

File No. **27067** 11. County: FI Basin: ARKANSAS RIVER Stream: Formation Code: 211 Special Use:

12. Points of Diversion
CHK
MOD
DEL
ENT

PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate and Quantity		Additional		Overlap PD Files
									Authorized	Additional	Rate gpm	Quantity af	

DEL 21727

ENT	SENWSE	33	25	31W		1359	1575		1090	269	1090	269	NONE
CHK 11511	NCSW	33	25	31W	03	1320	3940		975	266	975	266	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 30903																										

Base Acres: Year: Minimum Reasonable Quantity:
 Comments: **additional condition page for well depth / construction**

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

March 1, 2021

JACOB R & SUSANA P LOEWEN
PO BOX 67
SEMINOLE, TX 79360-0067

RE: Water Right, File Nos. 27067, 27171

Dear Sir and Madam:

Enclosed 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 number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the 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. Please also note, that the well located in Finney County has an additional condition that restricts the depth of the completed well.

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.

The abandoned wells must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment

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 "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
enclosures
pc:

GMD3


CERTIFICATE OF SERVICE

On this 1st day of March 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 27,067 and 27,171 dated 1st day of March 2021 was mailed postage prepaid, first class, US mail to the following:

JACOB R & SUSANA P LOEWEN
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.

File No. 27067

RECEIVED
 1:15 pm
FEB 17 2021

Garden City Field Office
 Division of Water Resources

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

Place of Use Point of Diversion

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: JACOB R & SUSANA P LOEWEN

PO BOX 67 SEMINOLE, TX 79360

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: JACOB R & SUSANA P LOEWEN

PO BOX 67 SEMINOLE, TX 79360

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: NO CHANGE

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: NO CHANGE

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 2-17-21 Check # 1007

5. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ NC Quarter of the _____ SW
of Section _____ 33 _____, Township _____ 25 _____ South, Range _____ 31
in FINNEY _____ County, Kansas, _____ 1320 _____ feet North _____ 3940 _____ feet West of Southeast corner of sec.
Authorized Rate _____ 975 GPM _____ Authorized Quantity _____ 266 AF _____ Depth of well _____ 292 _____ (feet)
(DWR use only: Computer ID No. 3 _____ 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 _____

6. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ NC Quarter of the _____ SE Quarter
of Section _____ 33 _____, Township _____ 25 _____ South, Range _____ 31 _____ (W),
in FINNEY _____ County, Kansas, _____ 1320 _____ feet North _____ 1290 _____ feet West of Southeast corner of section.
Authorized Rate _____ 1090 GPM _____ Authorized Quantity _____ 269 AF _____ Depth of well _____ 217 _____ (feet)
(DWR use only: Computer ID No. 4 _____ 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 _____ SE Quarter of the _____ NW Quarter of the _____ SE Quarter
of Section _____ 33 _____, Township _____ 25 _____ South, Range _____ 31 _____ (W),
in FINNEY _____ County, Kansas, _____ 1359 _____ feet North _____ 1575 _____ feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____ 270' _____
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) lack of production on current PD

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

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

10. If the point of diversion is a well:

(a) What are you going to do with the old well?

To be plugged

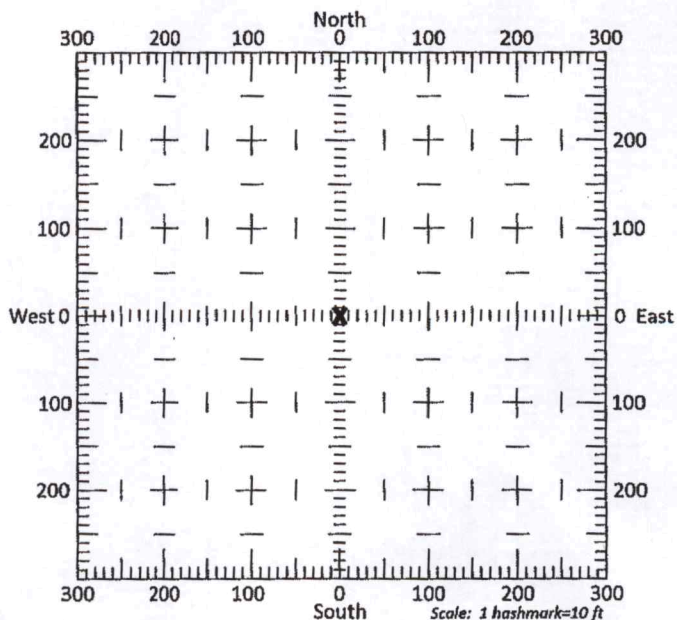
(b) When will this be done? _____

11. Groundwater Management District recommendation attached?

Yes No

12. Assisted by CAC

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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (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 Seminole, Tx, USA Kansas, this 10th day of February, 2021.

X Jacob Loewen
(Owner)

X Susana Loewen
(Spouse)

Jacob Loewen
(Please Print)

Susana P. Loewen
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

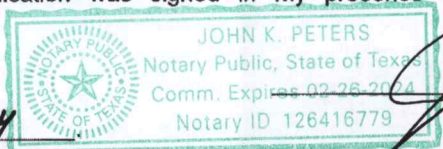
(Spouse)

(Please Print)

(Please Print)

State of Kansas TX }
County of Gaines } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10th day of February, 2021.



[Signature]
Notary Public

My Commission Expires 2-26-2024

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

ADDITIONAL CONDITION TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS,
Water Right, File Nos. 27,067

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the following condition is included as a condition of the approval of this application for change in point of diversion.

That the well authorized by the application for change in point of diversion shall be screened no deeper than 270' below land surface, which is considered to be the bottom of the Ogallala aquifer at this location. Any casing placed below 270' below land surface shall not be screened and the annular space outside of the casing below 270' below land surface shall be grouted according to rules and regulations promulgated by the Kansas Department of Health and Environment Article 30 so as to not allow production of water from underlying Cretaceous Aquifers.

By: Michael A. Meyer
(Duly Authorized Designee of the Chief Engineer)

(Print Name): MICHAEL A. MEYER
Division of Water Resources Kansas Department of Agriculture

Dated of Issuance: March 1, 2021

State of Kansas)
) SS
County of Finney)

Acknowledged before me on the 1st day of March 2021

By Michael A. Meyer

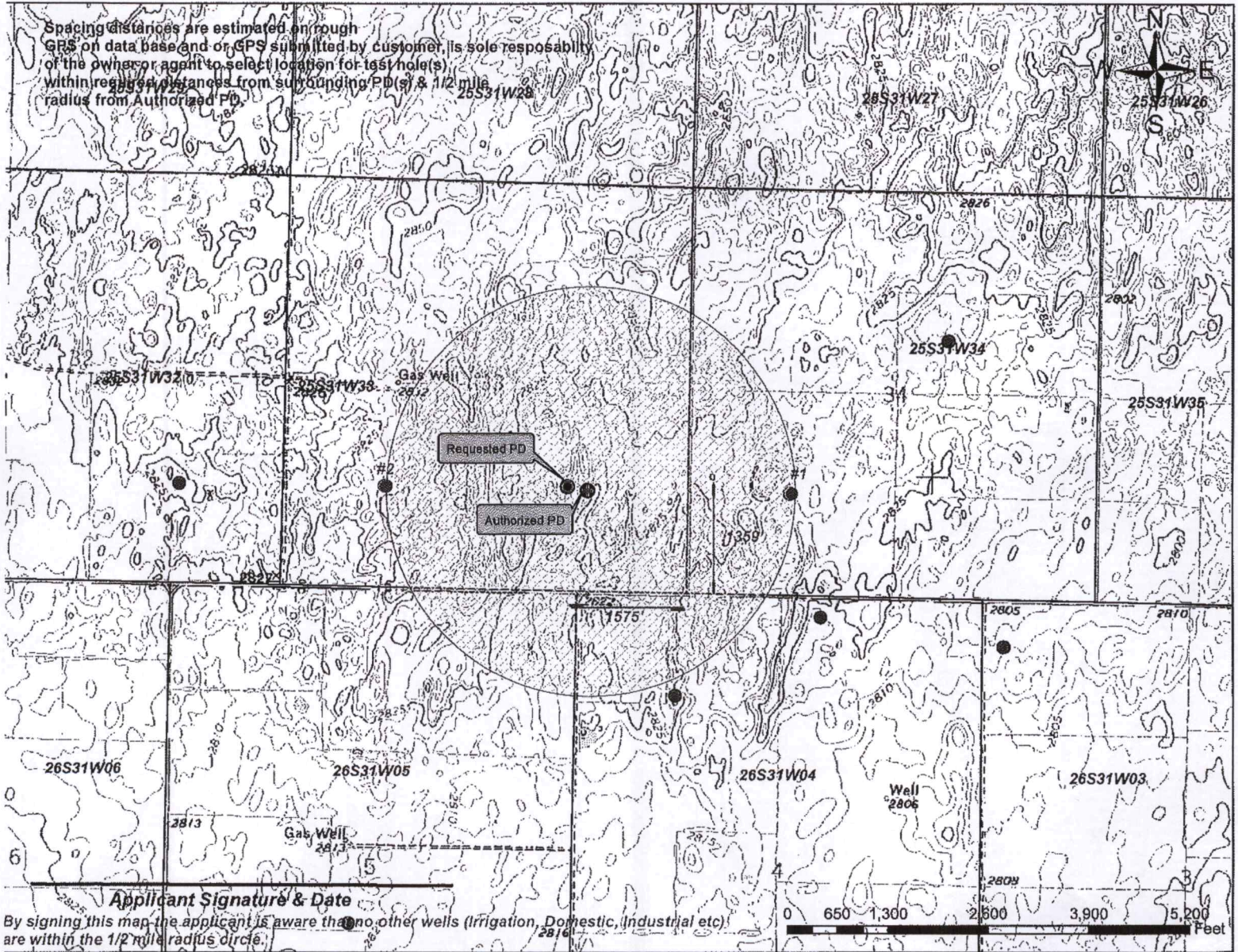
Signature Julie Jones
Notary Public

My Commission expires:



**Point of Diversion Change WR 27067
T25S R31W Section 33
Finney Co.**

Spacing distances are estimated on rough GPS on data base and or GPS submitted by customer, its sole responsibility of the owner or agent to select location for last hole(s) within required distances from surrounding PD(s) & 1/2 mile radius from Authorized PD.



Applicant Signature & Date

By signing this map the applicant is aware that no other wells (Irrigation, Domestic, Industrial etc) are within the 1/2 mile radius circle.

- Authorized PD
- Requested PD
- Point of Diversion
- ⊗ Half Mile Radius
- Active Water Right w/in 1/2 mile
- + domestic well w/in 1/2 mile
- ▨ Authorized PU
- ▨ Requested PD

Water Right w /in 1/2 mile & Owner(if apply)

- #1 Water Right No.20057 Koster Trust
- #2 Water Right No 27067#3 "same owner"

Domestic wellt w /in 1/2 mile & Owner (if apply)

- +A.- Domestic well