## Kansas Department of Agriculture Division of Water Resources

### CHANGE: P/U WORKSHEET

1. File Number: <b>12699</b>	2. Status Change Date:	3. Change Num:	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
6. Status: ⊠ Approved □	Denied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 10/30/2020
8a. LANDOWNER, applicant, We New to system ☐  GREGORY & SHERE 501 S WILDCAT CT HUGOTON, KS 6795	Add Seq#	8c. Correspo		Person IDAdd Seq#
8b. Landowner(s), New to system □	Person ID ? Add Seq#	8d. correspo		Person IDAdd Seq#
	☑ DWR Meter(s) Date to Comp leter Seal  ☑ Check Valve equired: Da	□ N & P Form	☐ Water Tube ☐ □	Comply: H & E Letter Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: <b>11/4/</b> 2 Date Entered:	20 By: <b>MAM</b> By:

File No. 12699	11. County: S	V	Basin:	CIMA	RRON F	RIVER			Stre	eam:				4			Fo	rmation (	Code:	Special Use:
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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

November 4, 2020

**GREGORY & SHERRYL MORRIS** 501 S WILDCAT CT HUGOTON, KS 67951-3210

> Water Right, File Nos. 11011, 12619, 12699 RE:

Dear Sir:

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 the approvals for change. A condition of these approvals are 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 notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since the 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 contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Water Commissioner

MAM enclosures

pc: GMD3

#### CERTIFICATE OF SERVICE

On this 4<sup>th</sup> day of November 2020, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 11,011, 12,619, 12,699 dated 4<sup>th</sup> day of November 2020 was mailed postage prepaid, first class, US mail to the following:

GREGORY & SHERRYL MORRIS 501 S WILDCAT CT HUGOTON, KS 67951-3210

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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please be specific	CREATE C	ed for the following reason COMPLETE PU OVERLAP 3 & 12619	300	200 100 North	100 200	300
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f the point of diver	sion is a well		F			=
(a) What are you	going to do v	vith the old well?	West 0	i 🕿 introdundundundur E	uluuluuluuli	0 East
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(b) When will this	be done? N/	Α	100	. +   +   =	1 + 1 +	100
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eet but within 2,64	0 feet of the open or aerial	n will be relocated <u>more tha</u> existing point of diversion, a photograph. For ground	attach 13b.lf the water of the	South proposed point of diversion existing point of diversion am shown above in re	n will be relocate ion, indicate its	ed within 300 location on

14. If the proposed groundwater point of diversion is 300 or fewer feet from	n the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently author  ✓ Yes ☐ No (If no, all owners must sign this applica	
<ul> <li>(b) Will the ownership interest of any owner of the currently authorize affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☑ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	Mersonspoter at our arms that are notice policies.
(c) If this application is not approved expeditiously, will there be subst	
If the application proposes a surface water change in point of diversion, a gor a change in place of use, the application must be signed by all owners o agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirmating age and the owner, the spouse of the owner, or a duly authorize their behalf, in regards to the water right(s) to which this applicant contained in this application are true, correct and complete.	ed agent of the owner(s) to make this application on
Dated at Hugoton , Kansas, this	27 day oOctober , 2020 .
M	
(Owner) Gregory Morris	(Spouse)
(Please Print)	(Please Print)
Sherry Morris Sherry Morris	(, , , , , , , , , , , , , , , , , , ,
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
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State of Kansas	and a series
County of Stevens SS	
I hereby certify that the foregoing application was signed in my	y presence and sworn to before me this 27 day
OCCODET, 20 20 . NOTARY PUBLIC - State of	Kansas
H a JACK ROWDE	N / 1/4
My Commission Expires 05–16–2023	ck Rowden Notary Public
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ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of accurate information; maps, if necessary, must be included; signatures of all the app the appropriate fee must be paid.	
FEE SCHEDUL	
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmen	
(1) Application to change a point of diversion 300 feet or less	\$100
<ul><li>(2) Application to change a point of diversion more than 300 feet.</li><li>(3) Application to change the place of use</li></ul>	
askoranik	

#### 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. 12699 change application was received on October 30, 2020 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. A change application was received on \_ 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 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 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. 

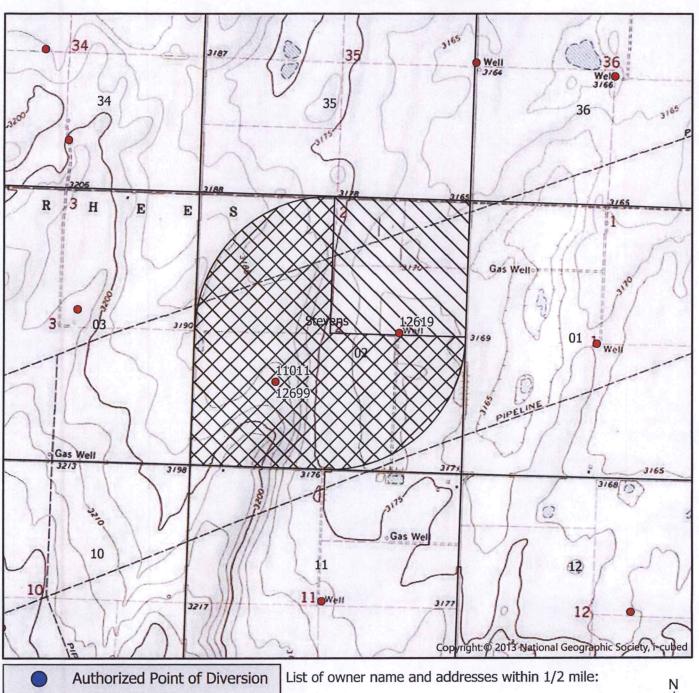
Applicable Point(s) of diversion described using the Global Positioning System (GPS), as described in the application. The point(s) of diversion authorized herein shall not actually be located mor€ than feet from the previously authorized point(s) of diversion. ☐ Applicable Not Applicable As required 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 2 , 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 the reading of the water flow meter and the total quantity of water divided to the Chief Engineer by March 1 following the and of each calculations. 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 ☐ Applicable Not Applicable The completed well log shall be submitted with the required notice. ☐ 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 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. 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 Ву: 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 (Print Name): Division of Water Resources - Kansas Department of Agriculture review must state a basis for review pursuant to K.S.A. 77-527. 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 TATEOR JULIE JONES My commission expires (Notanpoistment Expires PUBLIC December 15, 2022

File No.

12699

# **CHANGE IN PLACE OF USE WATER RIGHT, FILE NOS. 11011 & 12699**

Section 2 Township 34 South Range 38 West Stevens County



Permitted Water Right

★ Domestic Well within 1/2 mile



Authorized Place of Use



Proposed Place of Use



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the point of diversion have been shown on the map

0 0.13 0.25 0.5 Miles

(Signature)

AM/GCFO



## 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

November 2, 2020

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. 11011, 12619 & 12699

Dear Mike:

We have reviewed 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 will create a complete overlap in currently authorized acres to better suit the operation and is in accordance with K.A.R. 5-5-11(b). 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

## **GMD3** Change Review

File No(s).: 110	11, 12619 & 1	12699.	DWR office: GC.
App filed to chan			
Is Landowner(s)	correct in WR	IS: Greg & Sherrly N	Morris.
If NO, is o	locumentation	n included?	
Is Water Use Cor	respondent co	orrect in WRIS?	
If NO, is o	locumentation	n included?	
Regulation(s) Rev	viewed: KAR	5-5-11	
Point of diversion	ID No(s) _	being changed.	
	ft. North	ft. West	
Authorized PD			

Proposed PD

Proposed PD				
Difference	0	0		
a2 + b2 = c2	0	0	0	
GPS for proposed I	PD: Lat:	Long:		
Is proposed PD stack	cking on existing	g WRs? No	change.	
Is Proposed PU ove	erlapping existin	g WRs? M	ake a complete overla	p, no new acres.
Neighboring certifi	ed well(s) notifi	ed:		
Name				
Address				
Zip				
Email: Pho	ne:			
Domestic well(s) n	otified:			
Name				
Address				
Zip				
Base Acres:				
Perfected Acres: _				
Irr. Return-Flow _	_%			
The applications	propose to mak	e a complete	overlap and are NO	T brining in any

The applications propose to make a complete overlap and are NOT brining in any new acres that are not already covered.

The three water rights cover two wells and the section currently has a half mile pivot that makes a complete circle. Applications would just cover the acres in current productions it appears.

Is a waiver needed: No new acres and meets current rules.

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

RECEIVED
NOV 0 2 2020

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

November 2, 2020

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re: Water Right, File Nos. 11011, 12619, 12699

Dear Mr. Norquest:

This is to advise you that Gregory and Sherrly Morris, has filed an application 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. The request is to make a complete overlap in place of use with no new acres.

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