

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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. 9108 D1

Water Resources  
 Received

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

DEC 09 2019  
 1:45  
 KS Dept Of Agriculture

2. Name and address of Applicant: Mary E Hughes Trust PO Box 16184; Lubbock, TX 79490

Phone Number: (806)317-0061                      Email address: stevenpbetts@gmail.com

Name and address of Water Use Correspondent: Mary E Hughes Attn: Steven Betts PO Box 16184 Lubbock TX 79490

Phone Number: (806)317-0061                      Email address: stevenpbetts@gmail.com

3. The presently authorized place of use is:

Owner of Land --- NAME: Mary E Hughes Trust 1813 Kings Isle Dr. Plano TX 75093

ADDRESS: 1813 Kings Isle Dr. Plano TX 75093

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	
1	28S	38W	40	40	40	40													320

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: Mary E Hughes

ADDRESS: 1813 Kings Isle Dr. Plano TX 75093

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	
1	28S	38W	40	40	40	40	7		7	39.3	39.3	7		7	7	39.3	7		320

*CPG*

For Office Use Only: Code 1010 Fee \$ 300.00 TR # \_\_\_\_\_ Receipt Date 12-9-19 Check # 2791

12/16/2019  
 LMoody

Owner of Land ---- NAME: Sturgeon-Hughes LLC

ADDRESS: 1813 Kings Isle Dr. Plano TX 75093

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		
1	28S	38W	40	40	40	40	7		7	39.3	39.3	7		7	7	39.3	7		320	

Water Resources  
Received

DEC 09 2010

KS Dept Of Agriculture

5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the NW Quarter of the NE Quarter  
 of Section 1, Township 28 South, Range 38 W,  
 in Grant County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate 1535 GPM Authorized Quantity 800 AF Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ 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 \_\_\_\_\_ 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 \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 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.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ 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) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

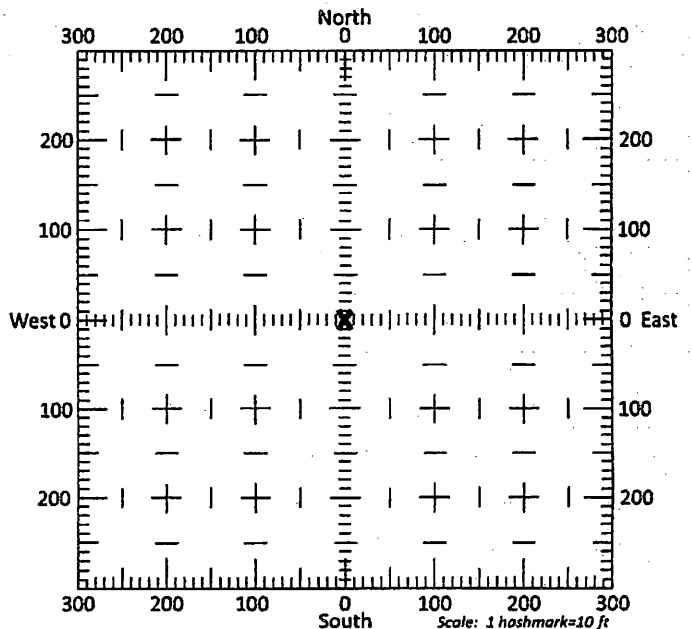
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_  
 \_\_\_\_\_

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by SZ \_\_\_\_\_

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.)  
 Received \_\_\_\_\_

DEC 09 2019

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 Plano, <sup>Texas</sup> ~~Kansas~~, this 25<sup>th</sup> day of November, 2019.

→ Mary S. Hughes  
(Owner)

(Spouse)

Mary Hughes Trust by: Mary Hughes, Trustee  
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

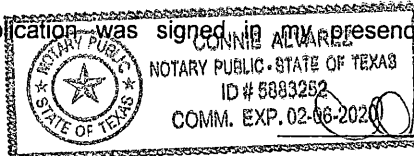
(Spouse)

(Please Print)

(Please Print)

State of ~~Kansas~~ <sup>Texas</sup>  
County of Collin } SS

→ I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25 day of November, 2019.



Connie Alvarez  
Notary Public

My Commission Expires 2/6/2020

**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 .. Water Resources ..... \$200
- (3) Application to change the place of use ..... Received ..... \$200

DEC 09 2019

KS Dept Of Agriculture

**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. \_\_\_\_\_.

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 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 \_\_\_\_\_ 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, 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 *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*

Water Resources  
Received  
DEC 09 2019  
KS Dept Of Agriculture

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

By: \_\_\_\_\_  
Duly Authorized Designee of the Chief Engineer

(Print Name): \_\_\_\_\_  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: \_\_\_\_\_

State of Kansas \_\_\_\_\_ )  
County of \_\_\_\_\_ ) SS

Acknowledged before me on \_\_\_\_\_  
by \_\_\_\_\_

Signature: \_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_  
(Notary Seal)

# DIVIDED WATER RIGHT SUPPLEMENTAL SHEET

(A separate sheet will need to be filed for each subdivided portion.)

File No. 9108 - Portion D 1 (1, 2, 3, etc.)

Water Resources  
Received

DEC 09 2019

**1. OWNER OF THIS SUBDIVIDED PORTION**

(Names and addresses of owners of subdivided place of use.)

KS Dept Of Agriculture

**Mary E Hughes**

**1813 Kings Isle Dr. Plano TX 75093**

**2. PRIORITY OF THIS SUBDIVIDED PORTION RELATIVE TO OTHER PORTIONS:**

The priority of this subdivided portion shall be (equal) junior, senior) circle one, to subdivided Portion D 2 (1, 2, 3, etc.).

**3. MAXIMUM ANNUAL QUANTITY OF WATER FOR THIS SUBDIVIDED PORTION:**

It is requested that the maximum annual quantity of water be 800 (acre-feet) or million gallons of water - circle one) per calendar year. (Total of subdivided portions cannot exceed that authorized by point of diversion or by original water right.)

**4. MAXIMUM RATE OF DIVERSION OF WATER FOR THIS SUBDIVIDED PORTION:**

It is requested that the maximum rate of diversion of water be 1535 (gallons per minute) or cubic feet per second - circle one). (Total of subdivided portions cannot exceed that authorized by point of diversion or by original water right.)

**5. AUTHORIZED PLACE OF USE OF WATER FOR THIS SUBDIVIDED PORTION:**

IRRIGATION USE

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES	
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		
1	28S	38W	40	40	40	40														320

**6. CONSUMPTIVE USE**

- a. Base acres to be assigned to this subdivided portion: 320 (as defined by K.A.R. 5-5-11.)
- b. Maximum acres irrigated during the perfection period to be assigned to this subdivided portion: 300 (as defined by K.A.R. 5-5-9 and 5-5-10.)

In the event of a subsequent application for a Multi-Year Flex Account (K.S.A. 82a-736), DWR reserves the authority to assign the base average usage and flex account acreage, unless otherwise specified herein.

**7. AUTHORIZED PLACE OF USE (FOR NON-IRRIGATION USE)**

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 8. Consumptive use on non-irrigation portions shall be prorated based on percentage of quantity assigned to each subdivided portion, unless otherwise specified by the owner(s) herein.

The percentage of the total consumptive use to be assigned to this subdivided portion: \_\_\_\_\_  
(as defined by K.A.R. 5-5-8)

**9. AUTHORIZED POINTS OF DIVERSION FOR THIS SUBDIVIDED PORTION:**

- a. one in the SW quarter of the NW quarter of the NE quarter of Section 1, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township 28 South, Range 38 East/West (circle one), Grant \_\_\_\_\_ County, Rate 1535 (g.p.m./c.f.s.) and Quantity 800 (AF/MGY).

The water use correspondent (person to file the required annual water use report) for this point of diversion will be:

\_\_\_\_\_  
OWNER AGENT TENANT (Circle one) (Address if not given previously)

- b. one in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Rate \_\_\_\_\_ (g.p.m./c.f.s.) and Quantity \_\_\_\_\_ (AF/MGY).

The water use correspondent (person to file the required annual water use report) for this point of diversion will be:

\_\_\_\_\_  
OWNER AGENT TENANT (Circle one) (Address if not given previously)

**10. BENEFICIAL USE FOR THIS SUBDIVIDED PORTION:**

The authorized beneficial use of water is/are: \_\_\_\_\_  
(For water rights already authorizing more than one beneficial use)

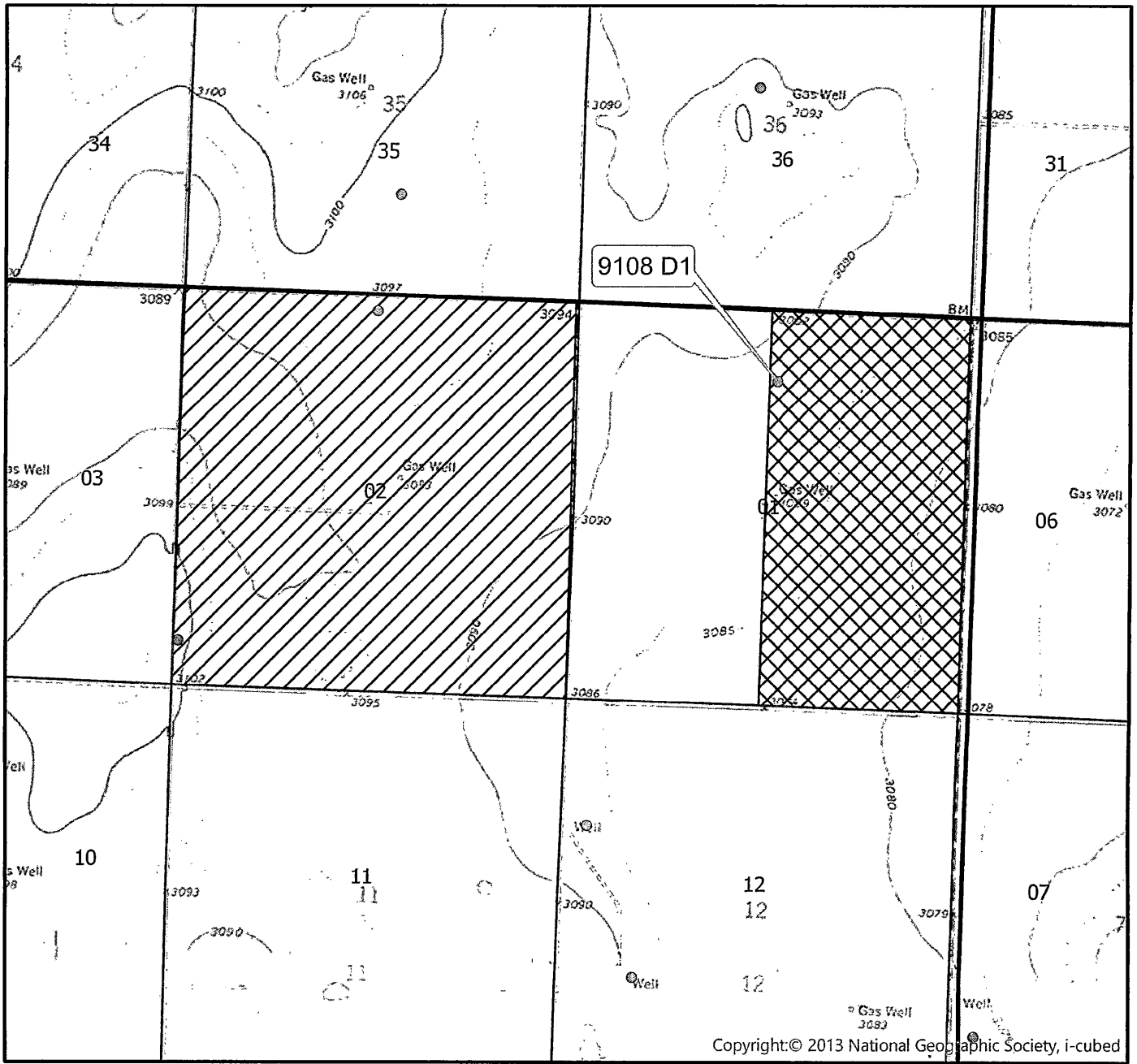
Water Resources  
Received

DEC 09 2019

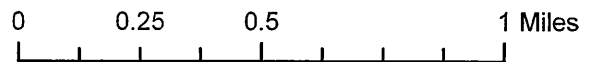
KS Dept Of Agriculture

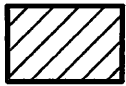



# Application to Divide a Water Right WATER RIGHT, FILE NO. 9108 D1



Township 28 South Range 38 West  
Grant County



-  Authorized Place of Use
-  Proposed Place of Use

Water Resources  
Received

DEC 09 2010



KS Dept Of Agriculture

Created by: SZ/GCFO

December 3, 2019


Department of Agriculture  
Attn: Charlotte Phillip  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Mary Hughes Rev Trust (File # 9108)

To whom it may concern:

I am enclosing the paperwork given to us by Sarah Zdanowski in the Garden City field office in order to divide an existing File # between 2 parcels of land as well as changing the place of use.

Should you need additional information, I can be reached at 806.317.0061.

  
Steve Betts,  
Farm Manager

Water Resources  
Received  
DEC 09 2019  
KS Dept Of Agriculture