
(Please Print)		(Please Print)	
(Owner)		(Spouse)	
(Please Print)		(Please Print)	
Kansas SS			
eby certify that the foregoing application	n was signed in my prese	nce and sworn to before me	this 97H day
mission Expires 9-14-22	NOTARY PUBLIC - State of Kansas CATHERINE REINERT My Appt. Exp.	Catherine Pe	ineit
	FEE SCHEDULE		
he schedule below: Make checks payable to the schedule below: Make checks payable to the schedule below: Application to change a point of diversion to change a point of diversion to the schedule below:	o: Kansas Department of Agr on 300 feet or less	iculture	\$100
interes de la companya de la company		*	
21 (Revised 04/5/2018)	Page 3	F	ile No
	Does the undersigned represent all owner Yes	Does the undersigned represent all owners of the currently authorized place No	Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application is approved as requested? Yes

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 21750 change application was received on <u>JANIJORY 10, 2019</u> requesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of A change application was received on On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. ☐ Applicable ✓ Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a foot radius of the authorized point(s) of diversion. Applicable Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.

Applicable

Not Applicable The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

Applicable Mot Applicable feet from the previously As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable ☐ Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20_19, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.

Applicable M Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 19, or within any authorized extension of time. By March 1, 20 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable ☐ Not Applicable Applicable The completed well log shall be submitted with the required notice. ☐ Not Applicable 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.

All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The 11. Additional Conditions are attached. ☐ Yes Mo 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be Duly Authorized Designee of the Chief Engineer filed within 15 days of service of this Order and a request for administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds Acknowledged before me on Signature: Notary Ryblic My commission expires:

(Nation Appointment Expires June 8, 2022

HYDRO RESOURCES KEN 620-260-7356

(620)275-1920

Owner Name:

Nally Land & Cattle

Address:

19602 1Rd.

City, St. Zip:

Pierceville, KS 67868

GPS:

37.80609 N 100,6105/W

Contact #:

Rudy 620-338-1666

Location:

NW 1/4 9-26-30 Gray County

From Old Well:

29' NORTH & 46' WEST OF EXISTINGWELL

Date: 11/12

Test Hole: 1-18

Driller: Soukup

Dig Safe#18558047

Static Water Level About:232'

Total Depth: 3タ/

ом:	TO:		STRATA: WELL LOCATION
0		2	Top Soil
2		19	Brown Clay
19		60	Fine Sand
60		68	Brown Clay With Fine Sand Streaks
68		70	Fine Sand
70		82	Medium To Coarse Sand Small Gravel With Small Brown Clay Streaks
82		172	Medium To Coarse Sand Small To Large Rock With Few Small Brown Clay And Cemented Sand Streak
172		192	Brown Clay With Small To Large Rock Streaks
192		202	Coarse Sand Small Gravel Few Brown Clay Streaks
202	<u> </u>	214	Brown Clay With Medium To Coarse Sand Small Gravel Streaks
214		218	Medium Sand Some Small Gravel
218	2	234	Brown Clay Few Small Sand Streaks
234	3	237	Fine To Medium Sand
237	4	241	Brown Clay With Few Fine To Medium Sand Streaks
241	21	262	Medium To Coarse Sand Small Gravel (254'-256' Small Brown Clay Streaks)
262	4	266	Fine To Medium Sand With Brown Clay Streaks 50/50
266	10	276	Fine To Medium Sand Some Small Gravel With Brown Clay Streaks 75/25
276	16	292	Coarse Sand Small To Medium Gravel With Brown Rock And White Broken Rock
292	9	301	Coarse Sand Small To Medium Gravel With Brown Rock And White Broken Rock (Loose)
301		302	Black Shale
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