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

1. File Number: 2. Status Change Date: 3. Change Num: 4. Field Office: 5. GMD: 26846 C₁ 4 3 6. Status: Approved ☐ Denied by DWR/GMD ☐ Dismiss by Request/Failure to Return 7. Filing Date of Change: 2/17/2020 Person ID **32276** 8c. Landowner(s) Person ID 8a. Applicant(s) New to system ☐ Add Seq# New to system ☐ Add Seq# _____ **RETA JANE KANE TRUST** 17398 ROAD O **KISMET, KS 67859** Person ID 8d. WUC Person ID 8b. Landowner(s) Add Seq# ____ New to system ☐ New to system ☐ Add Seq# 8a 8a ☐ Driller Copy ☐ H & E Letter ☐ Anti-Reverse Meter ☐ Meter Seal Check Valve Conservation Plan Date Required: _____ Date Approved: ____ Date to Comply: _____ To: _____ 10. Use Made of Water Date Prepared: 2/18/2020 By: AM Date Entered: By:

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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

February 18, 2020

RETA JANE KANE TRUST 17398 ROAD O KISMET, KS 67859

RE: Water Right, File No. 26846

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,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 18th day of February, 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 26,846 dated 18th day of February, 2020 was mailed postage prepaid, first class, US mail to the following:

RETA JANE KANE TRUST 17398 ROAD O KISMET, KS 67859

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/aws

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.

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	under the	water	riaht w	hich is	the s	ubiect	of this	applic	ation ii	n acco	rdance	with t	the cor	ndition	s desc	ribed I	pelow.		
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Presently authori	zed point of o	diversion:					
One in the	SE	Quarter of the	SE	Qua	arter of the	NW	Quarter
		, Township					
		nty, Kansas, 2650					
		_ Authorized Quantity					
(DWR use only:	Computer ID	No G	PS	feet	North	feet We	est)
☐This point will not	t be changed	☑This point will be chan	ged as follows:	☐ No chan	ge, point better d	escribed with GP	S as follows:
Proposed point of	f diversion: (Complete only if char	nge is requeste	ed or if ex	isting point is	better describe	ed by GPS)
		Quarter of the					
		, Township					
in SW	Cou	nty, Kansas, <u>2621</u>	feet North _	2970	_ feet West of	Southeast corne	r of section.
		_ Proposed Quantity					
This point is: A	dditional Well	☐ Geo Center List	other water righ	nts that wi	Il use this point		
Presently authori	zed point of c	liversion:					
		Quarter of the		Qua	arter of the		Quarter
of Section		Township	100 A	Sol	uth Range		(F/\\\)
in	Cou	, Township nty, Kansas,	feet North		feet West of S	Southeast corne	r of section
Authorized Rate		Authorized Quantity		Depth	n of well	(fee	et)
(DWR use only:	Computer ID	No G	PS	feet	North	feet We	est)
		This point will be change					
		Complete only if char					
No. of Contract of		Quarter of the					Company of the Compan
		, Township					
in	Cou	nty, Kansas,	feet North		feet West of S	Southeast corne	r of section.
		_ Proposed Quantity					
		☐ Geo Center List					
The changes herei	in are desired	for the following reason					
(please be specific)	-055 of C	no. tou bors	- 300	200	North	100 200	300
-				пппппппп	<u> </u>	100 200	тшд
			-	_	<u> </u>		=
If a well, is the test	hole log attache	ed? X Yes No	200	-1 +	1 + 1 =	1 + 1 +	200
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The change(s) (was			E		- -		
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If the point of divers	sion is a wall-		E	_			4
If the point of divers			Wast 0		dundantan 🗐	վոտ[ոտ]ումում	ILLHH O Fact
(a) What are you g	going to do with	the old well?	Westo	- apan pan	=	,,,,,,	East
PLUG/CAP			E	_	_ <u>=</u>		
	no done?	on Completion	100	-1 +	+ = =	1 + 1 + 1	100
(b) When will this i	be dolle?	or Combienos		-	_ =		3
Croundwater Mana	aomont District	recommendation attach	ed? 200		- - + 1 - =	1 + 1 +	200
	es No	recommendation attach	ed ? 200 E	- 1 -	' T ' =	1 + 1 +	200
	3 2 140		E		- -		1
Assisted by AM/GC	FO		<u> </u>	سلسلس		سيليسسيليس	Turg
			300	200	100 0 South	100 200 Scale: 1 hashma	300 rk=10 ft
. If the proposed poin feet but within 2 640	t of diversion w	ill be relocated <u>more than</u> sting point of diversion, a	<u>n 300</u> ittach 13h lfthe	proposed	noint of diversion	will be relocated	within 300 fee
a topographic map	or aerial pho	otograph. For ground	water of the	e existing	point of diversi	on, indicate its I	ocation on th
sources, show all w	ells (including o	lomestic) within one-hal	f mile diagra	am showr	above in rela	ation to the ex	isting point of
addresses of the ov	wners. For surf	and the names and mace water sources, show	w the abov	e repres	ents the pre	The "X" in cent sently authoriz	ed point of
names and addre	esses of the	landowner(s) one-half	mile diver	sion.)			
downstream and o	ne-half mile u	pstream from your pro	perty				

14. If the proposed groundwater point of diversion is 500 of lewer leet	from the existing point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently aut ✓ Yes ☐ No (If no, all owners must sign this app	thorized place(s) of use identified in this application? olication.)
 (b) Will the ownership interest of any owner of the currently auth affected if this application is approved as requested? ☐ Yes ☑ No (If yes, all owners must sign this approved as requested) 	
(c) If this application is not approved expeditiously, will there be surely Yes No (If no, all owners must sign this app	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owne agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affir age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this a contained in this application are true, correct and complete.	orized agent of the owner(s) to make this application on pplication pertains. I further verify that the statements
Dated at	s 10th day of February, 2020
2 - P 4.	,
(Owner)	(Spouse)
Scott P. KAne	
(Please Print)	(Please Print)
Jaja Williamon Trustee RTK TRUST	
(Owner)	(Spouse)
BARA WILLIMON RUKTRUST (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
County of Seward Ss	
I hereby certify that the foregoing application was signed in of	my presence and sworn to before me this 10 day
My Commission Expires 9/22 STARLA YOUNG Notary Public - State of Kansas My Commission Expires - 9/22 Expires -	Notary Public
(m) //pt. Extract (1) Section (1)	V
<u>ONLY COMPLETE APPLICATIONS WILL BE PROCESSED</u> . To be complete, a accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	Ill of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
FEE SCHEE	DULE
Each application to change the place of use or the point of diversion unforth in the school to below. Make charles payable to: Kansas Benerit	
forth in the schedule below: Make checks payable to: Kansas Departi (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	et

Page 3

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. 26846 A change application was received on Frequency Toward 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 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 authorized point(s) of diversion.

☐ Applicable ☐ Not Applicable feet from the previously 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, 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. Not Applicable Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 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 The completed well log shall be submitted with the required notice. M 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 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 FOR OFFICE USE ONLY APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief SUMMARY ORDER ISSUED 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 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 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 Colloch (Print Name): Hostin Division of Water Resources - Kansas Department of Agriculture Date of Issuance: 202 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 on Signature: Notary JULIE JONES NOTARY My commission expires My Appointment Expires (Notacymberal), 2022

INPUTS	
Target Section Definition	
Section	29
Township	32
Range	32
Range Direction	w
Target Point Coordinates (A	(AD27 or NAD83)
Target Longitude	-100.825700
Target Latitude	37.235400

Load Data and Compute

Instructions

- Enter values for section, township, range and range direction.
 Enter NAD27 or NAD83 longitude and latitude of target point.
- 3. Click "Load Data and Compute" button.
- 4. Use feet distances corresponding to datum of target point.

Loaded Section Data From LEOBASE using NAD83 Corner Corner Latitudes Corner Longitudes 37.22820149 -100.83338443 37.24281919 -100.83391819 37.24281886 -100.81575964 37.22820115 -100.81549980

SW NW

NE

SE

Degrees Longitude per Foot 3.43480910E-06 Degrees Latitude per Foot 2.74645098E-06 **Target Point Distances from Corners using NAD83**

Target point is In Section

Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	Feet North(+)/South(-) 2621	-2237
NW	-2701	-2393
NE	-2701	2894
SE	2621	2970

Loaded Section Data From LEOBASE using NAD27 Corner Corner Latitudes Corner Longitudes

37.22818000 -100.83294700 sw -100.83348100 -100.81532300 37.24279800 NW NE 37.24279800 -100.81506300 SE 37.22818000 Degrees Longitude per Foot 3.43480814E-06 Degrees Latitude per Foot 2.74598553E-06

Target Point Distances from Corners using NAD27 Corner Feet North(+)/South(-) Feet East(-)/West(+)

SW 2629 -2110 NW -2694 -2265 NE -2694 3021 SE 2629 3097

Target point is In Section

	Difference (NAD83 Mi	nus NAD27)
Corner	Corner Latitudes	Corner Longitudes
sw	0.00002149	-0.00043743
SW NW	0.00002119	-0.00043719
NE	0.00002086	-0.00043664
SE	0.00002115	-0.00043680

Difference (NAD83 Minus NAD27)

Corner Feet North(+)/South(-) Feet East(-)/West(+) SW -8.27024125 -127.35146560 -7.25882835 -127.28154925 NW NE -7.13867329 -127.12290212 -8.14644513 -127.16950521 SE

Elite Trrigation & Drilling Inc

Po box 264 Turpin, OK 73950

Test Hole Drilling Log

Date: 01/24/2020

E-Logg: No

Range: R32W

Driller: Brady Palmer

Phone: -

Test #: 1

MS 56846

Customer: Allan Willimon

17398 Road O

Kismet, Ks 67859

County: Seward

Quarter: SW SE SE NW Section: 29

GPS Location: 37.2354, -100.8257 Total Pay: 223

Total Depth: 500

Description of Strata from the surface down.

(example: 3-50, 47. Sand; Footage is from 3-50 feet, pay = 47. Sand is the strata description.)

Township: T32S

0-4: Top soil

4-18: Fine sand

18-58: Clay

58-115: Medium sand

115-120: Sandstone, medium sand mix

120-162: Medium sand

162-171: Sandstone

171-372, 112: Medium sand

372-443, 71: Medium to fine sand mix

443-483, 40: Fine sand

483-500: Red bed