## Kansas Department of Agriculture Division of Water Resources

CHANGE: pu WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
9516	8-2-19	CI	04	03
6. Status: ☐ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				7/26/19
8a. Landowner, applicant, WUC New to system □	Person ID 22949 Add Seq# 1	8c. applicant		Person IDAdd Seq#
BOB & JOAN HARRING 1111 HARDING AVE GARDEN CITY KS 67840				
8b. Landowner(s) New to system □	Person ID Add Seq#	8d. WUC New to sy	stem □	Person IDAdd Seq#
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Compl	y: <b>12/31/19</b>	N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter☐ Conservation Plan☐ Date Require		□ N & P Form		Oriller Copy
	age			
10. Use Made of Water From:	12 AC.	To: _		
			Date Prepared: <b>8/2/1</b> Date Entered:	<b>9</b> ву: <b>МАМ</b> Ву:

File No. <b>9516</b>	11. County: I	=1	Bas	sin: Al	RK RI	VER				S	tream	:						Fo	ormation	Code:	Special Use:
12. Points of Diversion CHK MOD		1() - tiv -	100	· 20											and Qu	uantity zed		Α	dditional		
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13. Storage: Rate	N	F	Quar	ntity _			· .		ac/ft	A	dditio	nal Rat	e				NF	Add	itional Qu	uantity	ac/ft
14. Limitation:																					
15. 5YR Allocation: Allocation																					
16. Place of Use			NE	Ξ1/4			NV	V¹/4	-		S	W1/4	1 2		s	E1/4		Total	Owner	Chg?	Overlap Files
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Base Acres: 0 Year: Comments:	Minimum	Reaso	onable	Quan	tity:						i ey									0	

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,

Michael A. Meyer

Water Commissioner

MAM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

#### CERTIFICATE OF SERVICE

On this 2<sup>nd</sup> 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 2<sup>nd</sup> 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.

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			Place of Use Point of Diversion																
	under th	e water	right v	which is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with	the cor	ndition	s desc	ribed I	below.		
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The change(s) (was)(wi ASAP If the point of diversion (a) What are you going	is a well: g to do with the old well?	100		100 200 300
(b) When will this be d	opte?			
Groundwater Managem  Groundwater Managem	ent District recommendation attached  No	E	+   +   <del> </del>       -   -   <del> </del>	+   +   = 200
Assisted by mf/GCFO		300	1,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	100 200 300
feet but within 2,640 feet a topographic map or sources, show all wells of the proposed point caddresses of the owner names and addresses.	diversion will be relocated more than 3 to f the existing point of diversion, attale aerial photograph. For groundwa (including domestic) within one-half of diversion and the names and mail s. For surface water sources, show s of the landowner(s) one-half malf mile upstream from your properties.	ach 13b.If the prater of the diagrar diversion the above nile diversion dive	South roposed point of diversion v existing point of diversion n shown above in relati on. (PLEASE NOTE: The represents the prese	Scale: 1 hashmark=10 ft

lines

5. Presently authorized point of diversion:

14. If the proposed	groundwater point of diversion is 300 o	r fewer feet from the existi	ng point of diversion, complete	the following:
(a) Does the u ☐ Yes	ndersigned represent all owners of the		(s) of use identified in this applie	cation?
(b) Will the ow affected if t ☐ Yes	rnership interest of any owner of the cu his application is approved as requeste \[ \sum \text{No}  \text{(If yes, all owners must} \]	d?	s) of use identified in this applic	cation be adversely
(c) If this applie ☐ Yes	cation is not approved expeditiously, wil		age to property, public health o	r safety?
or a change in place	poses a surface water change in point of use, the application must be signed ted statement authorizing representation	by all owners of the curre	er change in point of diversion g ntly authorized place of use, or	reater than 300 feet their duly authorized
age and the owne their behalf, in re	eing first duly sworn upon my oa er, the spouse of the owner, or a egards to the water right(s) to wh application are true, correct and	duly authorized agent iich this application p	of the owner(s) to make th	nis application on
Dated at C	Darden City	Kansas, this 30	day of	. 20 19 .
		randa, and	day 01	
ENTE	To Haute			
Je	(Owner)		(Spouse)	
Erva log	en Harrington			
	(Please Print)		(Please Print)	
	(Owner)		(Spouse)	
, <del></del>	(Please Print)		(Please Print)	
	(Owner)		(Spouse)	<u>'</u> '
<del>سني الراب الراب المناب</del>	(Please Print)		(Please Print)	
	(Fiedde Fillity		(Flease Fillit)	
State of Kansas	) } ss			
County of Jun	ney			th
	that the foregoing application was	signed in my presenc	e and sworn to before me	this <u>30</u> day
of July	, 20 1 9			
	JULIE JONES		Julie sones	
My Commission Exp	My Appointment Expires		Notary Public	
	The County of th			
ONLY COMPLETE AP accurate information; makes appropriate fee must	PLICATIONS WILL BE PROCESSED. To b naps, if necessary, must be included; signatu st be paid.	e complete, all of the applical ires of all the appropriate owr	ole portions of the application form reers' must be affixed to the application	nust be completed with on and notarized; and
Each application to a		FEE SCHEDULE	a shall be accomparied but	application for and
forth in the schedule (1) Applicat	change the place of use or the point of one below: Make checks payable to: Kansion to change a point of diversion 300 for ion to change a point of diversion more	sas Department of Agric eet or less	ulture	\$100
	ion to change the place of use			

<ul> <li>(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.)</li> <li>(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.)</li> <li>(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.)</li> <li>If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 fee 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).</li> </ul>
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 fee 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
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 fee 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
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
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawfu age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application of their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statement contained in this application are true, correct and complete.
Dated at, Kansas, this, day of, 20_19
Bal Hall to
Bob Harnington (Spouse)
(Please Print) (Please Print)
(Owner) (Spouse)
(Please Print) (Please Print)
(Owner) (Spouse)
(Please Print) (Please Print)
State of Kansas
County of Jinney ) SS
I hereby certify that the foregoing application was signed in my presence and sworn to before me this day of
My Commission Experies My Appointment Expires  December 15, 2022
ONLY COMPLETE AP ELECTIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed wi
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
(3) Application to change the place of use
JULIE JONES  JULIE JONES OF THE PROPERTY OF TH
Turk Occamber 16, 2022
DWR 1-121 (Revised 04/5/2018) Page 3 File No. 95/6

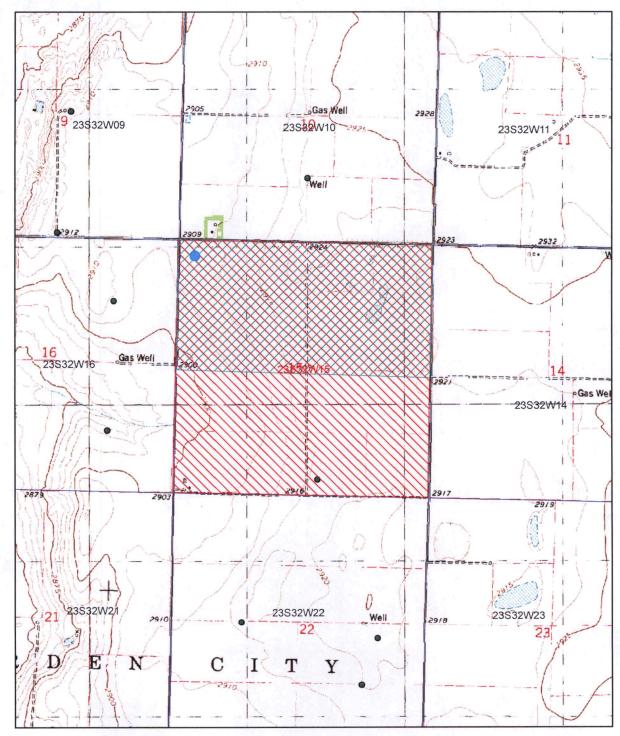
#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit Iimi	visions of the Kansas Water Appropriation Law, K.S.A. 82a. h the exception of those conditions expressly contained hereitations of File No. 9516	08b, as amended, and K.A.R. 5-5-1, et seq. and other applica -701 et. seq., and rules and regulations promulgated thereund in, this Summary Order does not change the terms, conditions a	der, and
1.	A change application was received on diversion authorized under the above-referenced file num	$\frac{6}{20/9}$ requesting that the place of use and / or poin the bechanged as described in the application.	t of
2.	On and after the effective date of this summary order, the authe topographic map accompanying the application to cha	uthorized place(s) of use shall be located substantially as shown ange the place of use. Applicable Not Applicable	on
3.	The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion.   ☐ Applicate	hts and shall be limited to the same source or sources of water by this summary order shall be located within a for the Dot Applicable	ot
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	rely corrected to be more accurately described using the Glon. ☐ Applicable ☑ Not Applicable	bal
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.   Applicable	be located more than feet from the previous for Applicable	ısly
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a vor other device suitable for making water level measurement K.A.R. 5-6-13. Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a to ents shall be installed, operated and maintained in accordance of the state of th	ube with
7.	<b>December 31, 20 19</b> , or before the first use of water operated and maintained in accordance with K.A.R. 5-1-4	roperly install an acceptable water flow meter on or bef r, whichever occurs first. The water flow meter shall be instal through 5-1-12. As required by K.S.A. 82a-732, as amended, it the reading of the water flow meter and the total quantity of wa ving the end of each calendar year.	led, and
8.	authorized extension of time. By March 1, 20 the	e completed on or before December 31, 20, or within a applicant shall notify the Chief Engineer that construction of wided by the Chief Engineer, as required by K.A.R. 5-8-4e.	any the
9.	The completed well log shall be submitted with the requ	uired notice.   Applicable Not Applicable	
10.	with an in-line, automatic, quick-closing check valve capa	foreign substance will be injected into the water shall be equipable of preventing pollution of the source of the water supply. If in accordance with K.A.R. 5-3-5c. Applicable \( \Boxed{\text{Not Applicable}} \)	The
11.	Additional Conditions are attached.  Yes You		
12.	water appropriated under the above-referenced file num limitations, as amended and/or supplemented by this Sui Appropriation Law and the Rules and Regulations promi	A.R. 5-5-14, all of the owners of the authorized place(s) of usuber are responsible for compliance with its terms, conditions ammary Order, and with applicable provisions of the <i>Kansas Wall</i> ulgated thereunder. Failure to comply with these provisions mended, and/or the suspension or revocation and dismissal of ions authorized by law.	and ater nay
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY	
you Eng Agr filed adm day revisible Leg 665	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be divident within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 respursuant to K.S.A. 77-531. Any request for administrative rew must state a basis for review pursuant to K.S.A. 77-527. Fany request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS 1602. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.  For Use by Register of Deeds	By:  Date of Issuance:  State of Kansas  County of  Acknowledged before me on  by  Michael A  Signature:  Alcary Dubis  SUMMARY ORDER ISSUED  By:  Date of Issuance of the Chief Engineer  (Print Name):  Division of Water Resources - Kansas Department of Agriculture  Date of Issuance:  State of Kansas  )  SS  County of  Acknowledged before me on  by  Meyer  Signature:  Alcary Dubis	
DIV	R 1-121 (Revised 04/5/2018)	My commission expires  My Appointment Expires  (Note the property of the prope	

Page 4

DWR 1-121 (Revised 04/5/2018)

#### 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







## ULRIKE LAPPIN REGISTER OF DEEDS - FINNEY COUNTY KANSAS

Book: 338 Page: 146

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

File No.: 1512831-1

Ullike Laggin\_

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

#### KANSAS TRUSTEE'S DEED

(Individual/Tenants in Common)

THIS DEED, is made this day of day of level, 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 111 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 constitued 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.

KSTRDTIC Rev. 10/1/14

RECEIVED

RECEIVED

MAY 2 9 2019

Garden City Field Office
DIVISION OF WATER RESOURCES

JUL **26** 2019

Finney Co. FSA Office

Book: 338 Page: 146

Page # 2

Dated:	a	pril	16.	20	19
			- /		

Herman R. Hoeme Marital, Trust

Deandra Krug Trustee

tes la la la

Marcy McMillan, Het

Maraiettoene thee

Marnie Hoeme, Trustee

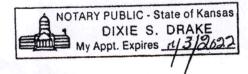
STATE OF Kansas

)ss.

**COUNTY OF Finney** 

Notary Public

My appointment expires:



RECEIVED

MAY 2 9 2019

Finney Co. FSA Office

KSTRDTIC Rev. 10/1/14

RECEIVED

File No.: 1512831-1

JUL 26 2019

#### 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., Sutie 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

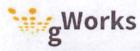
JUL 2 9 2019

Garden City Field Office Division of Water Resources

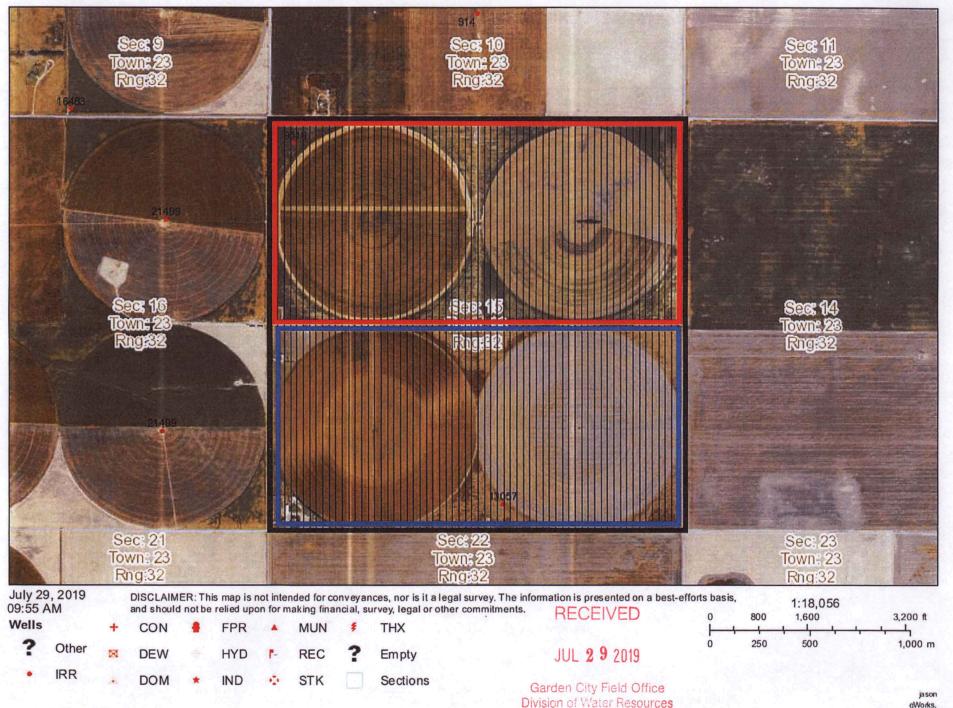
## GMD3 Change Review

File No(s).: 9516	ENVESTIGATION OF THE PARTY OF T		DWF	Comce: <u>GC</u> .
App filed to chang		C DIII		1 1 10 1 1 1 1 1
		is: Bob Har	rington (dee	d submitted showing new
ownership on N2)		:1110		
	locumentation		9 V	
Is Water Use Corn			! <u>Yes</u> .	
	locumentation			
Regulation(s) Rev			,	
Point of diversion	ID No(s) _	being change	u.	
	ft. North	ft. West		
Authorized PD	re worth	it. West		
Proposed PD				
Difference	0	0		
a2 + b2 = c2	0	0	0	
GPS for proposed	PD: Lat:	Long:_		
Is proposed PD st	acking on exi	sting WRs? _		
Is Proposed PU or	verlapping ex	isting WRs?	Making a c	omplete overlap on the WRS.
Land Owner(s) no		а нариво Пира		archi. Esperatoration il district
Name	N	ame		
Address	Α	ddress		
Zip	Z	ip		
Neighboring certi	fied well(s) no	otified:		
Name	N	ame		
Address	A	ddress		
Zip	Z	ip		
Domestic well(s)	notified:			
Name	N	ame		
Address	A	ddress		
Zip	Z	ip		
Base Acres:				
Perfected Acres:				
Irr. Return-Flow	%			
Each WR author	rized a half so	ection in the s	ame section	. These applications will
create a complete	e overlap in p	olace of use.	No new acre	es proposed.
Is a waiver needed	d: <u>No</u> .			
Recommendation	: After revie	w of all availa	ble informat	ion, it appears all current area
rules are met. Sta	off therefore re	ecommends ap	proval of th	e applications.

A



### 9516 & 13057: Complete PU Overlap



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