# Kansas Department of Agriculture Division of Water Resources

#### **CHANGE: P/U WORKSHEET**

1. File Number: <b>22575-D1</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ⊠ Approved □ □	enied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change:
8a. Applicant(s) New to system   SANDYHILL ENTERPR JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851	Person ID Add Seq#	8c. Landown New to sy		Person ID Add Seq#
8b. Landowner(s) New to system □  8a	Person ID Add Seq#	8d. WUC New to sy	rstem □	Person ID Add Seq#
	DWR Meter(s) Date to Compler Seal ⊠ Check Valve	□ N & P Form	☐ Water Tube ☐	o Comply: H & E Letter to Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: <b>6/20</b> Date Entered:	<b>/2019</b> ву: <b>АМ</b> Ву:

File No. <b>22575-D1</b>	11. County	: GT	Bas	sin: Ar	kansa	as Riv	er			S	tream:	- 1.2						F	rmation	Code:	Special Use:	
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Limitation:	af/yr	at				gpm (_				cfs) w	hen co	mbine	d with	file n	umber	s)				40-37		
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Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

June 20, 2019

SANDYHILL ENTERPRISES LLC JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851

RE: Water Right, File Nos. 22575-D1 and 32073

Dear Sir or Madam:

Enclosed are orders executed by the designee of 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 are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers and meet current specifications. Please return the required notification of completion of the diversion works and/or installation of the required meter as soon as these actions are completed.

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.

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

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM:

enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

#### CERTIFICATE OF SERVICE

On this 20<sup>th</sup> day of June, 2019, I hereby certify that the foregoing Approval of Applications for Change in Place of Use, Water Right, File Nos. 22575-D1 and 32073 dated 20<sup>th</sup> day of June, 2019 was mailed postage prepaid, first class, US mail to the following:

SANDYHILL ENTERPRISES LLC JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851

Pc:

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.

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

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a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property

of the existing point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

lines

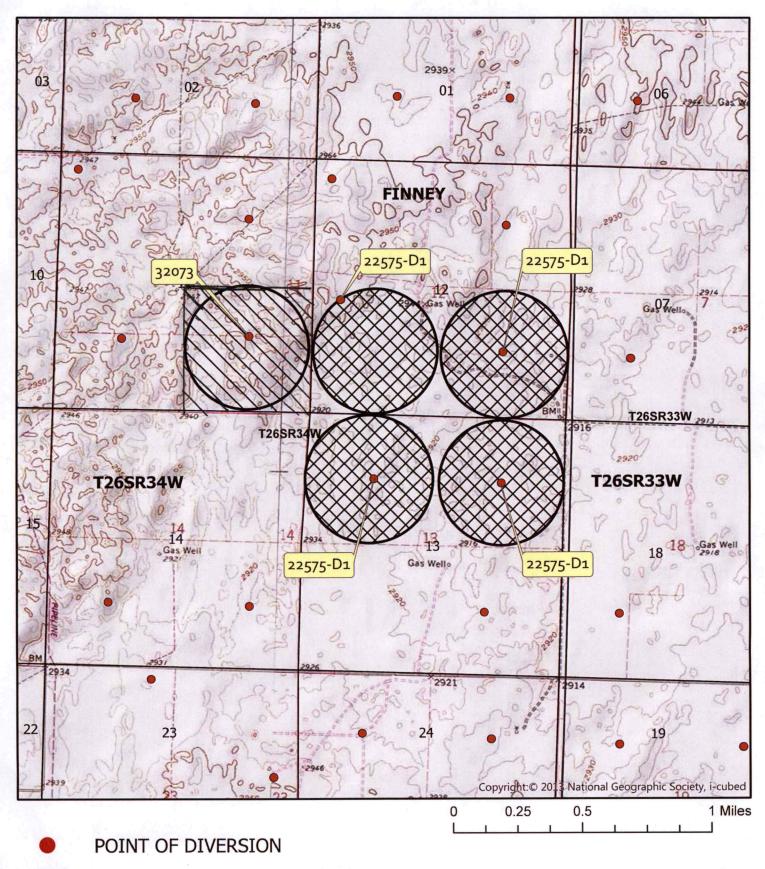
14. If the proposed groundwater point of diversion is 300 or fewer fee	et from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently a ☐ Yes ☐ No (If no, all owners must sign this a	
<ul> <li>(b) Will the ownership interest of any owner of the currently au affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	athorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this a	
If the application proposes a surface water change in point of diversic or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or aff age and the owner, the spouse of the owner, or a duly autheir behalf, in regards to the water right(s) to which this contained in this application are true, correct and complet	horized agent of the owner(s) to make this application on application pertains. I further verify that the statements
Dated at, Kansas, t	this 16 day of 71 ay , 20 19.
See of the	Agaretha neight
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas  County of Sinney SS	
I hereby certify that the foregoing application was signed of, 20	in my presence and sworn to before me this 16 day
JULIE JONES	Julie Jones
My Commission Expires  My Appointment Expires  December 15, 2022	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROSESSED. To be a mplete accurate information; maps, if necessary, must be included; signatures of all the	e, all of the applicable portions of the application form must be completed with the appropriate owners' must be affixed to the application and notarized; and
the appropriate fee must be paid.	to appropriate official final see animod to the appropriate and notations, and
FEE SCH	
Each application to change the place of use or the point of diversion use forth in the schedule below: Make checks payable to: Kansas Depa	
(1) Application to change a point of diversion 300 feet or less	
(3) Application to change the place of use	\$200
JULIE JONES  NA Appointment Explice  Discember 15, 2022	
The state of the s	

# SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s 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 visions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and tations of File No.
1.	A change application was received on requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2.	On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown or the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3.	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
4.	The point(s) of diversion described herein is administratively corrected to be more accurately described using the Globa Positioning System (GPS), as described in the application.   Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized point(s) of diversion Applicable XNot Applicable
6.	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
7.	The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 \ , 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  Not Applicable
8.	Installation of the works for diversion of water shall be completed on or before December 31, 20, 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
9.	The completed well log shall be submitted with the required notice.   Applicable   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. Applicable Not Applicable
11.	Additional Conditions are attached.  Yes No
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 <i>Kansas Wate Appropriation Law</i> and the <i>Rules and Regulations</i> 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
you Eng Agr filed adm day revi File Leg 665	APPLICATION APPROVED AND SUMMARY ORDER ISSUED  In may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of iciulture. A request for hearing by the Chief Engineer must be and within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 as pursuant to K.S.A. 77-531. Any request for administrative few must state a basis for review pursuant to K.S.A. 77-527. It is any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS 1002. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.  APPLICATION APPROVED AND SUMMARY ORDER ISSUED  By:    Duly Authorized Designee of the Chief Engineer
	For Use by Register of Deeds County of
	Acknowledged before me on June 20, 2019
	by Austin McColloch.
	Signature: Notary Public
	My commission expires    Commission expires   JULIE JONES

File No.

# WR FILE NO. 22575-D1 CHANGE IN PLACE OF USE





AUTHORIZED PLACE OF USE



PROPOSED PLACE OF USE



Created By: AM/GCFO

#### Print Page

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#### The Parcel Number for this Property is 028-331-11-2-00-001.00-0 Quick Ref ID: 14645

#### **Owner Information**

Owner Name	SANDYHILL ENTERPRISES LLC	
Address	10165 W RIVER RD HOLCOMB, KS 67851-9087	

#### **Property Situs Address**

Address	SEC 11 26-34, Garden City, KS 67846

#### **Land Based Classification System**

Function	Farming / ranch land (no improvements)
Activity	Farming, plowing, tilling, harvesting, or related activities
Ownership	Private-fee simple
Site	Dev Site - crops, grazing etc - no structures

#### **General Property Information**

Prop Class	Agricultural Use - A
Living Units	encly enterpoint
Zoning	CONSTA CARREST ANTERIOR SEA
Neighborhood	124
Tax Unit Group	125

#### **Property Factors**

Topography	Level - 1 Rolling - 4
Utilities	None - 8
Access	Dirt Road - 3
Fronting	Secondary Street - 3
Location	Neighborhood or Spot - 6
Parking Type	None - 0
Parking Quantity	None - 0
Parking Proximity	Far - 0
Parking Covered	
Parking Uncovered	

#### 2019 Appraised Value

0	16,140
)	0

Total 16,140 0 16,140

#### **Tract Description**

E 1/2, S11, T26, R34W, ACRES 322.31 Deed Book/Page 0269/0399 0269/0398 0074/0924 0074/0923 0074/0922 0029/0160

#### **Deed Information**

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
338	118	0269	0399	0269	0398	0074	0923

#### **Agricultural Land**

Ag Type	Ag Acres	Soil Unit	Irr Type	Well Depth	Acre Feet	Acre Ft/Ac	Adj Code	Govt Prog	Base Rate	Adj Rate	Ag Value
Native Grass - NG	7.21	1985			degrad	0			10	10	70
Irrigated Land - IR	119.77	1982	С	400	203	2		# 1	10	13	1,560
Irrigated Land - IR	90.54	1982	С	300	201	2			75	98	8,870
Irrigated Land - IR	28.38	1985	С	300	201	2			131	172	4,880
Native Grass - NG	76.41	1982		214		0			10	10	760

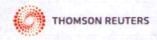
#### **Ag Land Summary**

0	Dry Land Acres
238.69	Irrigated Acres
83.62	Native Grass Acres
	Tame Grass Acres
322.31	Total Ag Acres
16,140	Total Ag Use Value
726,870	Total Ag Market Value

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#### 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

May 20, 2019

Michael A. Meyer Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RE:

Applications for Change in Place of Use

Water Right, File Nos. 22575 D1 & 32073

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use for a complete overlap in irrigation acres is in accordance with K.A.R. 5-5-11(b)(1). It is therefore recommended that the applications 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

RECEIVED

MAY 2 1 2019

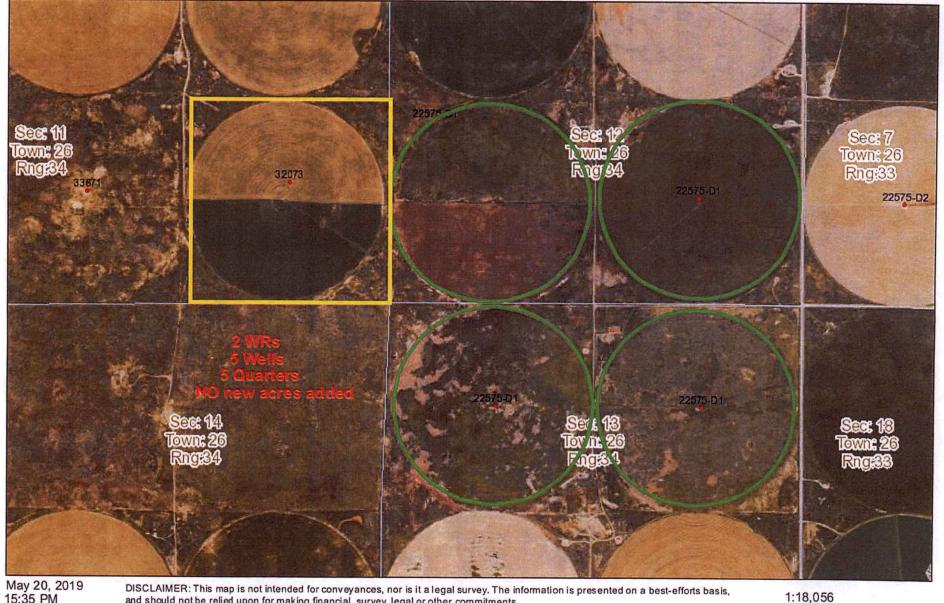
Garden City Field Office
Division of Water Resources

### **GMD3** Change Review

File No(s).: 22575D1 & 32073 DWR office: GC. App filed to change: PU. Is Landowner(s) correct in WRIS: Sandyhill Enterprises, Jacob Neufeld. If NO, is documentation included? Is Water Use Correspondent correct in WRIS? Deed with apps for one of the quarters. If NO, is documentation included? Regulation(s) Reviewed: KAR 5-5-11 Point of diversion ID No(s) \_ being changed. ft. North ft. West Authorized PD Proposed PD 0 Difference 0 0 0 0 a2 + b2 = c2GPS for proposed PD: Lat: Long:\_\_. Is proposed PD stacking on existing WRs? \_\_\_. Is Proposed PU overlapping existing WRs? Proposal to make a complete overlap with all the WRs listed. Land Owner(s) notified: ... Name Name Address Address Zip Zip Neighboring certified well(s) notified: Name . Name Address . Address Zip Zip Domestic well(s) notified: \_\_. Name Name Address Address Zip Zip Base Acres: \_\_\_. Perfected Acres: \_\_\_. Irr. Return-Flow % All proposed acres are covered by at least one of the WRs and no new acres being proposed. Is a waiver needed: NO. Recommendation: The proposal meets the criteria for all current area rules and is not bring in any acres not currently covered by a water right. Staff therefore recommends approval of the application.



# 22575D1 & 32073 Change Apps PU



May 20, 2019 15:35 PM

and should not be relied upon for making financial, survey, legal or other commitments.

Wells

Other

IRR

DEW

CON

DOM

HYD

IND

REC

STK

**Empty** Sections

THX

RECEIVED

MAY 2 1 2019

Garden City Field Office Division of Water Resources

jason qWorks.

3,200 ft

1,000 m

800

250

1,600

500

Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

May 20, 2019

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 409 CAMPUS DRIVE, SUITE 106 GARDEN CITY KS 67846

Re:

Water Right File Nos. 22575-D1 & 32073

Dear Mr. Norquest:

This is to advise you that Sandyhill Enterprises LLC-Jacob Neufeld, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use for the above referenced files. These applications are proposing a complete overlap among all referenced water rights, with no new land.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer

Water Commissioner

MAM Enclosures