

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/D WORKSHEET**

1. File Number: <b>26299</b>	2. Status Change Date: <b>4-6-2020</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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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: <b>4/6/2020</b>
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8a. Applicant(s) <span style="float: right;">Person ID <b>36174</b></span> New to system <input type="checkbox"/> <span style="float: right;">Add Seq# _____</span>  <b>V PHILLIP &amp; PEGGY J SOICE REV TRUST</b> <b>2227 CALLE ALVARADO</b> <b>SANTA FE, NM 87505</b>	8c. Landowner(s) <span style="float: right;">Person ID _____</span> New to system <input type="checkbox"/> <span style="float: right;">Add Seq# _____</span>
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8b. Landowner(s) <span style="float: right;">Person ID _____</span> New to system <input type="checkbox"/> <span style="float: right;">Add Seq# _____</span>  <b>8a</b>	8d. WUC <span style="float: right;">Person ID _____</span> New to system <input type="checkbox"/> <span style="float: right;">Add Seq# _____</span>  <b>8a</b>
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2020**     N & P Date to Comply: **3/1/2021**

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: <b>4/7/2020</b>	By: <b>MAM</b>
Date Entered: _____	By: _____

File No. **26299**      11. County: **GY**      Basin: **ARKANSAS RIVER**      Stream: \_\_\_\_\_      Formation Code: **211**      Special Use: \_\_\_\_\_

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

**DEL 15534**  
**ENT      NW SE NW      13      28S      30W      3450      3940      855      283      855      283      NONE**

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					
<b>CHK 23072</b>																									<b>8a      N      7632</b>	

Base Acres: \_\_\_\_\_      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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 7, 2020

V PHILLIP & PEGGY J SOICE REV TRUST  
2227 CALLE ALVARADO  
SANTA FE, NM 87505

RE: Water Right, File No. 26299

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number 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 order modifies the original document referred to above, it 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,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM:am  
enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

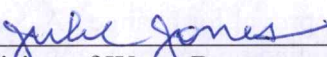
**CERTIFICATE OF SERVICE**

On this 7<sup>th</sup> day of April, 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 26,299 dated 7<sup>th</sup> day of April, 2020 was mailed postage prepaid, first class, US mail to the following:

V PHILLIP & PEGGY J SOICE REV TRUST  
2227 CALLE ALVARADO  
SANTA FE, NM 87505

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.

RECEIVED

APR 06 2020

Garden City Field Office  
 DIVISION OF WATER RESOURCES

File No. 26299

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: V. Phillip & Peggy J. Soice Revocable Trust

2227 Calle Alvarado, Santa Fe, New Mexico 87505

Phone Number: (505) 989-8920      Email address: swwater@newmexico.com

Name and address of Water Use Correspondent: V. Phillip Soice

same as above

Phone Number: (      )      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(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	

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: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(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	

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ 100.00 TR # \_\_\_\_\_ Receipt Date 4-6-20 Check # 1541

5. **Presently authorized point of diversion:**  
 One in the NE NC Quarter of the SW 52 Quarter of the NW Quarter of Section 13, Township 28 S South, Range 30 W (E/W), in Gray County, Kansas, 3400 feet North 3990 feet West of Southeast corner of section. Authorized Rate 855 gpm Authorized Quantity 283 AF Depth of well 372 (feet)  
 (DWR use only: Computer ID No. 05 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 NW Quarter of the SE Quarter of the NW Quarter of Section 13, Township 28 S South, Range 30 W (E/W), in Gray County, Kansas, 3450 feet North 3940 feet West of Southeast corner of section. Proposed Rate 855 gpm Proposed Quantity 283 AF Proposed well depth (feet) 375  
 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) Well 26299 casing collapsed in 2013, was plugged, now a new well to be drilled within 300 feet.

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

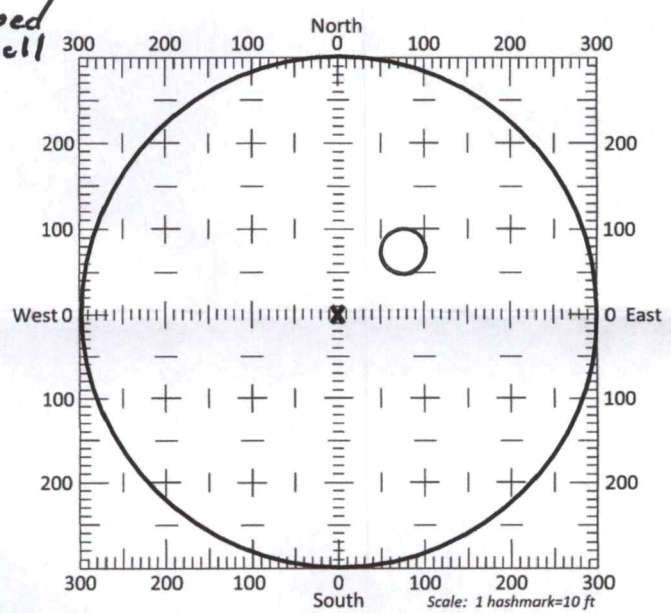
9. The change(s) (was)(will) be completed by?  
12/31/2020

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by Michael A. Meyer, PG

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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (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 N.M., Kansas, this 30th day of March, 2020.

[Signature]  
\_\_\_\_\_  
(Owner)

[Signature]  
\_\_\_\_\_  
(Spouse)

V. Phillip Soice, Trustee  
\_\_\_\_\_  
(Please Print)

Peggy J. Soice, Trustee  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

SM  
State of ~~Kansas~~ New Mexico  
County of Santa Fe



OFFICIAL SEAL  
Jasmin Morales  
NOTARY PUBLIC - STATE OF NEW MEXICO

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 1-22-23 day of March 30th, 2020.

My Commission Expires 1-22-23.

[Signature]  
\_\_\_\_\_  
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

# 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. 26,299.

- A change application was received on April 6, 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.
- 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 50 foot 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 300 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 K.A.R. 5-6-13.  Applicable  Not Applicable
- The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2020, 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, 2020, or within any authorized extension of time. By March 1, 2020 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
- The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
- 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
- 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

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

By: Michael A. Meyer  
Duly Authorized Designee of the Chief Engineer  
(Print Name): MICHAEL A. MEYER  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: April 7, 2020  
State of Kansas )  
) SS  
County of Linney )  
Acknowledged before me on April 7, 2020  
by Michael A Meyer  
Signature: Julie Jones

My commission expires: \_\_\_\_\_  
Notary Public









3795 W. Jones Ave  
 Phone: 620-277-2389  
 Fax: 620-277-0224

PO Box 639  
 Garden City, KS 67846

CUSTOMER'S NAME Phil Spive  
 STREET ADDRESS R.D. Box 10050  
 CITY & STATE Sante Fe, New Mexico 87508  
 COUNTY Co. 4 QUARTER N1W SECTION 13 TOWNSHIP 21N  
 RIG # 39 WO 105510

DATE 11.9.13  
 TEST # 1 E. LOG NO  
 DRILLER Jeremy SAGEDEL  
 RANGE 30

LOCATION N.E. of Existing well 150'  
 GPS 37, 101532 100, 55108

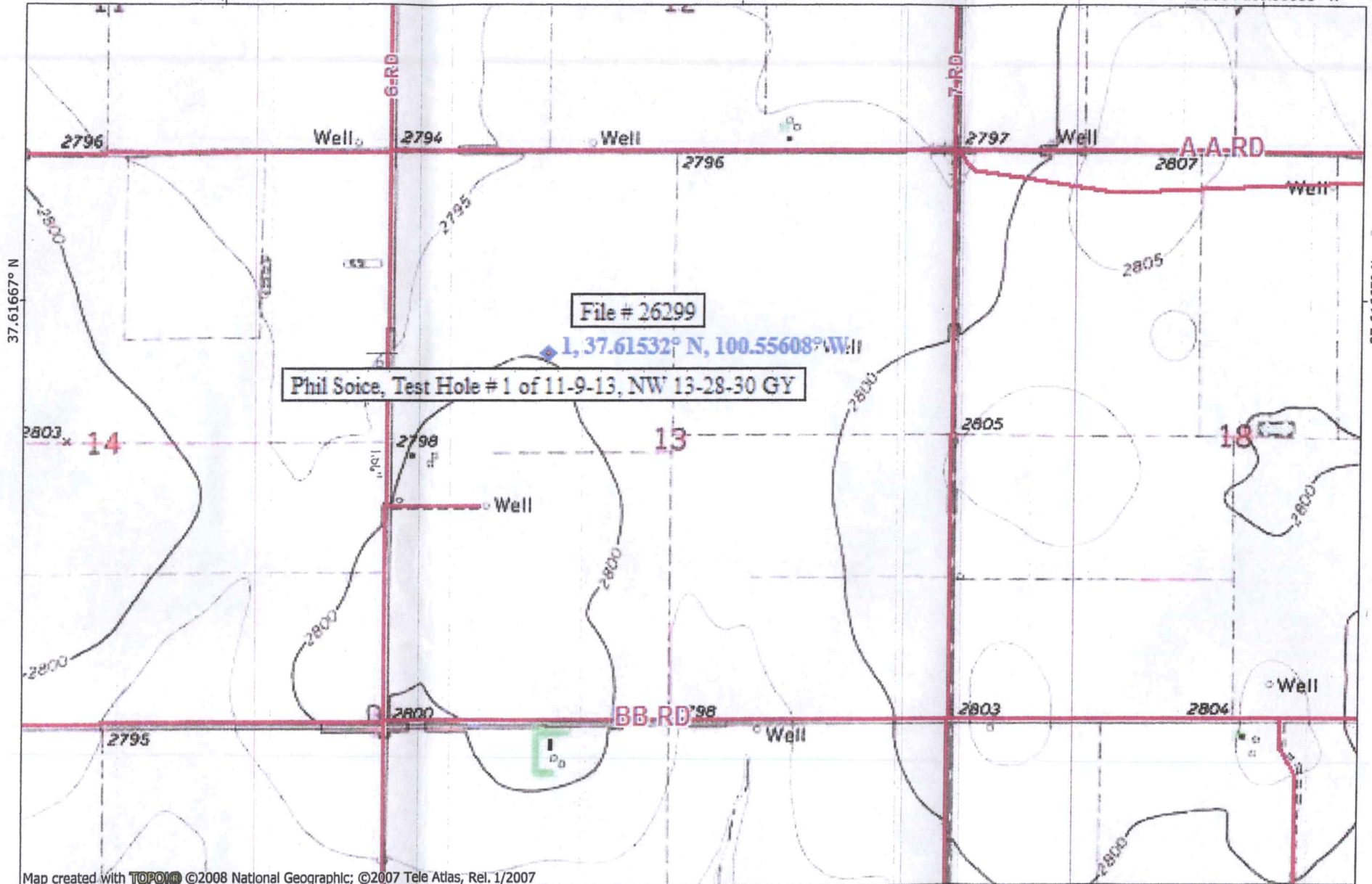
ELEVATION 2835'

%	FOOTAGE			DESCRIPTION OF STRATA	Static Water Level: <u>2822'</u>
	From	Pay	To		Proposed Well Depth: _____
	0		21	Top soil	
	21		98	Sandy clay, calcitic strips	
	98		141	Finetomed, coarse sand, loose, <u>used water</u>	
	141		154	Brown clay, sand strips	
	154		181	Finetomed, coarse, some large sand, loose, <u>used water</u>	
	181		202	Brown clay, sand strips	
	202		214	Finetomed, coarse, some large sand, loose, <u>used water</u>	
	214		241	Brown clay, sand strips 20/10	
	241		258	Finetomed, coarse, large sand, very loose, <u>used a lot of water</u>	
	258			LOSS Circulation mixed 4 Bags Bran. <u>used 800 gal water</u>	
7	20	210	297	Finetomed coarse sand, limestone strips, <u>used a lot of water</u>	
4	20	297	317	Finetomed, some coarse sand, loose, <u>used little water</u>	
5	20	317	342	Finetomed, sand, limestone streaks, loose, <u>used water</u>	
1.9	10	342	361	Finetomed sand, brown clay strips, limestone streaks	
17.9			361	multicolor clay, some sand strips, limestone streaks	
			380	multicolor clay, brown + yellow sandstone, (Hard, tight spots)	
			400	yellow clay, grey shale	
			411	weathered shale, some sand strips tight, <u>NO GDD</u>	
			440	T.O.	
		99		Rig set to N. pit. E.	
				1/2 - Bag Soda Ash	
				1 - Bag Ceix	
				4 - Bags Bran	
				5 - Bags GDD	
				5 - Bentonite 314	
				1 - Perma Plug	
				1 - WSH Black Bit.	

100.56667° W

100.55000° W

WGS84 100.53333° W



Phil Soice, Test Hole # 1 of 11-9-13, NW 13-28-30 GY

File # 26299

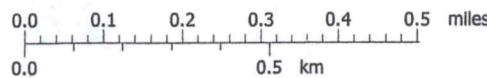
1, 37.61532° N, 100.55608° W

Map created with TOPO! ©2008 National Geographic; ©2007 Tele Atlas, Rel. 1/2007

100.56667° W

100.55000° W

WGS84 100.53333° W



2.00" = 0.5 m  
1 mi = 4.12"

TN MN  
6°  
11/11/13