Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
26099		C1	4	3
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				5/3/2021
8a. Applicant(s) New to system ☐	Person ID 60407 Add Seq# 2	8c. Landowne		Person IDAdd Seq#
ROGER HOLMES PO BOX 699 PLAINS, KS 67869		<- CRE	ATE NEW ADD S	SEQ#
8b. Landowner(s) New to system □ 8a	Person IDAdd Seq#	ERNES Attn: R PO BO	TINE E HOLMES OGER HOLMES	Person ID 60407 Add Seq# 1 LIFE ESTATE
9. Documents and Enclosure(s): DV	VR Meter(s) Date to Compl	y: 12/31/2021	N & P Date to	Comply: 3/1/2022
☐ Anti-Reverse Meter ☐ Meter S	Seal	⊠ N & P Form	⊠ Water Tube ⊠ Dr	iller Copy 🛛 H & E Letter
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 5/18/2 Date Entered:	021 ву: АМ Ву:

File No. 260	099		11. C	county	: ME	В	asin: C	ROOK	ED CF	REEK			St	ream:							Fo	rmation Cod	de: 211	Special Use:	
12. Points of D	Diversion																Rate a	and Qu	uantity						
MOD DEL PDIV																		uthori	zed		Ac	lditional			
ENT	Qualifie	r		S	Т	R	ID	8	'N	ʻW		Com	ment	(AKA L	ine)		Rate gpm		Quantity af	/	Rate gpm	_		Overlap PD Files	
DEL 1220	8																								
ENT	NW NW	NE		3	33S	30W		5	232	263	3	WELI	_ #8				1760)	630		1760	630) 1	NONE	
13. Storage: R	Rate				NF	Qu	antity _					ac/ft	A	ddition	al Rat	e				NF	Addit	tional Quant	ity		_ ac/ft
14. Limitation:				af/yr	at				gpm (_			(cfs) wl	nen co	mbine	d with	file nu	umber	(s)						
Limitation:	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 U	Jse					ı	NE1/4			NV	V ¹ / ₄			sv	V¹/4			S	E1⁄4		Total	Owner	Chg?	Overlap Files	
MOD DEL ENT PUSE	: с т	R		D	NE 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 15768		IX																							
Base Acres:	Υe	ear:		1	Minimu	um Rea	asonab	le Qua	ntity:																
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,

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. RECEIVED 9:15 Am MAY 03 2021 File No. 26099 1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office Division of Water Resources ☐ Place of Use Point of Diversion under the water right which is the subject of this application in accordance with the conditions described below. Surface water The source of supply is: 2. Name and address of Applicant: ROGER HOLMES PO BOX 699 PLAINS KS 67869 Phone Number: () Email address: [h/6311/8 e 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.) SW1/4 TOTAL ACRES Range NE14 NW14 SW14 SE14 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 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.) SE1/4 SW1/4 TOTAL **ACRES** Sec. Twp. Range NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE¼ NW¼ SW¼ SE¼ NE1/4 NWZ4 SW1/4 SE1/4

For Office Use Only: Code _____ Fee \$ 100.00 TR # _____ Receipt Date 5-3-21 Check # ____ Check # ____

5.	Presently authorized point of diversion:				
-	One in the Quarter of the	NW	Quarter of the	NE	Quarter
	of Section3, Township	33	South, Range	30	(W).
	in MEADE County, Kansas, 5230 fe				
	Authorized Rate Authorized Quantity	_			
	(DWR use only: Computer ID No. 02 GPS				
	☐This point will not be changed ☐This point will be changed a				,
	Proposed point of diversion: (Complete only if change is				
	One in the NW Quarter of the				
	of Section3, Township				
	in MEADE County, Kansas, 5232 fe				
	Proposed Rate Proposed Quantity				
	This point is: Additional Well Geo Center List other				
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, fe	eet North _	feet West of S	outheast corner	of section.
	Authorized Rate Authorized Quantity		Depth of well	(fee	t)
	(DWR use only: Computer ID No GPS _		feet North	feet We	st)
	☐This point will not be changed ☐This point will be changed a	s follows: [☐ No change, point better des	scribed with GPS	as follows:
	Proposed point of diversion: (Complete only if change is	s request	ed or if existing point is b	etter describe	d by GPS)
	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township		South, Range		(W),
	in County, Kansas, fe	eet North _	feet West of S	outheast corner	of section.
	Proposed Rate Proposed Quantity		Proposed well depth (f	eet)	
L	This point is: Additional Well Geo Center List othe	r water rig	hts that will use this point _		
7.	The changes herein are desired for the following reasons? (please be specific) LOSS OF PRODUCTION				
	(please be specific) LOSS OF FRODUCTION	30	0 200 100 North	100 200	300
		E		I TO TO THE TOTAL PARTY OF THE T	TITT
			/ =	- \-	킄
8.	If a well, is the test hole log attached? X Yes No	200	-141+=	+++	1 = 200
9.	The change(s) (was)(will be) completed by?				_
	UPON APPROVAL	100		1 + 1 +	100
	OF ON METROVAL	100	1 ' ' '	1 1 1	1 100
10.	. If the point of diversion is a well:	1			=
	(a) What are you going to do with the old well?	West 0	m ılın 🌘 olun mılın 🕱 m	hadaahada	니내크 0 East
	DILIC / CAD	1	=		4
	PLUG / CAP	100	1 + 1 + 1 =	1 + 1 +	100
	(b) When will this be done? <u>UPON COMPLETION</u>				
					/ =
11.	Groundwater Management District recommendation attached?	200	- 1 + 1 =	+ +/	200
	☐ Yes No	Ē		-/-	=
12.	Assisted by AM / GCFO	E	inlududududududududududu	Hardin Lington	قيسل
		30	0 200 100 0 South	100 200 Scale: 1 hashmai	300 rk=10 ft
13a	a. If the proposed point of diversion will be relocated more than 300	J			

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 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

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	n the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this applica	
 (b) Will the ownership interest of any owner of the currently authoriz 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 subst ☐ Yes ☐ No (If no, all owners must sign this application)	
If the application proposes a surface water change in point of diversion, a gor a change in place of use, the application must be signed by all owners of agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirma age and the owner, the spouse of the owner, or a duly authoriz their behalf, in regards to the water right(s) to which this application are true, correct and complete.	red agent of the owner(s) to make this application on lication pertains. I further verify that the statements
Dated at, Kansas, this	30 day of APRIL , 2021
- Poge Holna	
(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 m	y presence and sworn to before me this 3077 day
OT CATHERINE REII NOTARY PUBLISTATE OF KANS	NERT MANERIE Plenett
My Commission Expires	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	
FEE SCHEDUL	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 Departmen (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet .	nt of Agriculture \$100
(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. 26099 A 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. 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 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 foot radius of the authorized point(s) of diversion. 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 feet from the previously authorized point(s) of diversion. 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**, 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. ☐ Not Applicable 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 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 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 McCollock days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): Hustin 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, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: V 207 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: ARMO Notary Public STATE OF JULIE JONES My commission expires: PUBLIC (Notar Vy Spaintment Expires December 15, 2022

File No. _

26099

3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389

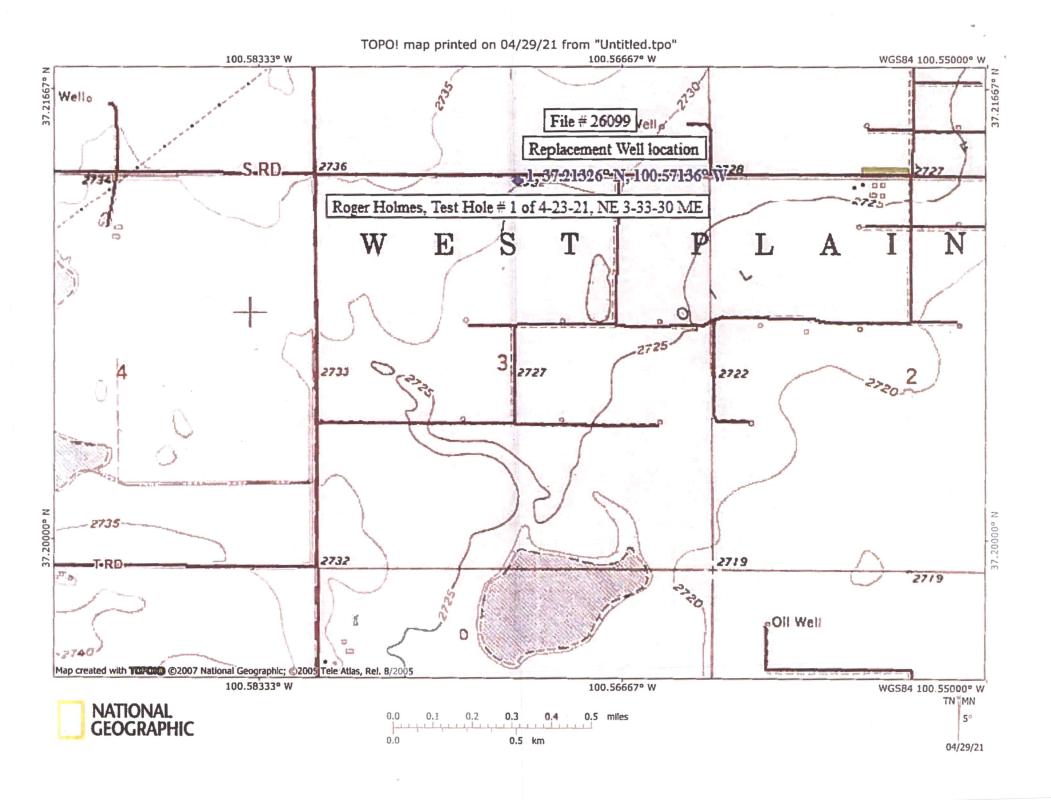


PO Bc. 6:3 Garden City, KS 67845 Fax: 620-277-0224

ROBERHOLMES 620-629-1447

Customer Name:	Roger Holmes	111mm	
Street Address:	P.O. Box 699	WO#: 21693	Date: 4-23-21
City, State:		Test #:	E LOG: M
County: Meade	PLAINS, KS. 67869	Driffer: Dala G.	140
Landian Office	Quarter: NE Section: 3	Township: 33	D
rocation: 8 Nort	h + 199' West of Existing Well C	GPS: N37 71724	Range: 30
Rig #: 10002	Elevation: 27/8	GPS: N37, 21326 W 100,571	36
	2/18	Static WL: 280 Est	mated?
	1.7 =	Proposed Well Depth	638
140	WE	LI LOCATION	-

1.7		Footons		WELL LOCATION QU'SUMP
%	From	Footage		54.0
/0	O	Pay	То	Description of Strata
			2	Top Soil
	2	-	24	Brown Sandy Clay
	24		42	Brown + Red Sandy Class when all !
	42		54	I THE DANN
	54		68	Fine Med Course Sand Small M. I.C. 1
	68:		81	IL HOWN
	81		114	Fine to Cost se soul Smill escale) 1/5 -1
	114		128	
1	128		157	Fine Med Course Sand Few Small Gravel
	157		161	ICITAN CIAN
	161	,	202	Fine Med Course Sand Small Gravel
	202		214	Brown Sandy Clay w / Few Sand Steips
	214			Fine Med Course Sand w/ Couple Clay Layers
25	237	6	286	Fine Mad Course Sand
	286			Blue Clay w/Few Fine Sand Strips
5	301	13		Fine Few Med Sand w/ Blue Clay Layers
	3/4		340	Blue Clay w / Couple Sand Layers
20	340	20		Fine M. J. C. J. III
20	360		380	Fine Med Sand "Loose & Used Water Mixed Bran"
30	380		453	Fine Med Sand Blue In Color, Loose & Used Water"
35	453		484	Fine Med Course Sand "Loose" Light Bluish Tint Fine Med Course Sand "Loose" Light Bluish Tint
	484			Brown Seedy Clay
35	489		THE RESERVE TO SHARE THE PARTY OF THE PARTY	Fine Med Course Sond "Loose"
10	497		520	Fine Plant & 1.110 at 1
20	520		561 1	Fine Sand "Fairh Loose" w/couple Clay hayers False Red Red w/some Red Rock Layers Fine Sand 11 has all
	561		575 F	False Red Red 1/2000 12 / 12 / Lay hayers
15	575		618 1	Fine Sand 11 Loose 11
	618		39 1	2 / 01
	639	- 6	60 F	Red Bod Strips \$ 8/099
				Super Gel X -10
				Grout -5
				Holz Plus -2
				Bran -4
				Perma Plug -1





TRUSTEE'S DEED

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;

RECEIVED

MAY 18 2021

Garden City Field Office Division of Water Resources

and

26000

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

Karen S. Smart, Vice President & Trust Officer

STATE OF KANSAS, Meade County
This instrument was filed for record on the
20 day of A.D. 20.15
at 3.25 P. M. and duly recorded
in Book 95 on Page(s) 202-21e3
Register of Deeds

Photocopied Xact

Entered in Transfer Record in my office this _____ day of_____ 20/5_____

Page 1 of 2

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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 - State of Kansass
My Appt Expires 4/02/6