### Kansas Department of Agriculture Division of Water Resources

**CHANGE: P/U WORKSHEET** 

1. File Number: <b>22576-D3</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ⊠ Approved □ Den	ied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 8/5/2019
8a. Applicant(s) New to system   SANDYHILL ENTERPRIS Attn: JACOB NEUFELD P O BOX 1005 HOLCOMB, KS 67851	Person ID 64846 Add Seq#	8c. Landown New to sy		Person ID Add Seq#
8b. Landowner(s) New to system   8a	Person IDAdd Seq#	10165	vstem   B NEUFELD W RIVER RD DMB, KS 67851	Person ID 61989 Add Seq#
9. Documents and Enclosure(s):	Seal	□ N & P Form	☐ Water Tube ☐	to Comply: H & E Letter to Comply:
10. Use Made of Water From:		To:		
			Date Prepared: <b>8/28</b> Date Entered:	By: <b>AM</b> By:

File No. 22	576-D3	11.	. County:	FI	Ba	sin: Al	RKAN	SAS R	RIVER			St	tream:							Fo	rmation (	Code:	Special Use:
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Limitation	<u> E 184</u>		af/yr a	ıt				gpm (_	Et.		(	cfs) wh	nen co	mbine	d with	file nu	umber(	(s)			511-		
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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

August 29, 2019

SANDYHILL ENTERPRISES LLC Attn: JACOB NEUFELD P O BOX 1005 HOLCOMB, KS 67851

RE: Water Right, File Nos. 16157; 19820-D8; 20890; 22576-D2; 22576-D3; 22576-DA; 22576-DB; 22577-D1; 22578-D2; 24050; 28620; 29855-D1; 29855-D2 & 30157

Dear Sir or Madam:

Enclosed are the 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 is 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, it 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 29<sup>th</sup> day of August, 2019, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 16157; 19820-D8; 20890; 22576-D2; 22576-D3; 22576-DA; 22576-DB; 22577-D1; 22578-D2; 24050; 28620; 29855-D1; 29855-D2 & 30157 dated 28<sup>th</sup> day of August, 2019 was mailed postage prepaid, first class, US mail to the following:

SANDYHILL ENTERPRISES LLC
Attn: JACOB NEUFELD
P O BOX 1005
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) of diversion and/or place of use.

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For Office Use Only: Code \_\_\_\_\_ Fee \$ \(\frac{200.00}{200.00}\) TR # \_\_\_\_\_ Receipt Date  $\(\frac{8-5-19}{9}\) Check # <math>\frac{10.39}{10.39}$ 

One in the	Quarter of the		Quarter of the	Quar
	, Township			
in	County Kaneae	feet North	feet West of	Southeast corner of section
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(DWP use only: Com	Authorized Quantity	/	foot North	foot Woot)
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	ersion: (Complete only if change			
Annual Control of the	Quarter of the			
of Section	, Township	SCHOOL ST	South Pange	Quan
in	County, Kansas,	feet North	feet West of	Southeast corner of section
	Proposed Quantity			
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This point is.   Addition	Gran Well Geo Certica Elst oth	ei watei iigii	is that will use this point	
Presently authorized	point of diversion:			
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of Section	Township		South Pange	Quart
in Section	Township County, Kansas,	foot North	South, Range	Southeast corner of section
Authorized Pate	Authorized Quantity	ieet Noitii	Donth of well	(fact)
	outer I⊅ No GPS nanged ☐This point will be changed			
	ersion: (Complete only if change			
One in the	Quarter of the		Quarter of the	Quar
	, Township			
	County, Kansas,			
Proposed Rate	Proposed Quantity		Proposed well depth	(feet)
This point is.   Addition	onal Well	er water right	is that will use this point	
	e desired for the following reasons? RLAP ALL FILES FOR PLACE	300	200 100 North	100 200 300
If a well, is the test hole I	og attached?  Yes  No	200	1+1+1=	+   +   = 200
The change(s) (was)(will	be) completed by?	E		1 - 1
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(b) When will this be do	ne?	100		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
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Groundwater Manageme	nt District recommendation attached?	200		1 + 1 + 1 = 200
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		E.		
Assisted by AM/GCFO		300	200 100 0	100 200 300
If the proposed point of difeet but within 2,640 feet a topographic map or sources, show all wells (i	version will be relocated <u>more than 30</u> of the existing point of diversion, attac	ch 13b. If the p		on will be relocated within 300 sion, indicate its location on

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

FILE NO. <u>22576 D3</u>
MAKE ADDITIONAL COPIES AS NECESSARY

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0	-	<b>D</b>	NEW		E1/4	051/	NEW		N1/4	054/	NEW		N1/4	051/	NEW		E1/4	054/	TOTA ACRE	
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On ecc. 224 On ecc. 221	Twp. 26S 26S wner of	Range 34W 34W 34W F Land -	NE1/4 34 34 34 NE1/4 34 NE1/4 34 NE1/4 34	AME: ESS:  NUM 34  34  AME: ESS:  NUM 34  AME: AME:	SAME  5/4  SW/4  34  34  SW/4  34  SW/4  34	SE¼ 34 SE¼ 34	34 34 34 34	NV% NW% 34 34 NV NW%	V¼ SW½ 34 34 34 SW½	SE1/4 34 34 SE1/4	NE½ 34 34 34	SV NW1/4 34 34 34	V¼ SW¼ 34 34 34	SE¼ 34 34 34	NE½ 34 34 34	SI NW1/4 34 34 34 SI	SW½ 34 34 34 34	SE½ 34 34 34	408 408 544 TOTA ACRE	
On ecc. 224 On ecc. 221	Twp. 26S 26S wner of	Range 34W 34W 34W F Land -	NE1/4 34 34 34 NE1/4 34 NE1/4 34 NE1/4 34	AME: ESS:  NE NW1/4 34  34  AME: ESS:  NE NW1/4 34	SAME  5/4  SW/4  34  34  SW/4  34  SW/4  34	SE¼ 34 SE¼ 34	34 34 34 34	NV% NW% 34 34 NV NW%	V¼ SW½ 34 34 34 SW½	SE1/4 34 34 SE1/4	NE½ 34 34 34	SV NW1/4 34 34 34	V¼ SW¼ 34 34 34	SE¼ 34 34 34	NE1/4 34 34 34	SI NW1/4 34 34 34 SI	SW½ 34 34 34 34	SE½ 34 34 34	408 408 544 TOTA ACRE	
On ecc. 224 On ecc. 221	Twp. 26S 26S wner of	Range 34W 34W 34W f Land -	NE1/4 34 34 34 NE1/4 34 NE1/4 34 NE1/4 ADDRI	AME: ESS:  NIII NW1/4  34  AME: ESS:  NIII NW1/4  AME: ESS:	SAME  5/4  SW/4  34  34  SW/4  34  SW/4  34	SE¼ 34 SE¼ 34	34 34 34 34	NV/4 34 34 NV NW/4 34	V¼ SW½ 34 34 34 SW½	SE1/4 34 34 SE1/4	NE½ 34 34 34	SV NW1/4 34 34 34 34 SV NW1/4	V¼ SW¼ 34 34 34	SE¼ 34 34 34	NE1/4 34 34 34	SI NW1/4 34 34 34 SI NW1/4	SW½ 34 34 34 34	SE½ 34 34 34	408 408 544 TOTA ACRE 272	
On Sec. 24 25 26 On Sec. 21	Twp. 26S 26S wner of	Range 34W 34W 34W F Land -	NE1/4 34 34 34 NE1/4 34 NE1/4 34 NE1/4 ADDRI	AME: ESS:  NIII NW1/4  34  AME: ESS:  NIII NW1/4  AME: ESS:	SAME  5W%  34  34  SW%  34  SW%  34	SE¼ 34 34 SE¼ 34	NE1/4 34 34 34 34	NV/4 34 34 NV/4 34 NV/4 NV/4	01/4 SW1/4 34 34 SW1/4 SW1/4 34	SE1/4 34 34 SE1/4	NE½ 34 34 34 NE½	SV NW1/4 34 34 34 34 NW1/4	N/4 SW1/4 34 34 34 34 W1/4 SW1/4	SE¼ 34 34 34 SE¼	NE1/4 34 34 34	SI NW1/4 34 34 34 34 SI NW1/4	SW½ 34 34 34 34 34 SW½	SE1/4 34 34 34 34	408 408 544 TOTA ACRE 272	

(a)	the proposed groundwater point of diversion is 300 or fe	wer feet from the existing point of diversion, complete the following:
	Does the undersigned represent all owners of the cur Yes No (If no, all owners must sign	rently authorized place(s) of use identified in this application? n this application.)
(b)	) Will the ownership interest of any owner of the curre affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign	ently authorized place(s) of use identified in this application be adversely gn this application.)
(c)	If this application is not approved expeditiously, will the ☐ Yes ☐ No (If no, all owners must sign	nere be substantial damage to property, public health or safety? n this application.)
or a cha	pplication proposes a surface water change in point of ange in place of use, the application must be signed by attach notarized statement authorizing representation).	diversion, a groundwater change in point of diversion greater than 300 feet, all owners of the currently authorized place of use, or their duly authorized
age an	nd the owner, the spouse of the owner, or a du	or affirmation and under penalty of perjury, that I am of lawful ly authorized agent of the owner(s) to make this application on this application pertains. I further verify that the statements implete.
Dated a	at Garden City KS , Ka	ansas, this
	( JA)	Lorgatha heal. H
dna reti	(Owner)	(Spouse)
	Tacob Neafeld	Aggnetha Neufeld
	(Please Print)	(Please Print)
begninr ed i gir	(Owner)	(Spouse)
algus, ag	(Please Print)	(Please Print)
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County I he of	(Please Print)  of Kansas  of Juney  streby certify that the foregoing application was significant to the street of the street o	(Please Print)  igned in my presence and sworn to before me this 5th day  Notary Public  complete, all of the applicable portions of the application form must be completed with
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County I had of My Con ONLY Concept accurate	(Please Print)  of Kansas  of Juney  steby certify that the foregoing application was significant to the step of t	igned in my presence and sworn to before me this 5th day  Notary Public  Complete, all of the applicable portions of the application form must be completed with sof all the appropriate owners' must be affixed to the application and notarized; and
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#### 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. 22576 D3 20/9 requesting that the place of use and / or point of A change application was received on diversion authorized under the above-referenced file number be changed as described in the application. 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.

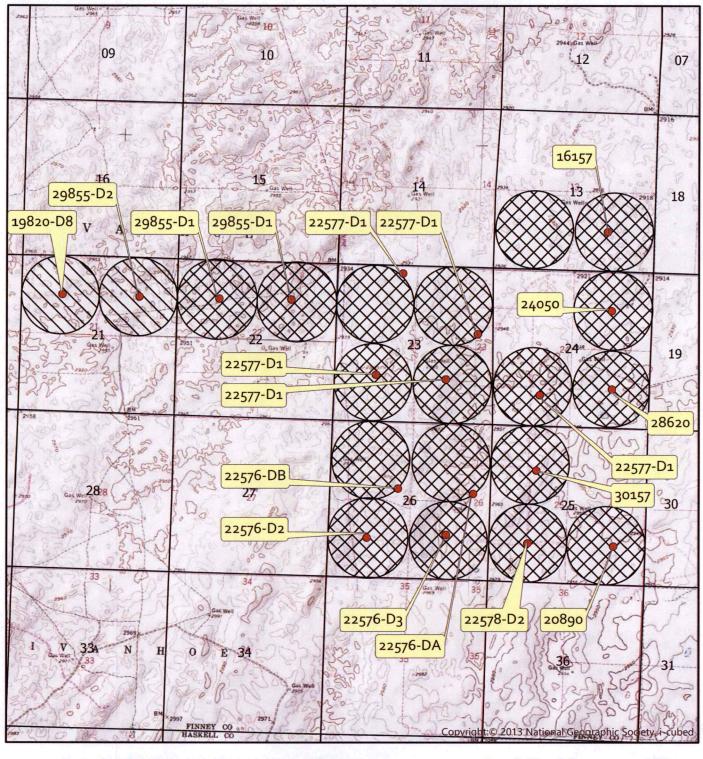
Applicable 
Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a radius of the authorized point(s) of diversion. 

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 ► Not Applicable 5. 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 ☐ 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**, 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 divertise annually to the Chief Engineer by March 1 following the end of each calendar year. ★ Applicable Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 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. Not Applicable Applicable 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 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 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order 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 filed within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): Hustin McColloch 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, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: 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 County of ( Acknowledged before me on Signature: games JULIE JONES My commission expires: My Appointment Expires (Notapucarina) 15, 2022

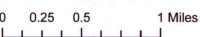
## APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT, FILE NOS. 16157, 20890, 22576-D3, 22576-DA, 22576-DB, 22576-D2, 22577-D1, 22578-D2, 24050, 28620, 29855-D1, 30157



Township 26 South Range 34 West Finney County

**AUTHORIZED PLACE OF USE** 

PROPOSED PLACE OF USE





Created By: AM/GCFO



#### 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

August 20, 2019

Michael A. Meyer Division of Water Resources 4532 W Jones Ave., Sutie B Garden City, Kansas 67846

RE: Applications for Change in Place of Use

Water Right, File Nos. 16157, 19820-D8, 20890, 22576-D2, 22576-D3, 22576-DA, 22576-DB, 22577-D1, 22578-D2, 24050, 28620, 29855-D1, 29855-D2 & 30157

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. No new acres are being proposed. 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,

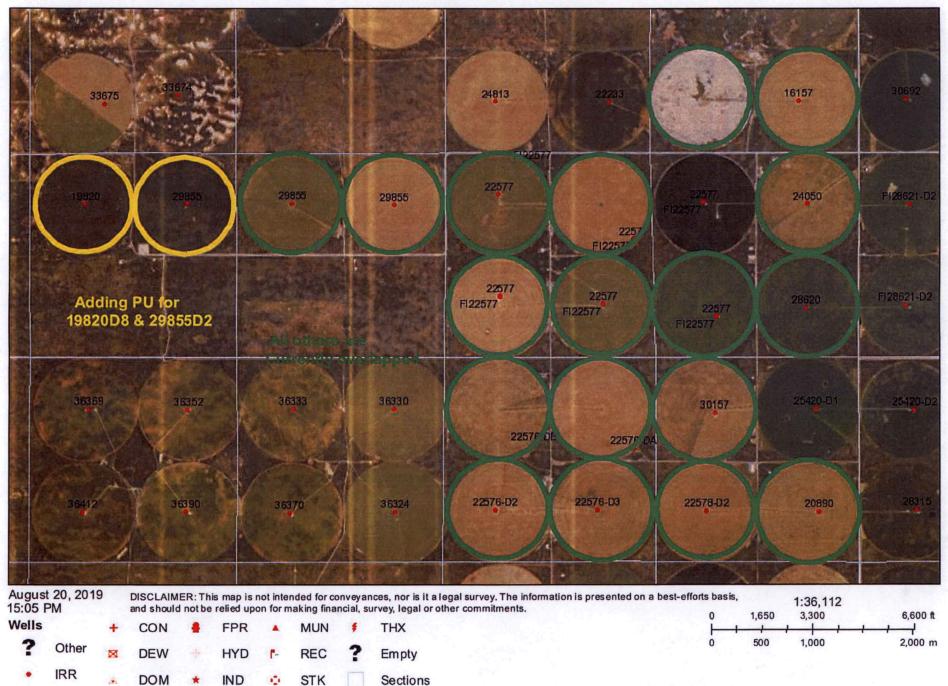
Jason L. Norquest Assistant Manager

### GMD3 Change Review

File No(s).: 1615	7, 19820 D8,	20890, 22576	D2, 22576 D3	, 22576 [	DA, 22576 DB,
22577 D1, 22578	D2, 24050, 2	8620, 29855 D	1 29855 D2 &	z 30157.	DWR office: GC.
App filed to chang	ge: PU.				
Is Landowner(s)	The state of the s	IS: Sandyhill	Enterprises, J.	acob Neu	feld.
If NO, is d	locumentation	included?			
Is Water Use Com	respondent co	rrect in WRIS	?		
If NO, is d	locumentation	included?			
Regulation(s) Rev	viewed: KAR	5-5-11			
Point of diversion	ID No(s)	being changed	l.		
	ft. North	ft. West			
Authorized PD					
Proposed PD					
Difference	0	0			The state of the s
a2 + b2 = c2	0	0	0		
GPS for proposed	PD: Lat:	Long:	hip on low		
Is proposed PD st	acking on exi	sting WRs? _			
Is Proposed PU or	verlapping ex	isting WRs? _	Proposed to co	mpletely	overlap PU, need to
bring in two addit	ional WRs.				
Land Owner(s) no	otified: .				
Name .		lame			
Address .	A	ddress			
Zip		ip			
Neighboring certi					
Name .	Annual Company of the	lame .			
Address .		ddress .			
Zip		ip			
Domestic well(s)		All of the			
Name .		lame			
Address		ddress			
Zip		ip			
Base Acres: .		-P			
Perfected Acres:					
Irr. Return-Flow					
		D8 & 20855 I	2 acres The	rest are	already completely
overlapped.	7 mg m 1702	D0 & 27033 I	2 acres. The	, icst are	an early completely
No new acres are	haina propa	sed all ourre	ntly govered		
Is a waiver needed		seu, an curre	utiy covered.		
	the state of the state of the state of	u of all availal	ala information		that the assument
			The second secon		ars that the current
			a complete or	veriap in	PU. Staff therefore
recommends appr	oval of the ap	pilcations.			1
					11/1/



#### Sandyhills PU review



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

August 16, 2019

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

Re:

Water Right

File Nos.

16157, 19820-D8, 20890, 22576-D2, 22576-D3, 22576-DA, 22576-DB, 22577-D1, 22578-D2, 24050, 28620, 29855-D1,

29855-D2, 30157

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