

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

SW 12-27-29

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. 14550

RECEIVED
3:00 pm
MAR 16 2021

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: LOVE AG COMPANY Attn: Greg Love
24506 Road 12 Montezuma KS 67862

Phone Number: () _____ Email address: _____

Name and address of Water Use Correspondent: same as above

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land --- NAME: LOVE AG COMPANY Attn: Greg Love

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 \$ 200.00 TR # _____ Receipt Date 3-16-21 Check # 6745

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the SW Quarter of Section 12, Township 27 South, Range 29 W, in Gray County, Kansas, 2530 feet North 2670 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well 268 (feet)
 (DWR use only: Computer ID No. 2 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 SW Quarter of the SW Quarter of Section 12, Township 27 South, Range 29 W, in Gray County, Kansas, 775 feet North 4743 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 290
 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)
need better producing well

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

9. The change(s) (was)(will be) completed by?
2021

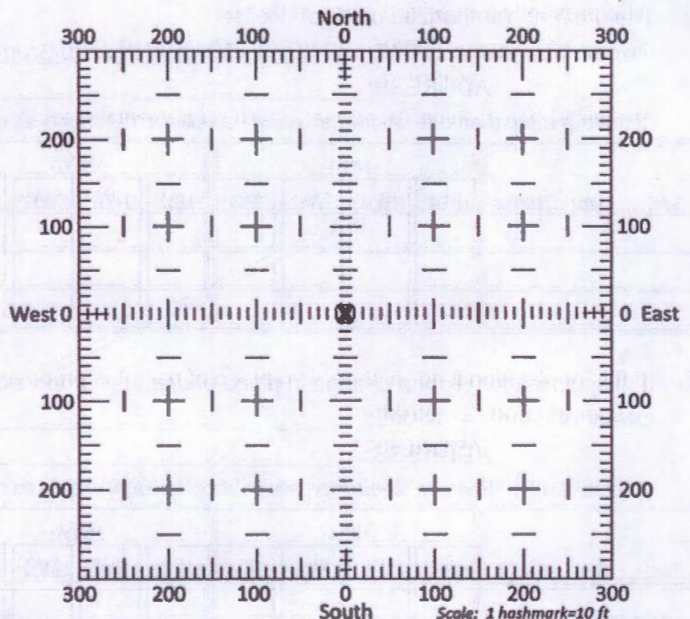
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by 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.)

14550

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 Montezuma, Kansas, this 16 day of March, 2021.

[Signature]
(Owner)

[Signature]
(Spouse)

Gregory E Love
(Please Print)

Susan M Love
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

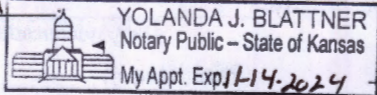
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Gray } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16 day of March, 2021.



[Signature]
Notary Public

My Commission Expires 11-14-2024

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. 14550

1. A change application was received on March 16, 2021 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.
2. 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
3. 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 _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. 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
5. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. 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
7. 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.
 Applicable Not Applicable
8. Installation of the works for diversion of water shall be completed on or before December 31, 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
9. The completed well log shall be submitted with the required notice. 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
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

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: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas)
County of _____) SS

Acknowledged before me on _____
by _____

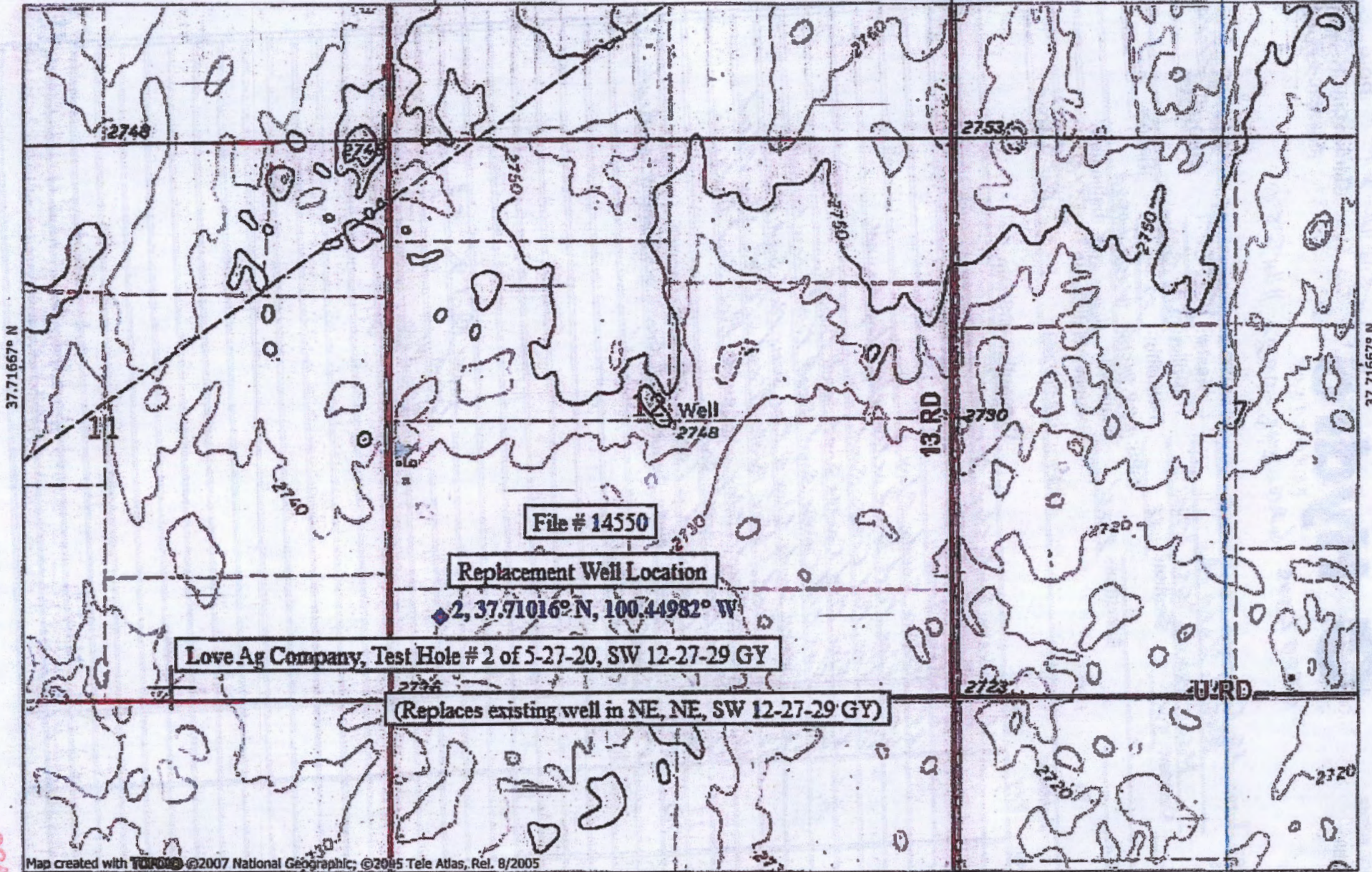
Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

TOPOI map printed on 05/28/20 from "Untitled.tpo"

100.45000° W

NAD27 100.43333° W



2, 37.71016° N, 100.44982° W

Love Ag Company, Test Hole # 2 of 5-27-20, SW 12-27-29 GY

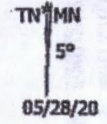
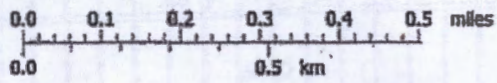
(Replaces existing well in NE, NE, SW 12-27-29 GY)

Map created with TOPOI © 2007 National Geographic; © 2005 Tele Atlas, Rel. 8/2005

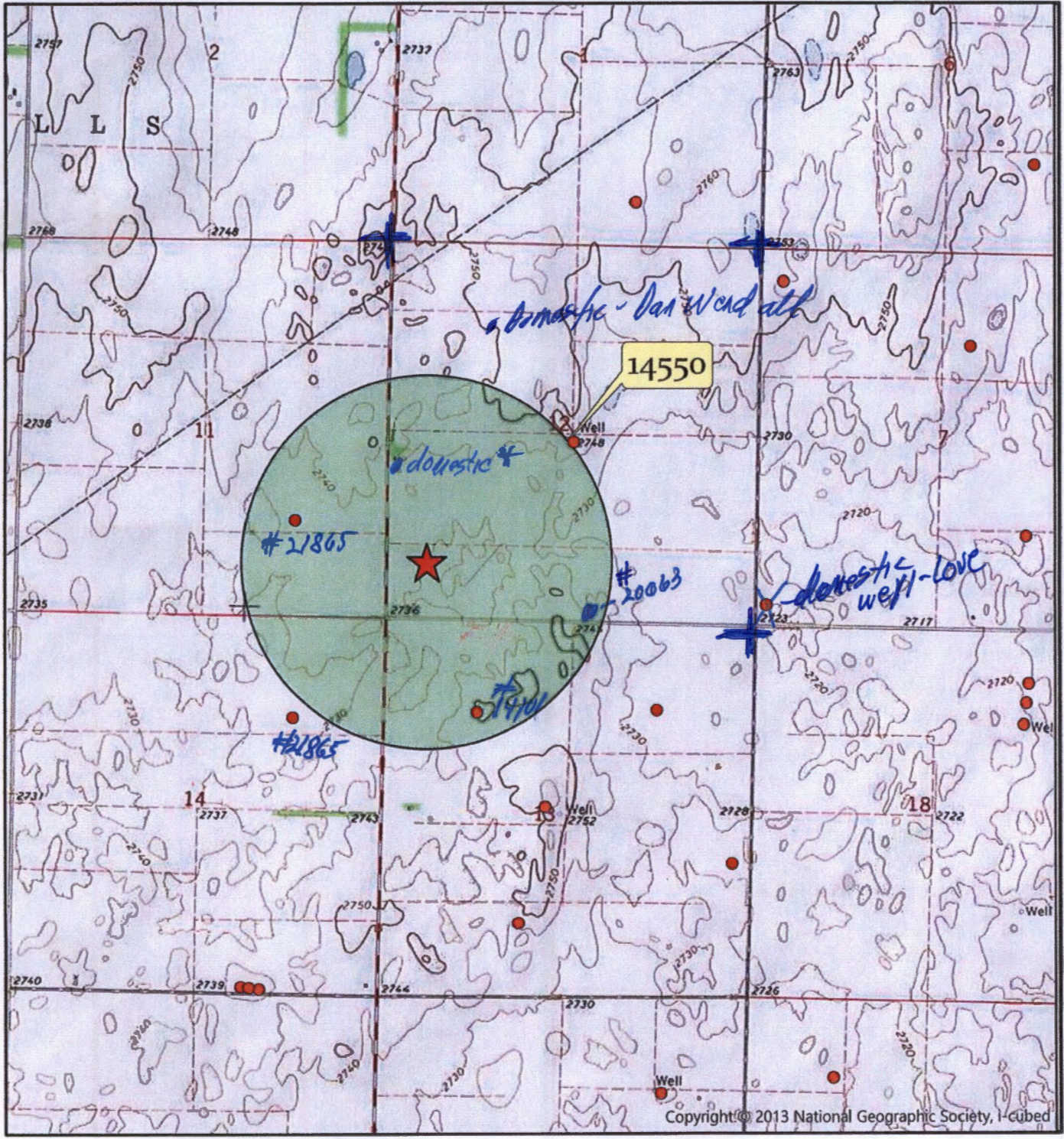
100.45000° W

NAD27 100.43333° W

SCANNED



Domestic Well
 * John & Crystal Hedderston
 20602 12 Rd Montezuma
 CHANGE IN POINT OF DIVERSION 14550



Township 27 South Range 29 West
 Gray County

All wells of any kind within a half mile of the proposed point of diversion are shown:

- POINT OF DIVERSION
- ★ PROPOSED PD
- Half-Mile Buffer

Created By: AT & SZ GCFO

~~14550~~ 14550
current well

1 LOCATION OF WATER WELL: Fraction : Section Number : Township Number : Range Number
 COUNTY: 035 GRAY : NE 1/4 NE 1/4 SW 1/4 : 12 : T 27 S : R 29 W

Distance and direction from nearest town or city street address of well if located within city?
 APPROX. 8 MILES SOUTH & 1/2 MILE WEST OF INGALLS

2 WATER WELL OWNER: MILLER, JOHN Board of Agriculture, Division of Water Resources
 RR#, St. Address, Box #: 20606 12 RD
 City, State, ZIP code : MONTEZUMA, KS 67867-9033 Application Number: 14,550

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: 4 DEPTH OF COMPLETED WELL 268 ELEVATION: 0
 Depth(s) Groundwater Encountered 1. 0 ft. 2. 0 ft. 3. 0 ft.
 WELL'S STATIC WATER LEVEL 148 ft. below land surface measured on mo/day/yr 05/13/98
 Pump testdata: Well water was 195 ft. after 4 hours pumping 1757 gpm
 Estimated Yield 1757 gpm: Well water was 0 ft. after 0 hours pumping 0 gpm
 Bore Hole Diameter 24 in. to 268 ft., and in. to 0 ft.
 WELL WATER TO BE USED AS: 02 IRRIGATION
 Was a chemical/bacteriological sample submitted to department? No ;
 If yes, mo/day/yr sample was submitted Water well disinfected? Yes

5 TYPE OF BLANK CASING USED: 01 STEEL CASING JOINTS: WELDED
 Blank casing diameter 16 in. to 268 ft., Dia in. to 0 ft., Dia in. to 0 ft.
 Casing height above land surface 12 in., weight 39 lbs/ft. Wall thickness or gauge No. .230
 TYPE OF SCREEN OR PERFORATION MATERIAL: 01 STEEL
 SCREEN OR PERFORATION OPENINGS ARE: 01 CONT. SLOT

SCREEN PERFORATED INTERVALS: From 192 ft. to 172 ft., From 228 ft. to 298 ft.
 From 182 ft. to 212 ft., From 0 ft. to 0 ft.
 GRAVEL PACK INTERVALS: From 20 ft. to 268 ft., From 0 ft. to 0 ft.
 From 0 ft. to 0 ft., From 0 ft. to 0 ft.

6 GROUT MATERIAL 03 BENTONITE
 Grout Intervals: From 0 ft. to 20 ft., From 0 ft. to 0 ft., From 0 ft. to 0 ft.
 What is the nearest source of possible contamination: 14 ABAND. WELL
 Direction from well? NORTHWEST How many feet? 91

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	23	02 BILT			
23	27	04 SANDY CLAY			
27	48	07 FINE SAND 04 SANDY CLAY			
48	69	04 SANDY CLAY 36 BYP ROCK 23 SANDSTONE			
69	82	07 FINE SAND 08 MEDIUM SAND 09 COARSE SAND			
82	113	05 SAND 11 GRAVEL			
113	132	04 SANDY CLAY 07 FINE SAND 08 MEDIUM SAND			
132	142	05 SAND 11 GRAVEL			
142	149	20 LIMESTONE 01 CLAY			
149	172	05 SAND 11 GRAVEL 28 ROCK			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was Constructed under my jurisdiction and was completed on (mo/day/year) 05/08/98 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 145 This Water Well Record was completed on (mo/day/yr) 06/17/98 under the business name of HENKLE DRILLING & SUPPLY by (signature)

(Continued)

WATER WELL RECORD Form WMC-5 KSA 82a-1212

1 LOCATION OF WATER WELL:	Fraction	Section Number	Township Number	Range Number
COUNTY: 035 GRAY	NE 1/4 NE 1/4 SW 1/4	12	T 27 S	R 29 W

2 WATER WELL OWNER:	MILLER, JOHN	Board of Agriculture, Division of Water Resources
RR#, St. Address, Box # :	20606 12 RD	
City, State, ZIP code :	MONTEZUMA, KS 67867-9033	Application Number: 14,550

FROM	TO	LITHOLOGIC LOG
172	183	01 CLAY
183	190	05 SAND 04 SANDY CLAY
190	197	05 SAND
197	207	01 CLAY 05 SAND
207	212	05 SAND 01 CLAY
212	228	04 SANDY CLAY 07 FINE SAND
228	258	05 SAND 28 ROCK
258	261	01 CLAY 20 LIMESTONE
261	265	19 SHALE

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was Constructed under my jurisdiction and was completed on (mo/day/year) 05/08/98 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 145 This Water Well Record was completed on (mo/day/yr) 06/17/98 under the business name of HENKLE DRILLING & SUPPLY by (signature) *Bruno Richman*

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

March 17, 2021

JOHN & CRYSTAL HEDDLESTEN
20602 12 RD
MONTEZUMA KS 67862

RE: Water Right, File No. 14550

Dear Sir:

This is to advise you that Love Ag Company has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to point of diversion under the above referenced application. An irrigation well is proposed to be relocated.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

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

Michael A. Meyer
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3

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

March 17, 2021

LEROY WENDEL
Attn: DANIEL WENDEL
PO BOX 117
INGALLS, KS 67853-0117

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Sincerely,

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

Michael A. Meyer
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3