## Kansas Department of Agriculture Division of Water Resources

#### CHANGE: P/U WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
24980	1-19-204	C1	04	03
6. Status:   Approved □ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
112		1	4. 1	1/8/2021
8a. LANDOWNER, applicant, WUC New to system □	Person ID 57335 Add Seq#	8c. Landown		Person IDAdd Seq#
HATCHER LAND CO LP 1701 N KANSAS AVE ST LIBERAL, KS 67901	E 102			
8b. Landowner(s), New to system □	Person IDAdd Seq#	8d. landowned New to sy		Person IDAdd Seq#
9. Documents and Enclosure(s): ☑ DV ☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Requir	Seal	□ N & P Form	☐ Water Tube ☐ D	Comply: H & E Letter Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: <b>01/19</b> / Date Entered:	<b>/2021</b> By: <b>MAM</b> By:

File No. <b>24980</b>		11. County:	sw	Ва	sin: Cl	MARE	RON R	IVER			S	tream:							F	ormation Co	de:	Special Use:
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14. Limitation:																						
Limitation:		af/yr at				9	gpm (_				cfs) w	hen co	mbine	d with	file n	umber	(s)					
15. 5YR Allocation:																						
16. Place of Use CHK				NE	≣1⁄4			NW	11/4			sv	<b>V</b> 1/ <sub>4</sub>			s	E1/4		Total	Owner	Chg	? Overlap Files
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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

Mike Beam, Secretary

Laura Kelly, Governor

January 19, 2021

HATCHER LAND CO LP 1701 N KANSAS AVE STE 102 LIBERAL, KS 67901

RE:

Water Right, File Nos. 24980, 42856, 44470

Dear Sir:

Enclosed is are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of these approvals is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers 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 orders modify the original documents referred to above, they 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.

Michael A. Meyer Water Commissioner

MAM enclosures

pc:

GMD3

#### **CERTIFICATE OF SERVICE**

On this 19<sup>th</sup> day of January 2021, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 24980, 42856, 44470 dated 19<sup>th</sup> day of January 2021 was mailed postage prepaid, first class, US mail to the following:

HATCHER LAND CO LP 1701 N KANSAS AVE STE 102 LIBERAL, KS 67901

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. File No. 24,980 Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office 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: Hatcher Land Co. LP 7 East 11th Street, Liberal, KS. 67901 / 7 0 / Email address: Phone Number: ( ) Name and address of Water Use Correspondent: Same Phone Number: ( ) Email address: The presently authorized place of use is: Owner of Land ---- NAME: Hatcher Land Co. LP 201 ADDRESS: 7 East 11th Street Liberal, KS. 67901 (If there is more than one landowner, attach supplemental sheets as necessary.) NE1/4 SW1/4 TOTAL ACRES NE1/4 NW1/4 SW1/4 SE1/4 NW1/4 SW1/4 SE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 Sec. Range Twp. 34 34 34 34 272 15 33 33W 34 22 33 33W 34 If this application is for a change in place of use, it is proposed that the place of use be changed to:

NE1/4 NW1/4 TOTAL **ACRES** SW1/4 SE1/4 SW1/4 SW1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 NE1/4 NW1/4 SE1/4 Range 15 33 33W 34 34 34 136 22 33 33W 34 34 34 34

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date \(\tilde{\bigs\_2}\) Check # \(\tilde{\bigs\_01875}\)

Owner of Land ---- NAME: Hatcher Land Co. LP

ADDRESS: 7 East 11th Street Liberal, KS. 67901

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	II IO OOO OI IOWOI IOOI IIOIII OX	isting point of diversion, complete	ine following.
(a) Does the undersigned represent all owned   ✓ Yes   No (If no, all own	ers of the currently authorized ters must sign this application		oplication?
(b) Will the ownership interest of any owner affected if this application is approved as		of a havieter say mil	pplication be adversely
(c) If this application is not approved expedit	tiously, will there be substanti ers must sign this application		h or safety?
If the application proposes a surface water change or a change in place of use, the application must be agent (attach notarized statement authorizing repr	be signed by all owners of the	ndwater change in point of diversic e currently authorized place of use	on greater than 300 feet or their duly authorized
I hereby verify, being first duly sworn upo age and the owner, the spouse of the own their behalf, in regards to the water right( contained in this application are true, corr	ner, or a duly authorized a (s) to which this applicat	agent of the owner(s) to make	this application on
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I hereby certify that the foregoing application	on was signed in my pres	sence and sworn to before me	this 8th day of
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My Commission Expires 09/39/3022	Expires 19/29/2023	Notary Public	review must store in the
ONLY COMPLETE APPLICATIONS WILL BE PROCESS accurate information; maps, if necessary, must be include the appropriate fee must be paid.			cation and notarized; and
	FEE SCHEDULE		
Each application to change the place of use or the		section shall be accompanied by the	ne application fee set
forth in the schedule below: Make checks payable  (1) Application to change a point of divers  (2) Application to change a point of divers  (3) Application to change the place of use	e to: Kansas Department of sion 300 feet or less sion more than 300 feet	Agriculture	\$100 \$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. 24,980 anuary requesting that the place of use and / or point of A change application was received on 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 2. 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. 

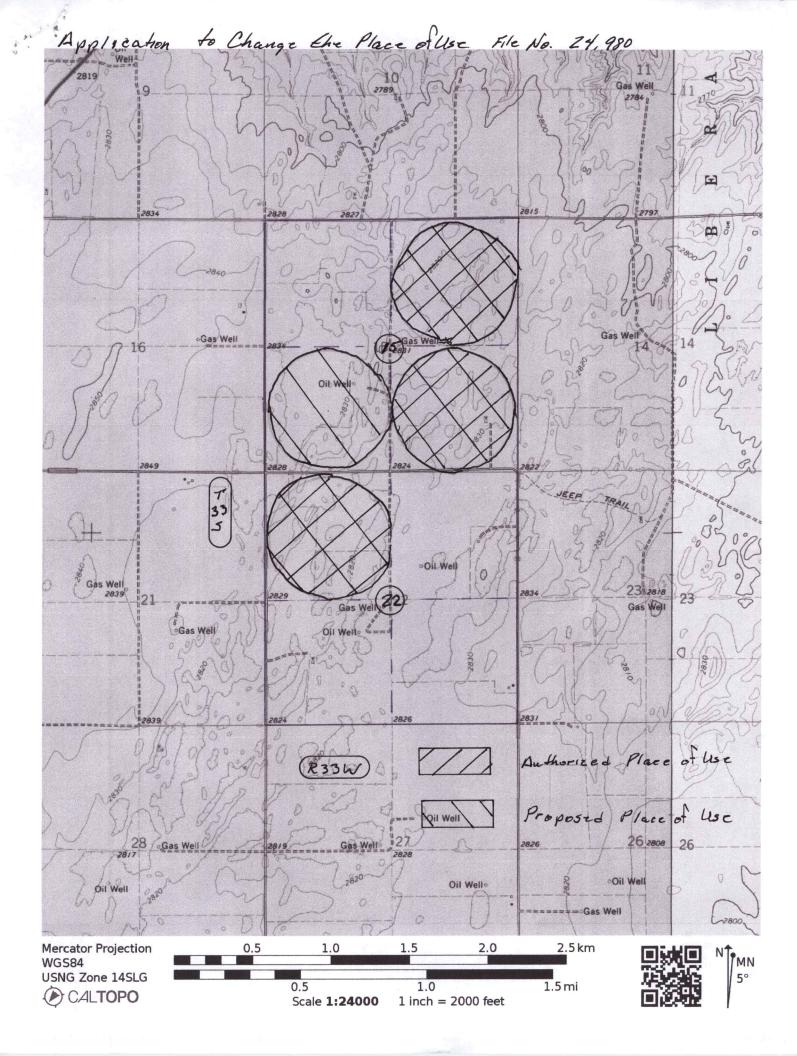
Applicable 

Not Applicable The point(s) of diversion authorized herein shall not actually be located more than 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, 20 2 1, 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\_\_\_\_\_ 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** No 10. Additional Conditions are attached. ☐ Yes 11. 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 administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative Duly Authorized Designee of the Chief Engineer (Print Name): \_ 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 Division of Water Resources - Kansas Department of Agriculture 66502. Failure to timely request a hearing or review may Date of Issuance: preclude review under the Kansas Judicial Review Act. State of Kansas For Use by Register of Deeds SS County of me on Acknowledged before Signature: Notary Public STATE OF JULIE JONES NOTARY NOTARY PUBLIC My Appointment Expires My commission expires: December 15, 2022 Notary Seal)

File No.





#### Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

January 14, 2021

Michael A. Meyer Division of Water Resources 4532 W Jones Ave., Suite B Garden City, Kansas 67846

RE: Applications for Change in Place of Use

Water Right, File Nos. 24980, 42856 & 44470

Dear Mike:

We have reviewed the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will make a complete overlap in place of use with no new acres being proposed, which is in accordance with K.A.R. 5-5-11. It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager

### GMD3 Change Review

File No(s).: 2498	30, 42856 & 4	14470.		DWR office: <u>GC</u> .
App filed to chan	ge: PU.			
Is Landowner(s)	correct in WR	IS: <u>Hatcher</u> .		
If NO, is o	locumentation	n included?		
Is Water Use Cor	respondent co	rrect in WRIS?	gnis .	
If NO, is o	locumentation	included?		
Regulation(s) Rev	viewed: KAR	5-5-11		
Point of diversion	ID No(s)	being changed.		
	ft. North	ft. West		
<b>Authorized PD</b>				
Proposed PD				RECEIVED BY
Difference	0	0		
a2 + b2 = c2	0	0	0	
GPS for proposed	PD: Lat:	Long:		
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No new ground i				
Is a waiver neede			ithin the ba	ase.
				ion, current area rules are met.
Staff therefore red				
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#### Meyer, Mike [KDA]

From:

Meyer, Mike [KDA]

Sent:

Tuesday, January 12, 2021 2:09 PM

To:

'Norquest, Jason (Norquest@gmd3.org)'

Subject:

request for recommendation, File nos. 24980, 42856, 44470

**Attachments:** 

20210112135648548.pdf

#### good afternoon

nick hatcher has filed applications to make a complete overlap between he referenced water rights. please review and provide a recommendation witin 15 days.

thank you

Mike

----Original Message----

From: kda.fax@ks.gov <kda.fax@ks.gov>
Sent: Tuesday, January 12, 2021 1:57 PM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: Message from "GardenCity-Savin-Color"

This E-mail was sent from "GardenCity-Savin-Color" (MP C3004ex).

Scan Date: 01.12.2021 13:56:48 (-0600)

Queries to: kda.fax@ks.gov

This E-Mail was sent from the Kansas Department of Agriculture.

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

January 12, 2021

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re: Water Right, File Nos. 24980, 42856, 44470

Dear Mr. Norquest:

This is to advise you that Hatcher Land Co LP, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use on for the above referenced files.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer Water Commissioner

MAM Enclosures