## Kansas Department of Agriculture Division of Water Resources

### CHANGE: P/U WORKSHEET

1. File Number: <b>23129</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:		
6. Status: ⊠ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: <b>5/12/2021</b>		
8a. Applicant(s) New to system □  WIATT COLE TACKETT	Person ID 65678 Add Seq#	8c. Landown New to sy		Person IDAdd Seq#		
PO BOX 46 DEERFIELD, KS 67838		Ja .				
8b. Landowner(s) New to system □  KERRY T & GAYLE ENS PO BOX 46 DEERFIELD, KS 67838	Person ID 25015 Add Seq#  LOW TACKETT	8d. WUC New to sy	rstem □	Person ID Add Seq#		
9. Documents and Enclosure(s): ⊠ D\ ☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Requir		□ N & P Form	☐ Water Tube ☐ D	Comply: 3/1/2022  Priller Copy H & E Letter  Comply:		
10. Use Made of Water From:		To: _				
			Date Prepared: <b>5/13/2</b> Date Entered:	<b>2021</b> By: <b>AM</b> By:		

File No.	23129		11. C	ounty:	KE	Ва	sin: Al	RKAN	SAS F	RIVER			S	tream:								rmation C		A)) Special Use:	
12. Poi CHK MOD	nts of Divers	sion																and Qu	uantity zed		А	dditional			
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СНК	21946																								
СНК	52367																								
13. Stor	age: Rate _			N	F	Quai	ntity _					ac/ft	A	ddition	ial Rat	e				NF	Addi	tional Qua	antity		_ac/ft
Limi	tation:			af/yr at					gpm (_				cfs) wl	hen co	mbine	d with	file nu	umber	(s)						
15. 5YR	Allocation:	Allocation	Туре		Sta	rt Yea			5 YR	Amou	nt		Amo	ount U	nit	_	Base	Acres		_ Co	omment .				
16. Plac	ce of Use				NE1/4			NW1/4			SW1/4				SE1/4				Total	Owner	Chg?	Overlap Files			
MOD DEL ENT	PUSE	STR	11	)	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4					
		56 57S68			40	40	40	40	40	40	40	40									320	8b	N	KE-28; 9552	
ENT 1	9217 1	14 24\$35	W 5	5													24	20	40	40	124	8a	N	KE-28; 9552	
									1																
Base Ad	cres:	Year:		Mi	nimum	Reas	onable	e Quar	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

May 13, 2021

WIATT COLE TACKETT PO BOX 46 DEERFIELD, KS 67838

RE: Vested Right, File No. KE-028 and Water Right, File Nos. 9552 & 23129

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/or 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:

Kerry & Gayle Enslow Tackett

GROUNDWATER MANAGEMENT DISTRICT NO. 3

### **CERTIFICATE OF SERVICE**

On this 13<sup>th</sup> day of May, 2021, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Vested Right, File No. KE-028 and Water Right, File Nos. 9,552 & 23,129 dated 13<sup>th</sup> day of May, 2021 was mailed postage prepaid, first class, US mail to the following:

WIATT COLE TACKETT PO BOX 46 DEERFIELD, KS 67838

Pc:

KERRY T & GAYLE ENSLOW TACKETT PO BOX 46 DEERFIELD, KS 67838

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

or aiv	ersion a	пилог р	nace o	use.		F	File No	. <u>2312</u>	29					-:				5	CEIVED 3:40 Am 1Y 1 2 2021
1. <i>A</i>	Applicati	on is he	ereby r	nade f	or app	roval c	of the C	Chief E	ngine	er to cl	hange	the (ch	neck o	ne or b	oth):				City Field Office
	☐ Place of Use ☐ Point of Diversion ☐ Division of V under the water right which is the subject of this application in accordance with the conditions described below.											f Water Resource							
L	under the	e water	right v	vhich is	s the s	ubject	of this	applic	cation i	n acco	ordance	e with	the co	ndition	s desc	ribed I	below.		
Т	The sour	ce of s	upply i	S:		$\boxtimes$ G	Ground	water			Surfa	ce wat	er						
2. N	Name ar	nd addr	ess of	Applica	ant: <u>W</u>	VIATT	COLE	TACK	ETT										
E	PO BOX 46 DEERFIELD KS 67838																		
F	Phone Number: () Email address:																		
1	Name ar	nd addr	ess of	Water	Use C	orresp	onden	t: KE	RRY 8	ENSL	_OW T	ACKE	TT						
_	PO BOX																		
	Phone N								Email	addre	ss:								
	The pres																		
	Owner o																		
			ADDRI	ESS:	PO BC	X 46	DEER	FIELD	KS 67	7838									
(	If there is	more th	nan one	landov	vner, at	tach su	ppleme	ental sh	neets as	neces	sary.)				,				
				NE	=1/4			N۱	N <sup>1</sup> / <sub>4</sub>			SV	V1/4			SI	TOTAL		
Sec.	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
23	24S	35W	40	40	40	40	40	40	40	40									320
(	f this ap Owner o	f Land -	NA Addri	AME: ESS:	KERR PO BO	Y & EN	NSLOV DEER	V TAC	KETT KS 67	(SEC. 7838	23) / \				-		14)		
				NE	=1/4			NI	N1/4			SI	V½			SI	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
23	24S	35W	40	40	40	40	40	40	40	40									320
14	24S	35W								_	-				24	20	40	40	124
								<u> </u>			<u></u>								
F	or Offic	ce Use	Only:	Code		Fe	e \$	100,0	OTR	#		Re	eceipt	Date 5	2-12	-21	Chec	k# <u>8</u>	363

5.	Presently authorized point of diversion:				
	One in the Quarter of the _		Quarter of th	e	Quarter
	of Section, Township		South, Rang	e	(W),
	in County, Kansas,	feet No	rth feet We	est of Southeast cor	rner of section.
	Authorized Rate Authorized Quan	tity	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 ch	anged as follo	ws: No change, point b	etter described with	GPS as follows:
	Proposed point of diversion: (Complete only if ch				
	One in the Quarter of the _		Quarter of th	e	Quarter
	of Section, Township				
	in County, Kansas,	feet No	rth feet We	est of Southeast co	rner of section.
	Proposed Rate Proposed Quant	ty	Proposed well	depth (feet)	
	This point is: Additional Well Geo Center L	ist other water	r rights that will use this	point	
_					
6.	Presently authorized point of diversion:				
٥.			Quarter of th	е	Quarter
	One in the Quarter of the _ of Section, Township		South, Rang	e	(W).
	in County, Kansas,	feet No	rth feet We	est of Southeast co	rner of section.
	Authorized Rate Authorized Quan				
	(DWR use only: Computer ID No.				
	☐ This point will not be changed ☐ This point will be ch				
	Proposed point of diversion: (Complete only if ch				
	One in the Quarter of the _				Quarter
	of Section, Township		South Rang	<u> </u>	(W),
	in County, Kansas,	feet No	rth feet \N/a	est of Southeast co	rner of section
	Proposed Rate Proposed Quant	itv	Proposed well	denth (feet)	
	This point is: Additional Well Geo Center L				
L	This politicis.   Additional Well   Geo Center	.iot other wate	ngino that will use this	point	
7.	The changes herein are desired for the following rea	asons?			
	(please be specific) CREATE A COMPLETE OVERLAF			North	
	IN PU WITH FILE NOS. KE-28; 9552 & 23129		300 200 100	0 100 2	00 300
				+	, –
8	If a well, is the test hole log attached?   Yes   N	0	200 + + + +		
٥.	a way, to the test hale leg attached: 100		200 - 1 + 1 + 1	=   +   -	200
9.	The change(s) (was)(will be) completed by?		100 + 1 + 1	트	+ 1 100
	UPON APPROVAL		100 1 + 1 + 1	= + + + -	<b>+</b>   <b>1</b> 00
				= ' ' '	<b>1</b>
10.	If the point of diversion is a well:		F	T T	_ =
	(a) What are you going to do with the old well?	We	st 0	m <b>a</b> ndmdnahm	0 East
	NI / A		<b>‡</b> – –	를	
	N / A		100   +   +	= + + + -	<b>+</b>   <b>≠</b> 100
	(b) When will this be done? N / A		E		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
		ř	E/	Ē	_ / =
11.	Groundwater Management District recommendation atta	ached?	200 = 1 + 1	= 1 + 1 -	200
	Yes No				
			Eminimum	<del>.</del>	L
12.	Assisted by AM / GCFO		300 200 100		00 300
13a	a. If the proposed point of diversion will be relocated more	than 300		South Scale: 1 has	shmark=10 ft
	feet but within 2,640 feet of the existing point of diversio	n, attach 13b.	If the proposed point of o	diversion will be relo	cated within a 300

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 fi	rom the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auti ☐ Yes ☐ No (If no, all owners must sign this appl	
<ul> <li>(b) Will the ownership interest of any owner of the currently authoral affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this approved)</li> </ul>	
(c) If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this appl	
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 owner agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm 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 appropriate in this application are true, correct and complete.  Dated at Section 1. Kansas, this	rized agent of the owner(s) to make this application on polication pertains. I further verify that the statements
Kem 7 Tacket	Gayle Enslow Jacketth
Kerry 7 7Ackets (Please Print)	Gayle Enslow Tackett Pn (Please Print)
Wicety Cole factor	(Spouse)
1) ratt Cole Tarkett	(opodoc)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas  County of Panny  SS	
I hereby certify that the foregoing application was signed in of May, 20_2,	my presence and sworn to before me this day
05/07/050//	Jessmin Jures Sot
My Commission Expires OSOS/2024.	VACCUUM HARDET SCATO
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be accurate information; maps, if necessary, must be included; signature the appropriate fee must be paid.	I of the applicable portions of the application form must be completed with appropriate ownlers must be affired to the application and notarized; and hay 3, 2024
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: <b>Kansas Departm</b> (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	er this section shall be accompanied by the application fee set nent of Agriculture \$100

### 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. 23129 A change application was received on May 2000 requesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of 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 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 3 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 

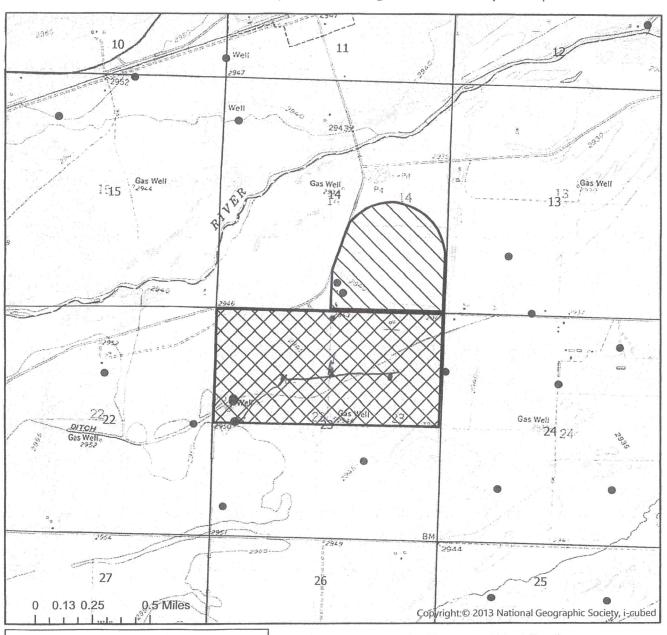
Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ☐ Applicable ☒ Not Applicable The point(s) of diversion authorized herein shall not actually be located more than \_ authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable 5. 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 ☐ 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 \_\_\_\_\_, 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 \(\to \), 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. ☐ 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 résult 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 review must state a basis for review pursuant to K.S.A. 77-527. McCollock (Print Name): Hustin Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: V 50 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 or Signature: oni Notary Public STATE OF JULIE JONES My commission expires NOTARY (Notary Seal) PUBLIC December 15, 2022

File No.

23129

### **CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. KE-28 & 23129**

Section 14 & 23 Township 24 South Range 35 West Kearny County



Authorized Point of Diversion

Permitted Water Right

★ Domestic Well within 1/2 mile

Authoriz

Authorized Place of Use

Proposed Place of Use

List of owner name and addresses within 1/2 mile:



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

(Signature)

7 May 201 AM/GCFO
Date 1:24,000 Scale