# Kansas Department of Agriculture Division of Water Resources

## **CHANGE: P/D WORKSHEET**

1. File Number: <b>21389-D2</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ⊠ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
8a. Applicant(s) New to system □  LOEWEN FAMILY FARM	Person ID 67796 Add Seq#	8c. Landown New to sy		Person IDAdd Seq#
PO BOX 67 SEMINOLE, TX 79360-00				
8b. Landowner(s)  New to system □	Person IDAdd Seq#	8d. WUC New to sy	stem 🗌	Person IDAdd Seq#
8a		8a		
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Compl	y: <b>12/31/2021</b>	N & P Date to	Comply: <b>3/1/2022</b>
☐ Anti-Reverse Meter ☐ Meter	Seal 🛛 Check Valve			riller Copy
10. Use Made of Water From:		To: _		
			Date Prepared: <b>6/10/2</b> Date Entered:	. <b>021</b> ву: <b>АМ</b> Ву:

File No.	ile No. 21389-D2 11. County: KE Basin: ARKANSAS RIVER					Stream: Formation Code: Special Use:																	
	12. Points of Diversion CHK  Rate and Quantity																						
MOD	DDIV/															A	Authori	zed		A	dditional		
DEL	PDIV	Qualifier	S	Т	R	ID		'N	ʻW		Com	ment	(AKA	Line)		Rate		Quantit af	у	Rate gpm		Overlap PD Files	
DEL	11466																						
ENT		SW NE NE	12	25S	35W		4	001	115	2						875	5	272		875	272	NONE	
13. Storage: Rate NF Quantity ac/ft Additional Rate NF Additional Quantity ac/ft																							
14. Limit	tation:		af/yı	r at				gpm (_				cfs) w	hen co	ombine	ed with	n file n	umber	(s)					
Limi	tation:		af/yı	r at				gpm (_				cfs) w	hen co	ombine	ed with	n file n	umber	(s)					
15. 5YR	Allocation	n: Allocation	Туре	_ s	tart Yea	ır		5 YR	Amou	nt _		Amo	ount U	nit	_	Base	Acres		_ C	omment <sub>-</sub>			
16. Place of Use CHK					NE¼			NW1/4				SW1/4					SE1/4			Total	Owner Ch	g? Overlap Files	
MOD DEL FNT	PUSE	STR	ID	NI 1/4		SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4				
CHK 6											,												
		•																					
Base Ad	cres:	Year:		Minim	um Reas	sonable	e Quai	ntity:															
Comme	nts:																						

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

June 10, 2021

LOEWEN FAMILY FARMS LLC PO BOX 67 SEMINOLE, TX 79360-0067

RE: Water Right, File Nos. 21387, 21389-D1 & 21389-D2

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 numbers.

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 10<sup>th</sup> day of June, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 21,387, 21,389-D1 and 21,389-D2 dated 10<sup>th</sup> day of June, 2021 was mailed postage prepaid, first class, US mail to the following:

LOEWEN FAMILY FARMS LLC PO BOX 67 SEMINOLE, TX 79360-0067

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.

																		:021	
						F	ile No	. 2138	9-D2								JUI	03	2021
1. <i>A</i>	Applicati	on is he	reby m	nade fo	or appr	roval o	f the C	hief F	nainee	r to ch	nange i	the (ch	eck or	e or b	oth):	G	arden	City Fi	ield Office r Resources
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	ınder th	e water	riaht w	hich is	the si				ation in					ndition	s desc	ribed b	nelow		
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	Phone N																		
1	Name ar	nd addre	ess of \	Water	Use C	orresp	onden	t: SAN	ME AS	ABO\	/E								
-	Phone N	lumbor:		``					Email	addres									
	The pres								Liliali	auure									
	Owner o						BOVE												
				DDRESS:															
(	If there is							ental sh	eets as	neces	sary.)								
Sec				NE	1/4			NV	V1/4			SV	V1/4			SI	E1/4		TOTAL
	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
							L												
	f this ap				_	•					the pla	ace of	use be	chan	ged to	:			
,	Owner o		ADDRE																
(	If there is							ental sh	eets as	neces	sary.)								
				NE	1/4			NV	V1/4		SW1/4					SI	E1/4	TOTAL	
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5. [	Presently author	rized poin	t of diversion:				
	One in the		Quarter of the	NC	Quarter of the	NE	Quarter
			, Township				
	in KEARNY		County, Kansas, <u>3960</u>	_feet North _	1320 feet West of	Southeast corner	of section.
			Authorized Quantity _				
			r ID No. <u>01</u> GPS				•
			ed  This point will be changed				
			on: (Complete only if change				
			Quarter of the				
			, Township				
			County, Kansas, <u>4001</u>				
			Proposed Quantity				
L	This point is:	Additional	Well Geo Center List of	her water rig	that will use this poin	t	
Г							
6.	Presently author						
			Quarter of the				
			, Township				
			County, Kansas,				
			Authorized Quantity _				
			r ID No GPS				
		_	ed This point will be changed				
			on: (Complete only if change				
			Quarter of the				
			, Township				
			County, Kansas,				
			Proposed Quantity				
L	This point is: \( \subseteq \)	Additional	Well Geo Center List ot	her water rig	that will use this poin	t	
7.	The changes here	ain ara das	sired for the following reasons	2			
1.			PRODUCTION	) f	Nort	h	
	(Januarian and Special)	/		30	0 200 100 0	100 200	300
							1''' 🗎
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0.	ii a weii, is the tesi	t flote log a	macried: Tres Miles	200	-1/+1=	1 + 1 +	200
9.	The change(s) (wa	as)(will be)	completed by?		_/ =		
	UPON APPROVA	L		100	1 + 1 + 1	1 + 1 +	100
							1
10.	If the point of diver	rsion is a w	ell:		[ , T , T , E		. 🖥
	(a) What are you	going to do	with the old well?	West 0		mhudududu	0 East
	PLUG / CAP				ŧ <u>=</u>		7
		h = d===0	LIDON COMPLETION	100	+++=	+ + + +	100
	(b) when will this	be done?	UPON COMPLETION		=\ _ =		/=
4.4	One and a standard Man	D	(atai at a a a a a a a a a a a a a a a a	10 300			]
17.		agement Di ′es ⊠ N	strict recommendation attached	l? 200 l		· · · /	200
	· ·	C9 N					=
12.	Assisted by AM / C	GCFO		30	0 200 100 0	100 200	300
10-	If the managed well	f		30	0 200 100 0 Sout		

13a. If the proposed point of diversion will be relocated more than 300 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

feet but within 2,640 feet of the existing point of diversion, attach 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 of fewer feet from	if the existing point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently autho  ☑ Yes ☐ No (If no, all owners must sign this application)	
(b) Will the ownership interest of any owner of the currently authorized 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 substituted Yes ☐ No (If no, all owners must sign this application)	
f the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
hereby verify, being first duly sworn upon my oath or affirma 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 application are true, correct and complete.	eed agent of the owner(s) to make this application on lication pertains. I further verify that the statements
Dated at, Kansas, this _	$3^{1/2}$ day of $20^{1/2}$ .
Locale Greater	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas )	(,
County of Sinney SS	ard
I hereby certify that the foregoing application was signed in more	
JULIE JONES  MOTARY MOTARY MY Appointment Expires	Notary Public
My Commission Expi December 15, 2022	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of accurate information; maps, if necessary, must be included; signatures of all the application appropriate fee must be paid.	
FEE SCHEDUI	E
Each application to change the place of use or the point of diversion under	
forth in the schedule below: Make checks payable to: Kansas Departme	nt of Agriculture
<ul><li>(1) Application to change a point of diversion 300 feet or less</li><li>(2) Application to change a point of diversion more than 300 feet</li></ul>	
(3) Application to change the place of use	

#### 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. 21389-D2 change application was received on \_\_\_\_\_\_\_\_\_ requesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. A change application was received on requesting that the place of use and / or point of 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 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 <u>\$50</u> radius of the authorized point(s) of diversion. 

Applicable Dot 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. M 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. Applicable ☐ Not Applicable 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 22 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. ☐ 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. 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 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): Austin McCollock review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, 02 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 on Signature: mes Notary Public STATE OF JULIE JONES My commission expires: NOTARY .

My Appointment Expires
(Notary Seal) 15, 2022

PUBLIC