Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 28648	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ☐ Approved ☐ De	nied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 8/7/2019
8a. Applicant(s) New to system GREGORY C & SUE LO 24506 13 RD MONTEZUMA KS 6786		GREG 24506	AG COMPANY LOVE	Person ID 41565 Add Seq#
8b. Landowner(s) New to system CARL L LOVE POA GREG LOVE OR C 24506 13 ROAD MONTEZUMA KS 6786		8d. WUC New to sy	rstem □	Person ID Add Seq#
9. Documents and Enclosure(s):	r Seal	□ N & P Form		o Comply: Driller Copy
10. Use Made of Water From:		To: _		
OAREST SE			Date Prepared: 8/14/ Date Entered:	/2019 By: AM By:

ile No.	28648		11.	County	: GY	Bas	in: AR	KANS	SAS RIV	/ER	4 -		Sti	ream:							Fo	rmation Code:	Special Use:
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Comments: OVERLAPPING WR ON PLACE OF USE: 14536; 14703; 17891; 21362; 26293; 27702; 28636; 28648; 31626

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 15, 2019

GREGORY C & SUE LOVE 24506 13 RD MONTEZUMA KS 67867-9073

RE: Water Right, File Nos. 14536; 14703; 17891; 21362; 26293; 27702; 28636; 28648; 31626

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 notifications of completion of the diversion works and/or installation of the required meter as soon as these actions are completed.

Since the order modifies 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 15th day of August, 2019, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 14536; 14703; 17891; 21362; 26293; 27702; 28636; 28648; 31626 dated 15th day of August, 2019 was mailed postage prepaid, first class, US mail to the following:

GREGORY C & SUE LOVE 24506 13 RD MONTEZUMA KS 67867-9073

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

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Division of Water Resources Staff

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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

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

		All Live							-									- 11	
				NE	1/4			NV	V1/4			SV	11/4			SE	1/4		TOTA
ec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	ACRE
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File No. _

DWR 1-121-2 (Rev. 04/24/2018)

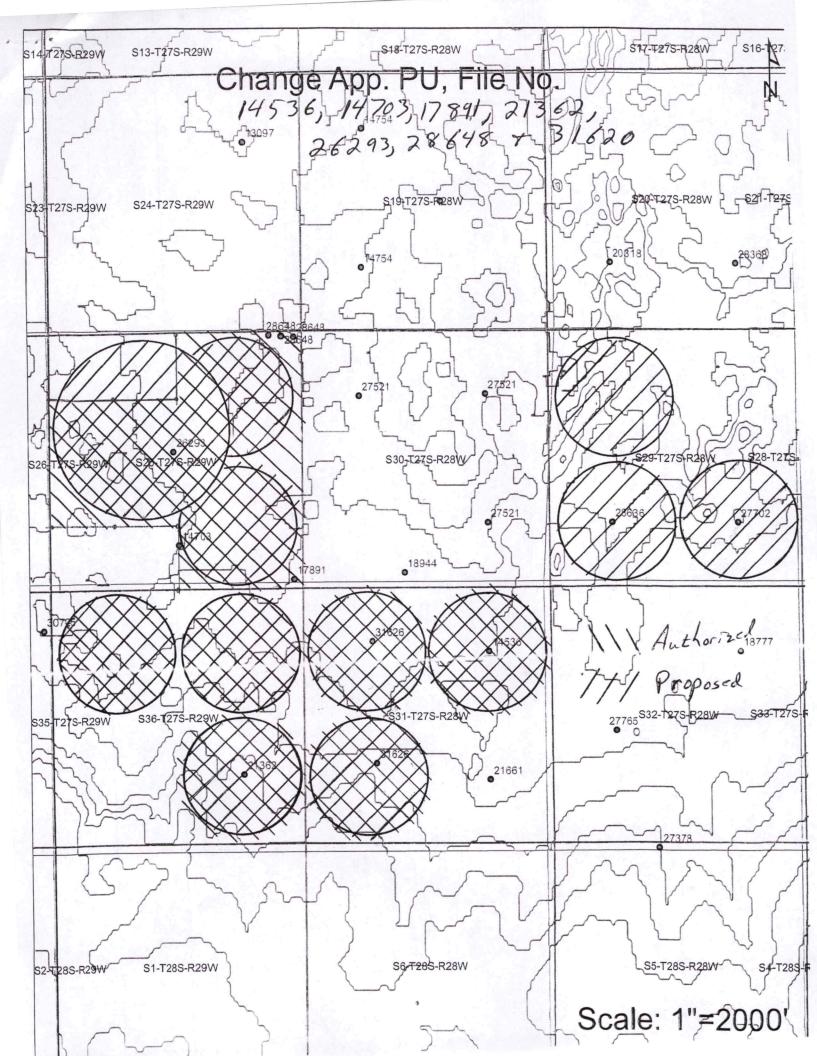
14. If the proposed groundwater point of diversion is	300 or fewer feet from the existing point	of diversion, complete the following:
(a) Does the undersigned represent all owners		
	must sign this application.)	
(b) Will the ownership interest of any owner of affected if this application is approved as re- Yes No (If yes, all owner.)	the currently authorized place(s) of use quested? s must sign this application.)	identified in this application be adversely
(c) If this application is not approved expeditiou Yes No (If no, all owners	sly, will there be substantial damage to pr must sign this application.)	operty, public health or safety?
If the application proposes a surface water change in or a change in place of use, the application must be agent (attach notarized statement authorizing representation)	signed by all owners of the currently author	
I hereby verify, being first duly sworn upon age and the owner, the spouse of the owner, their behalf, in regards to the water right(s) contained in this application are true, correc-	, or a duly authorized agent of the c to which this application pertains.	wner(s) to make this application on
Dated at	, Kansas, this day of	, 20
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County of Jackson SS	and the second second second	(th
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	Relen St.	HI Reliem
4-1.22	CANN VON	Notary Public
My Commission Expires 4-/-22	· Notory for S	usan Love only
ONLY COMPLETE APPLICATIONS WILL BE PROCESSET accurate information; maps, if necessary, must be included; the appropriate fee must be paid.	signatures of all the appropriate owners' must	
Each application to change the place of use or the potenth in the schedule below: Make checks payable to (1) Application to change a point of diversion (2) Application to change a point of diversion (3) Application to change the place of use	; Kansas Department of Agriculture n 300 feet or less	
		File No.
DWR 1-121 (Revised 04/5/2018)	Page 3	1 40 110

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? (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adver 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 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 statement authorizing representation). I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of Ita age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statemental in this application are true, correct and complete. Dated at Yes Please Print) (Please Print) (Owner) (Please Print) (Please Print)
Yes
affected if this application is approved as requested? Yes
Yes
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 Iz age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statem contained in this application are true, correct and complete. Dated at Contained in this application are true, correct and complete. Dated at Contained in this application are true, correct and complete. (Spouse) (Please Print) (Owner) (Spouse) (Please Print) (Owner) (Spouse)
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(Please Print) NOTARY PUBLIC (Please Print)
State of Kansas) STATE OF KANSAS MY COMM. EXPIRES
county of Finney ss DS12112021
I hereby certify that the foregoing application was signed in my presence and sworn to before me this The
of Cugist, 20 19.
Tatricia Japleton
My Commission Expires 5-21-2021.
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be complete accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized 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
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
ARAB JOHES Name Ny Appointment Expires December 15, 2022
DWR 1-121 (Revised 04/5/2018) Page 3 File No

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. 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 \(\sum \text{Not Applicable}\) Not Applicable the topographic map accompanying the application to change the place of use. 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 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 Not Applicable K.A.R. 5-6-13. ☐ 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 diverted 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. Not Applicable ☐ 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 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 review must state a basis for review pursuant to K.S.A. 77-527. (Print Name): 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 County of Acknowledged before me Signature: Notary Public My commission expire December 15, 2022





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

June 14, 2019

RECEIVED

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

AUG 07 2019

Garden City Field Office Division of Water Resources

RE:

Applications for Change in Place of Use

Water Right, File Nos. 14536, 14703, 17891, 21362, 26293, 27702, 28636, 28648 &

31626

Dear Mike:

We have assisted with the applications for the above referenced water rights. The proposal is 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