

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: pu WORKSHEET

1. File Number: 9516	2. Status Change Date: 8-2-19	3. Change Num: CI	4. Field Office: 04	5. GMD: 03
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 7/26/19
--	---

8a. Landowner, applicant, WUC New to system <input type="checkbox"/> Person ID 22949 Add Seq# 1 BOB & JOAN HARRINGTON 1111 HARDING AVE GARDEN CITY KS 67846-4635	8c. applicant, WUC New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
--	--

8b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ 3
--	---

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/19** N & P Date to Comply: _____

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **8/2/19** By: **MAM**
 Date Entered: _____ By: _____

File No. **9516** 11. County: FI Basin: **ARK RIVER** Stream: _____ Formation Code: _____ Special Use: _____

12. Points of Diversion										Rate and Quantity				
CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	

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

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 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	Owner	Chg?	Overlap Files		
						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						
MOD	31302	15	23	32	W 1	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	8a	YES	13057		

Base Acres: **0** 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

August 2, 2019

BOB & JOAN HARRINGTON
1111 HARDING AVE
GARDEN CITY KS 67846-4635

RE: Water Right, File Nos. 9516 and 13057

Dear Sir and 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 acceptable water flow meters 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 installation of the required meters 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 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. 3

CERTIFICATE OF SERVICE

On this 2nd day of August, 2019, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 9516 and 13057 dated 2nd day of August, 2019 was mailed postage prepaid, first class, US mail to the following:

BOB & JOAN HARRINGTON
1111 HARDING AVE
GARDEN CITY KS 67846-4635

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.

File No. 9516

RECEIVED
 1:15 PM
JUL 26 2019

**Garden City Field Office
 DIVISION OF WATER RESOURCES**

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

2. Name and address of Applicant: BOB & JOAN HARRINGTON
1111 HARDING AVE, GARDEN CITY KS 67846-4635

Phone Number: (620)260-6373 Email address: harrbob88@yahoo.com

Name and address of Water Use Correspondent: Same

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: HERMAN R HOEME TRUST HR & MM HOEME TRUSTEES

ADDRESS: 1710 ANDERSON ST, GARDEN CITY KS 67846

(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	
15	23	32W	40	40	40	40	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: BOB & JOAN HARRINGTON

ADDRESS: 1111 HARDING AVE, GARDEN CITY KS 67846-4635

(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		
15	23	32W	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 7-26-19 Check # 1344

5. **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 _____

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?
 ASAP _____

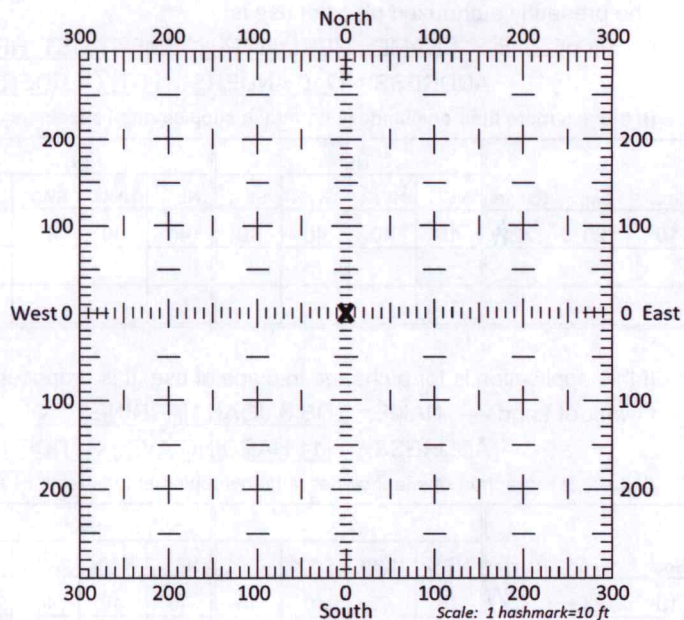
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by mf/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 Harden City, Kansas, this 30th day of July, 20 19.

Erva Joan Harrington
 (Owner)

 (Spouse)

Erva Joan Harrington
 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30th day of July, 20 19.



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

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?
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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 Warden City, Kansas, this 26th day of July, 2019.

Bob Harrington

(Owner)

(Spouse)

Bob Harrington

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Linney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 26th day of July, 2019.

My Commission Expires



Julie Jones

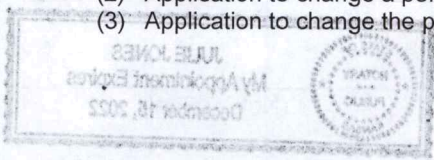
Notary Public

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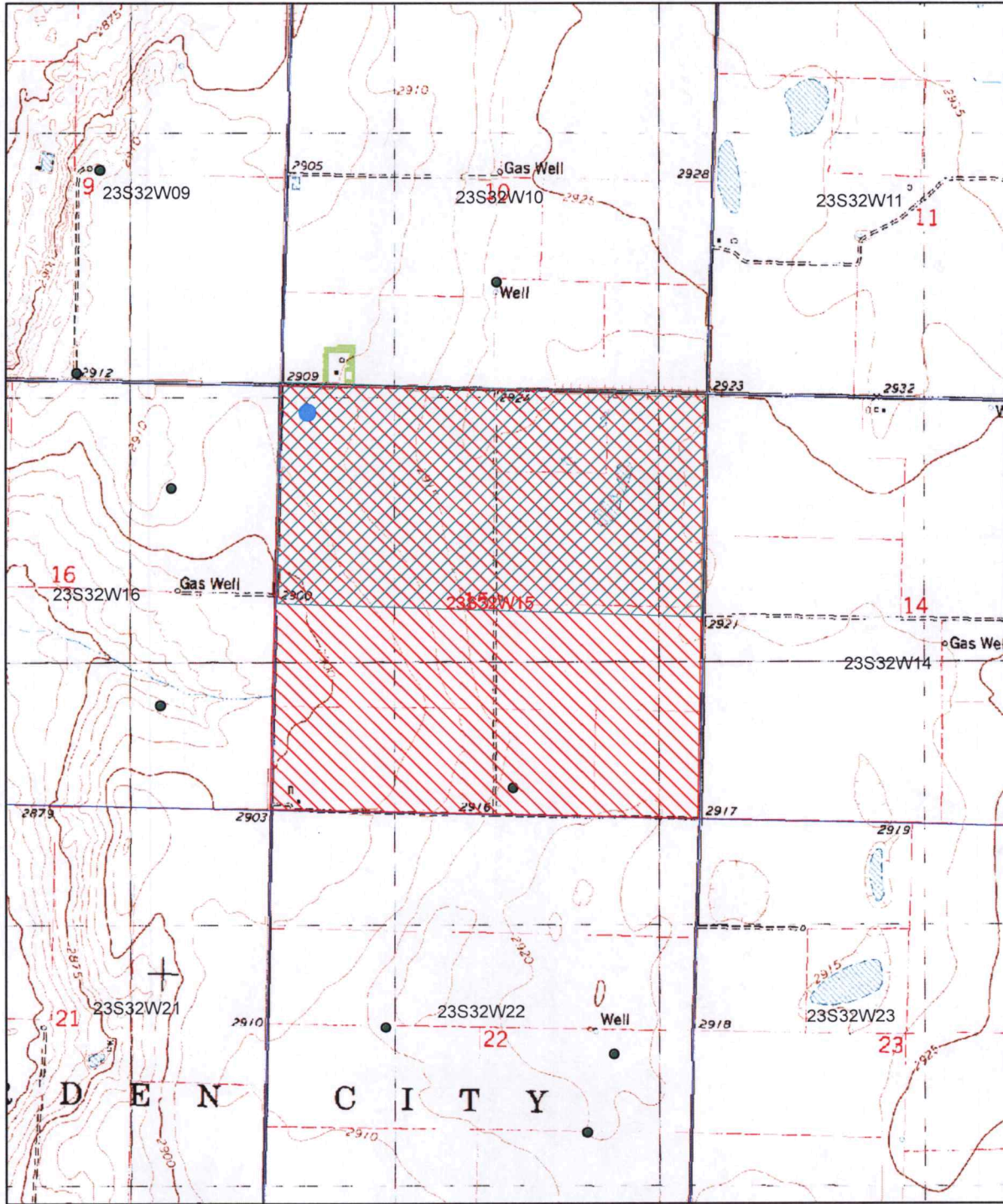
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- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200



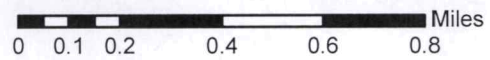
Change in Place of Use for Water Right 9516



Authorized Place of Use



Proposed Place of Use



All wells within 1/2 miles are on this map.

X _____



[Handwritten Signature]



ULRIKE LAPPIN
REGISTER OF DEEDS - FINNEY COUNTY KANSAS
Book: 338 Page: 146

Receipt #: 158571 Recording Fee: \$38.00
Pages Recorded: 1 of 2 *Ulrike Lappin*

Date Recorded: 4/18/2019 10:24:40 AM
[ELECTRONICALLY FILED]

KANSAS TRUSTEE'S DEED
(Individual/Tenants in Common)

THIS DEED, is made this 16th day of April, 2019 by and between **Deandra Krug Trustee** and **Nancy McMillan Trustee and Marnie Hoeme, Trustee** of the **Herman R. Hoeme Marital Trust**, dated **November 18, 1982**, as Grantor(s), and **Bobby D. and Erva Joan Harrington Trust**, dated **May 31, 2018**, as Grantee(s), whose mailing address is 1111 Harding, Garden City, KS 67846.

WITNESSETH, that the Grantor(s), for and in consideration of the sum of One Dollar and other good and valuable consideration paid by the Grantees, the receipt and sufficiency of which is hereby acknowledged by Grantor(s), do/does by these presents **SELL AND CONVEY** unto the Grantee(s), the following described Real Estate, situated in the County of **Finney** and State of Kansas, to-wit:

The North Half (N/2) of Section Fifteen (15), Township Twenty-three (23) South, Range Thirty-two (32) West of the 6th P.M., Finney County, Kansas
Except all oil, gas and/or minerals.

Subject to all easements, restrictions and reservations, if any, now of record.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the Grantee(s), and to the heirs and assigns of such Grantee(s) forever.

The Grantor(s) hereby covenanting that the Grantor(s), and the heirs, executors, administrators and assigns of the Grantor(s), shall and will **WARRANT AND DEFEND** the title to the premises unto the Grantee(s), and to the heirs and assigns of Grantee(s) forever, against the lawful claims of all persons whomsoever, *claiming by, through or under Grantor(s)*, excepting, however, the general taxes for the current calendar year and thereafter, and special taxes becoming a lien after the date of this deed.

Grantor(s) warrant(s) to Grantee(s) that Grantor(s) is/are conveying the Property pursuant to the provisions of the **Herman R. Hoeme Marital Trust** (the "Trust"). Grantor(s) further warrant(s) to Grantee(s) that said Trust is in full force and effect as of the date hereof and has not been amended, modified or revoked, and that Grantor(s) is/are the duly constituted trustee(s) or successor trustee(s) of the Trust. Grantor(s) covenant(s) to Grantee(s) that this conveyance is made pursuant to the authority granted to Grantor(s) by the Trust, and the consideration received by Grantor(s) is in full accordance with the provisions of the Trust.

RECEIVED

JUL 26 2019

Garden City Field Office
DIVISION OF WATER RESOURCES

RECEIVED

MAY 29 2019

Finney Co. FSA Office

Dated: April 16, 2019

Herman R. Hoeme Marital Trust

Deandra Krug, trustee
Deandra Krug, Trustee

Nancy McMillan, trustee
Nancy McMillan, Trustee

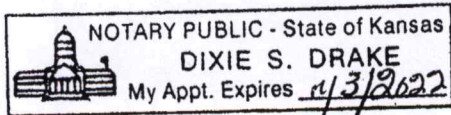
Marnie Hoeme trustee
Marnie Hoeme, Trustee

STATE OF **Kansas**)
)ss.
COUNTY OF **Finney**)

BE IT REMEMBERED, That on this 16th day of April, 2019, before me, the undersigned, a Notary Public in and for said County and State, came **Deandra Krug, Trustee** and **Nancy McMillan and Marnie Hoeme, Trustee** of the **Herman R. Hoeme Marital Trust, dated November 18, 1982** and who is/are personally known to me to be the same person(s) who executed the within instrument of writing, and duly acknowledged the execution of the same as his/her/their free act and deed for the purposes expressed therein pursuant to the authority granted by said Trust Agreement.

Dixie S. Drake
Notary Public

My appointment expires:



RECEIVED

MAY 29 2019

Finney Co. FSA Office

RECEIVED

JUL 26 2019

Garden City Field Office
DIVISION OF WATER RESOURCES

Meyer, Mike [KDA]

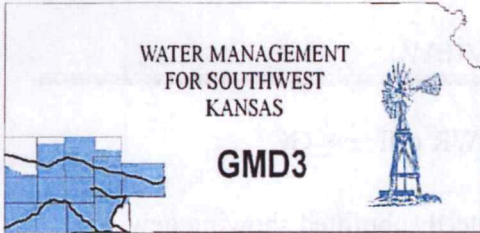
From: Meyer, Mike [KDA]
Sent: Monday, July 29, 2019 8:25 AM
To: 'Norquest, Jason (Norquest@gmd3.org)'
Subject: request for recommendation, File Nos. 9516 & 13057
Attachments: 20190729074335663.pdf

Good morning

Attached is a request for a review and recommendation of the attached applications to change the place of use. Bob Harrington is creating a complete overlap between two files. I have yet to obtain his wifes signature. Other than that, it is ready for your review.

Thanks, and please provide a recommendation within 15 days.

Mike



**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

July 29, 2019

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

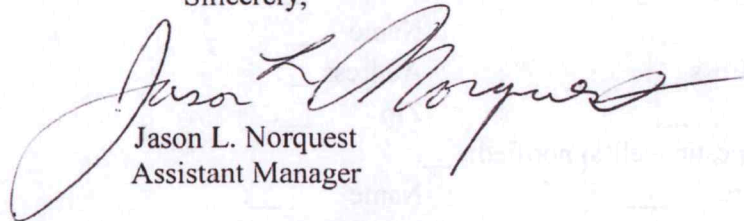
RE: Applications for Change in Place of Use
Water Right, File Nos. 9516 & 13057

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

RECEIVED

JUL 29 2019

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 9516 & 13057.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Bob Harrington (deed submitted showing new ownership on N2).

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Yes.

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			
Difference	0	0	
a2 + b2 = c2	0	0	0

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? .

Is Proposed PU overlapping existing WRs? Making a complete overlap on the WRS.

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: .

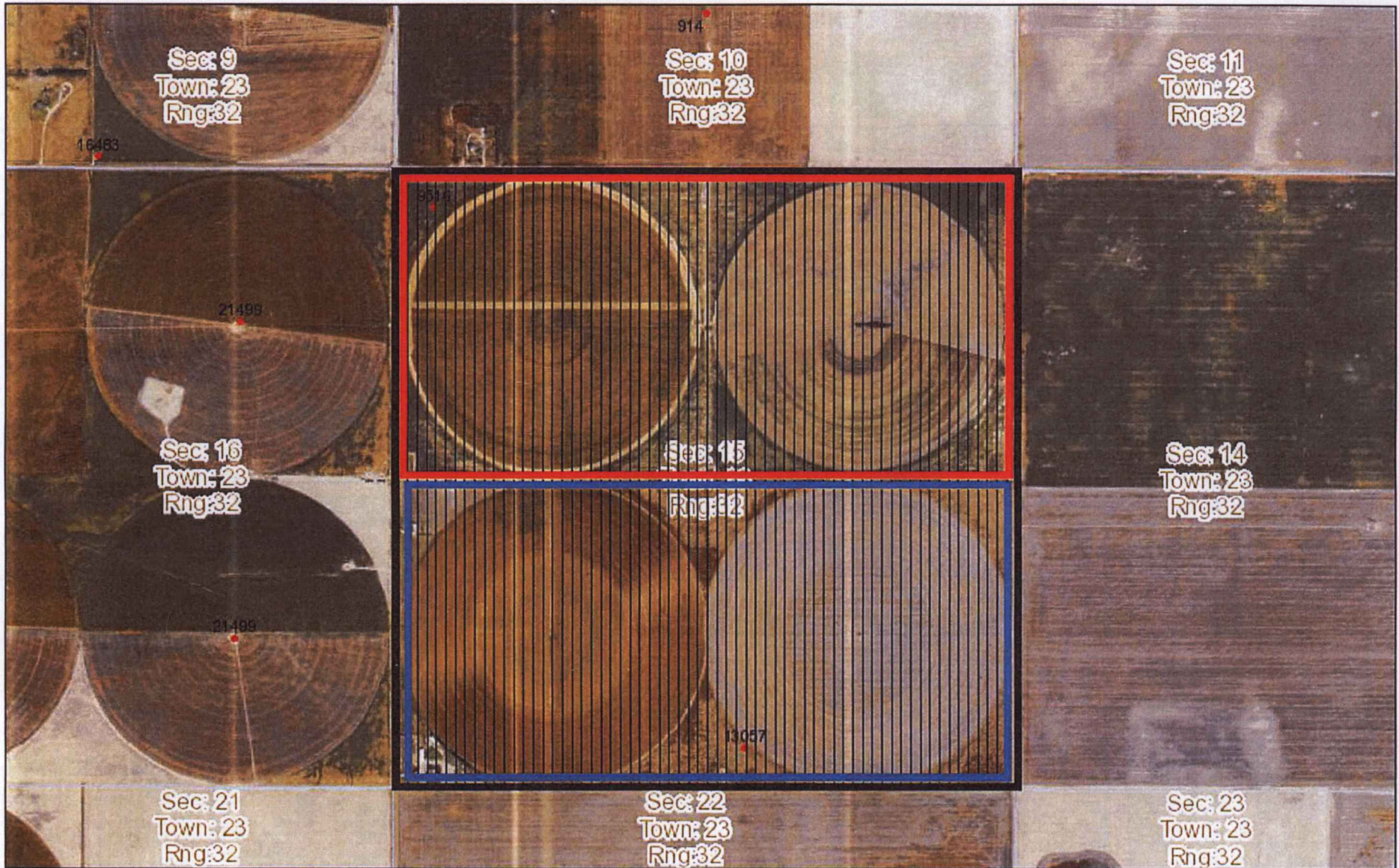
Irr. Return-Flow %

Each WR authorized a half section in the same section. These applications will create a complete overlap in place of use. No new acres proposed.

Is a waiver needed: No.

Recommendation: After review of all available information, it appears all current area rules are met. Staff therefore recommends approval of the applications.





July 29, 2019
09:55 AM

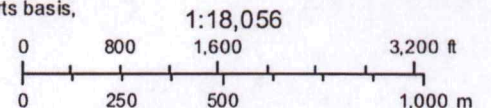
DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Wells**
- Other
 - IRR
 - CON
 - DEW
 - DOM
 - FPR
 - HYD
 - IND
 - MUN
 - REC
 - STK
 - THX
 - Empty
 - Sections

RECEIVED

JUL 29 2019

Garden City Field Office
Division of Water Resources



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



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

Mike Beam, Secretary

Laura Kelly, Governor

July 26, 2019

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

Re: Water Right File Nos. 9516 and 13057

Dear Mr. Norquest:

This is to advise you that Bob Harrington 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. This proposal creates a complete overlap in place of use.

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