

File No. **2288** 11. County: **WH** Basin: **WHITEWOMAN CREEK** Stream: _____ Formation Code: **211** Special Use: _____

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm/cfs af gpm/cfs af Overlap PD Files

DEL 44235
ENT **NE SW NE** **19 28S 38W** **2515 1580** **421** **0**

CHK 66000

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

14. Limitation: **2109** af/yr at _____ gpm (**5.57** cfs) when combined with file number(s) **WH 14, WH 15, 849A, 849B**
 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	Owne
						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		
CHK 3250																							
CHK 34205																							
CHK 18179																							
CHK 28413																							
CHK 17966																							

Wasnt sure how to list limitation

Base Acres: _____ Year: _____ Minimum Reasonable Quantity: _____
 Comments: _____

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 9, 2019

GORSUCH PLACE LLC
TIMOTHY D GORSUCH
122 N COUNTY ROAD 2-1/2
LEOTI KS 67861

RE: Water Right, File Nos. 2288 & 10140

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 acceptable water flowmeter 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 document 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 to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
enclosures
pc:

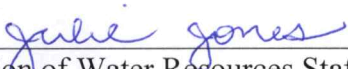
GROUNDWATER MANAGEMENT DISTRICT NO. 1

CERTIFICATE OF SERVICE

On this 9th day of May, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 2,288 & 10,140 dated 9th day of May, 2019 was mailed postage prepaid, first class, US mail to the following:

GORSUCH PLACE LLC
TIMOTHY D GORSUCH
122 N COUNTY ROAD 2-1/2
LEOTI KS 67861

GROUNDWATER MANAGEMENT DISTRICT NO. 1



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.

File No. 2288

RECEIVED
 11:00 AM
 MAY 02 2019

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: GORSUCH PLACE LLC - TIMOTHY D GORSUCH

122 N COUNTY ROAD 2-1/2 LEOTI KS 67861

Phone Number: (620)375-4271 Email address: _____

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: NO CHANGE

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

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. 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: _____

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	

For Office Use Only: Code _____ Fee \$ 100.00 TR # _____ Receipt Date 5-2-19 Check # 2463

5. **Presently authorized point of diversion:**
 One in the CN NE Quarter of the NW Quarter of the NE Quarter of Section 19, Township 18 South, Range 38 (W), in WICHITA County, Kansas, 5250 feet North 1615 feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well (feet)
(DWR use only: Computer ID No. 05 GPS feet North feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the NE Quarter of the NW Quarter of the NE Quarter of Section 19, Township 18 South, Range 38 (W), in WICHITA County, Kansas, 5215 feet North 1580 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 .

6. **Presently authorized point of diversion:**
 One in the NE Quarter of the SW Quarter of the NE Quarter of Section 19, Township 18 South, Range 38 (W), in WICHITA County, Kansas, 3477 feet North 1638 feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well (feet)
(DWR use only: Computer ID No. 08 GPS feet North feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 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 .

7. The changes herein are desired for the following reasons?
 (please be specific) CASING BAD

8. If a well, is the test hole log attached? Yes No

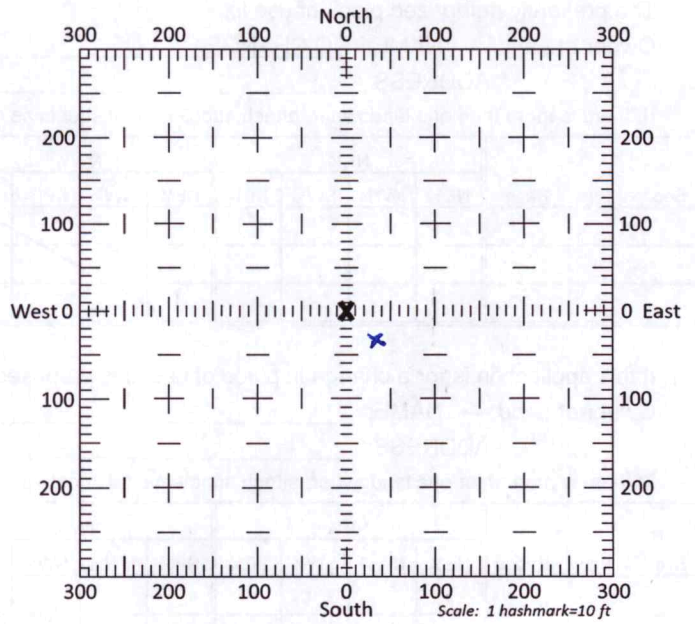
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
PLUG/CAP
 (b) When will this be done? UPON APPROVAL

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AM/GCFO

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach 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 lines



13b. If the proposed 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.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Garden City, Kansas, this 2nd day of May, 2019.

Timothy D. Gorsuch Gorsuch Place LLC
(Owner) _____ (Spouse) _____

Timothy D. Gorsuch Gorsuch Place LLC
(Please Print) _____ (Please Print) _____

(Owner) _____ (Spouse) _____

(Please Print) _____ (Please Print) _____

(Owner) _____ (Spouse) _____

(Please Print) _____ (Please Print) _____

State of Kansas }
County of Ginnery } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2nd day of May, 2019.



My Commission Expires _____

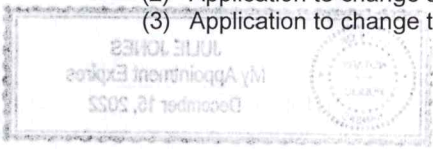
Julie Jones
Notary Public

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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



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MAY 02 2019

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. 2,288

1. A change application was received on May 2, 2019 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 on 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 50 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. 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
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 Not 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, 2019**, 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, 2019**, or within any authorized extension of time. By March 1, 2020 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 *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.

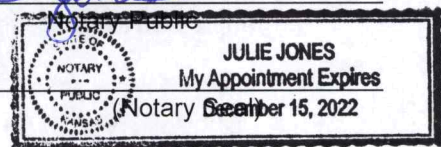
Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, 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 administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: _____
Duly Authorized Designee of the Chief Engineer
(Print Name) MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: May 9, 2019
State of Kansas _____)
County of Finney) SS
Acknowledged before me on May 9, 2019
by Michael A. Meyer
Signature: Julie Jones
My commission expires: _____



Test Log

Woofter Pump & Well, Inc.

Tim Gorsuch

1024 Oak, P.O. Box 689

Hoxie, Kansas 67740

DATE: 4/9/2019

TEST: #1 50' SE of existing

Ph (785)-675-3991, Fax (785)-675-3990

LEGAL: NE 1/4 19-18-38

E-Mail woofpw@ruraltel.net

0	2	surface
2	20	loess
20	32	clay & caliche w/ sandy clay
32	39	fine & med sand w/ clay & caliche streaks
39	62	clay & caliche w/ sand lenses
62	77	sandy clay w/ clay & caliche streaks
77	89	fine to some med sand w/ clay & caliche lenses
89	121	clay & caliche w/ sand streaks
121	154	sandy clay w/ clay & caliche streaks
154	166	fine to some med sand w/ clay & caliche lenses
166	185	fine & med sand & small gravel w/ traces of clay
185	200	black shale

RECEIVED

MAY 02 2019

Garden City Field Office
Division of Water Resources

WOOFER PUMP & WELL, INC.

**SALES & SERVICE
1024 OAK STREET
HOXIE, KS 67740**

PHONE (785) 675-3991-----FAX (785) 675-3990

E-MAIL: woofpw@ruraltel.net

Fax transmittal sheet

To: Tim Gorsuch

From: Brittany

Company: _____

Date sent 4/25/19

Fax # 620-375-4271

Number of pages 2

Comments: