

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

1. File Number: <p style="text-align: center;">26099</p>	2. Status Change Date:	3. Change Num: <p style="text-align: center;">C1</p>	4. Field Office: <p style="text-align: center;">4</p>	5. GMD: <p style="text-align: center;">3</p>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <p style="text-align: center;">5/3/2021</p>
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8a. Applicant(s) New to system <input type="checkbox"/> ROGER HOLMES PO BOX 699 PLAINS, KS 67869 Person ID <u>60407</u> Add Seq# <u>2</u>	8c. Landowner(s) New to system <input type="checkbox"/> <- CREATE NEW ADD SEQ# Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> 8a Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> ERNESTINE E HOLMES LIFE ESTATE Attn: ROGER HOLMES PO BOX 699 PLAINS, KS 67869 Person ID <u>60407</u> Add Seq# <u>1</u>
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/2021</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>3/1/2022</u> <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: 5/18/2021 By: AM Date Entered: _____ By: _____

File No. **26099** 11. County: **ME** Basin: **CROOKED CREEK** Stream: Formation Code: **211** Special Use:

12. Points of Diversion
 CHK
 MOD
 DEL PDIV
 ENT
 Qualifier S T R ID 'N 'W Comment (AKA Line) Rate gpm Quantity af Additional Rate gpm Quantity af Overlap PD Files

DEL 12208
ENT NW NW NE 3 33S 30W 5232 2633 WELL #8 1760 630 1760 630 NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
CHK 15768																										

Base Acres: Year: Minimum Reasonable Quantity:
 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

May 19, 2021

ROGER HOLMES
PO BOX 699
PLAINS, KS 67869

RE: Water Right, File No. 26099

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,

A handwritten signature in blue ink, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 19th day of May, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 26,099 dated 19th day of May, 2021 was mailed postage prepaid, first class, US mail to the following:

ROGER HOLMES
PO BOX 699
PLAINS, KS 67869

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. 26099

RECEIVED
 9:15 AM
 MAY 03 2021

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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: ROGER HOLMES

PO BOX 699 PLAINS KS 67869

Phone Number: () Email address: rh1631118@gmail.com

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: SAME AS ABOVE

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 \$ 100.00 TR # _____ Receipt Date 5-3-21 Check # 2204

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the NE Quarter
 of Section 3 , Township 33 South, Range 30 (W),
 in MEADE County, Kansas, 5230 feet North 2440 feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well (feet)
(DWR use only: Computer ID No. 02 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 NW Quarter of the NE Quarter
 of Section 3 , Township 33 South, Range 30 (W),
 in MEADE County, Kansas, 5232 feet North 2633 feet West of Southeast corner of section.
 Proposed Rate Proposed Quantity Proposed well depth (feet) 638'
 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 (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 (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) LOSS OF PRODUCTION

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

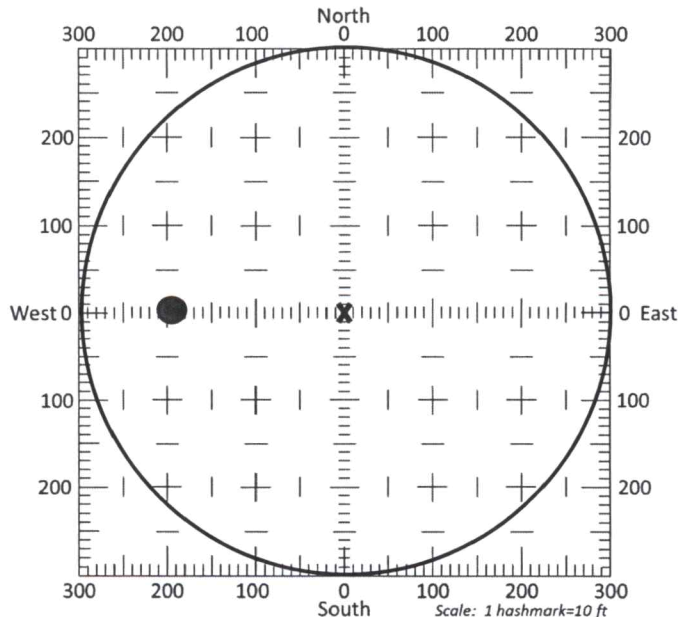
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
PLUG / CAP
 (b) When will this be done? UPON COMPLETION

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AM / 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 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 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 GARDEN CITY, Kansas, this 30th day of APRIL, 2021.

Roger Holman

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of FINNEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30TH day of APRIL, 2021.



Catherine Reinert

 Notary Public

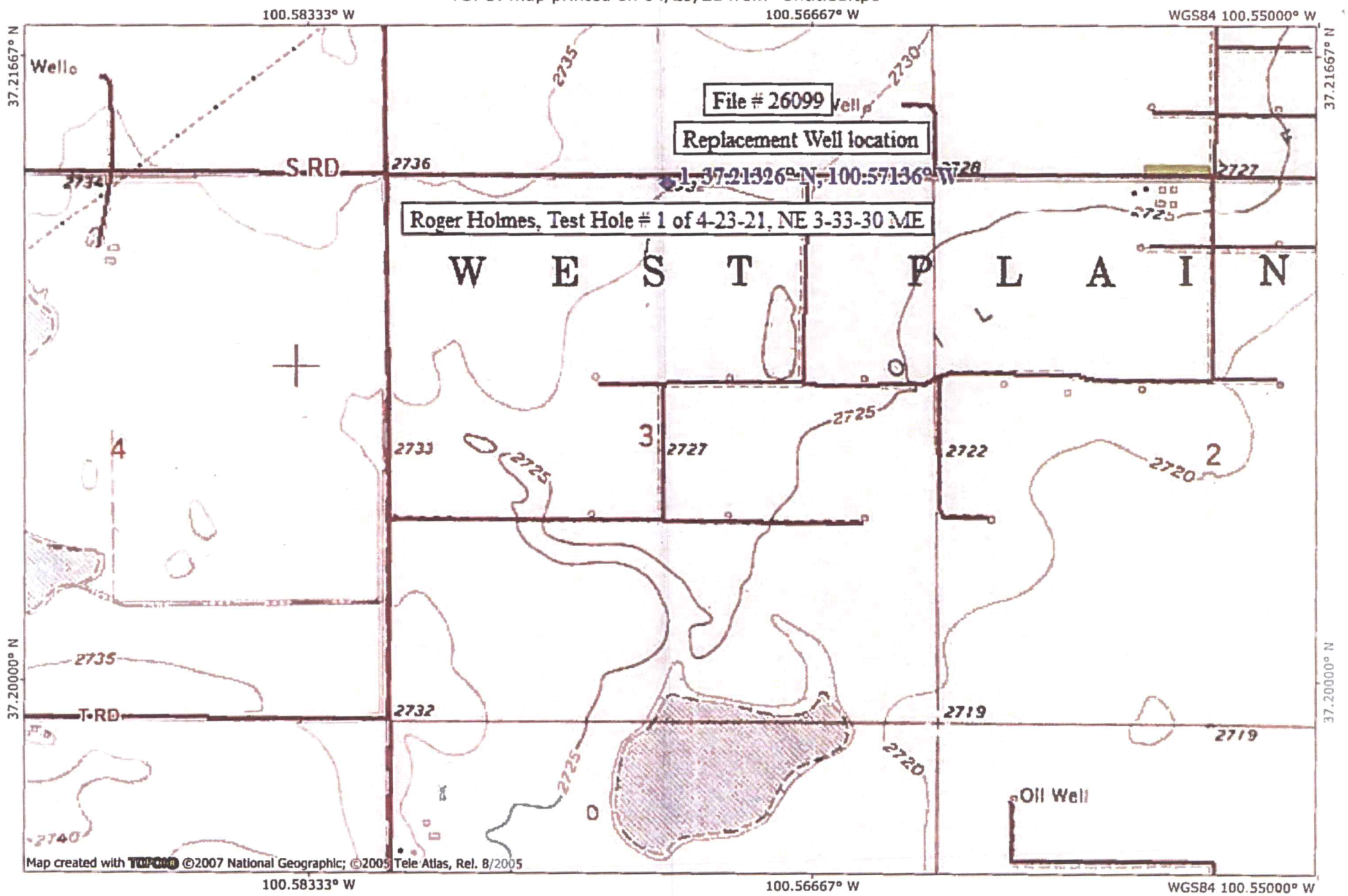
My Commission Expires 9-14-22.

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.

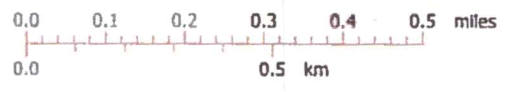
FEE SCHEDULE

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



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



WGS84 100.55000° W

TN MN
5°

04/29/21

COPY

TRUSTEE'S DEED

82 This indenture made this 20 day of October, 2015, by and between First National Bank of Hutchinson, Hutchinson, Kansas, Successor Trustee of the Arlene L Jennings Farmland Trust, a trust created under the Arlene L. Jennings Living Trust (Third Restatement) U/A dated 09/03/98, as Grantor, and Roger Holmes and Wendy Holmes, husband and wife, as joint tenants with the right of survivorship and not as tenants in common, Grantees.

The Grantor by virtue of the terms and provisions of said Trust Agreement, in consideration of the sum of \$10.00, and other valuable consideration, and the receipt of which is hereby acknowledged, does hereby grant, sell and convey to Roger Holmes and Wendy Holmes, husband and wife, as joint tenants with the right of survivorship and not as tenants in common, the following described real estate in Meade County, Kansas, to-wit:

SURFACE RIGHTS IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

Lots One (1) and Two (2) and the South Half of the Northeast Quarter (S/2 NE/4) of Section Three (3), Township Thirty-three (33) South, Range Thirty (30) West of the 6th P.M., Meade County, Kansas, including all water rights, whether underground or surface;

and

Lots Three (3) and Four (4) and the South Half of the Northwest Quarter (S/2 NW/4) of Section Three (3), Township Thirty-three (33) South, Range Thirty (30) West of the 6th P.M., Meade County, Kansas, including all water rights, whether underground or surface

The Grantor covenants that the trust remains in full force and effect at this time; that the successor trustee has authorization without limitation to sell and convey all of the above described real estate; that it is lawfully seized of the interest conveyed in and to the above described real estate; and that it will warrant and defend the same unto the Grantee's heirs and assigns, against every person or persons lawfully claiming by, through or under it.

Dated this 20 day of October, 2015.

Arlene L Jennings Farmland Trust, a trust created under the Arlene L. Jennings Living Trust (Third Restatement) U/A dated 09/03/98 By: First National Bank of Hutchinson, Hutchinson, Kansas, Successor Trustee

By: [Signature] Karen S. Smart, Vice President & Trust Officer



20.00 STATE OF KANSAS, Meade County This instrument was filed for record on the 28 day of Oct, A D 2015 at 3:25 P. M and duly recorded in Book 95 on Page(s) 262-263 Annetta Nain Register of Deeds

Photocopied Xact

RECEIVED

MAY 18 2021

Garden City Field Office Division of Water Resources

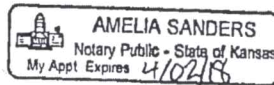
WR 26099

Entered in Transfer Record in my office this 28 day of October 2015 [Signature] County Clerk

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State of Kansas, County of Reno, ss:

The foregoing instrument was acknowledged before me, this 20 day of October, 2015, by Karen S. Smart, Vice President and Trust Officer of First National Bank of Hutchinson, Hutchinson, Kansas, Successor Trustee of the Arlene L. Jennings Farmland Trust, a trust created under the Arlene L. Jennings Living Trust (Third Restatement) U/A dated 09/03/98.



Amelia Sanders

Notary Public