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:
45304	1202021	C2	04	03
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
	1878			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. landowne		Person IDAdd Seq#
9. Documents and Enclosure(s): ⊠ DV ☐ Anti-Reverse Meter ☐ Meter :				Comply:
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to	o Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 1/20 / Date Entered:	21 ву: МАМ Ву:

File No. 45304		11.	County:	sv	Ва	sin: Cl	IMARE	RON F	RIVER			S	tream:					4,710		Fo	ormation	Code:	Special Use:
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Limitation:			_ af/yr at	1		34		gpm (cfs) w	hen co	mbine	d with	file n	umber	(s)					于14.专业是
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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 20, 2021

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

RE:

Water Right, File Nos. 28656, 32319, 45304

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 20th day of January 2021, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 28656, 32319, 45304 dated 20th 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.

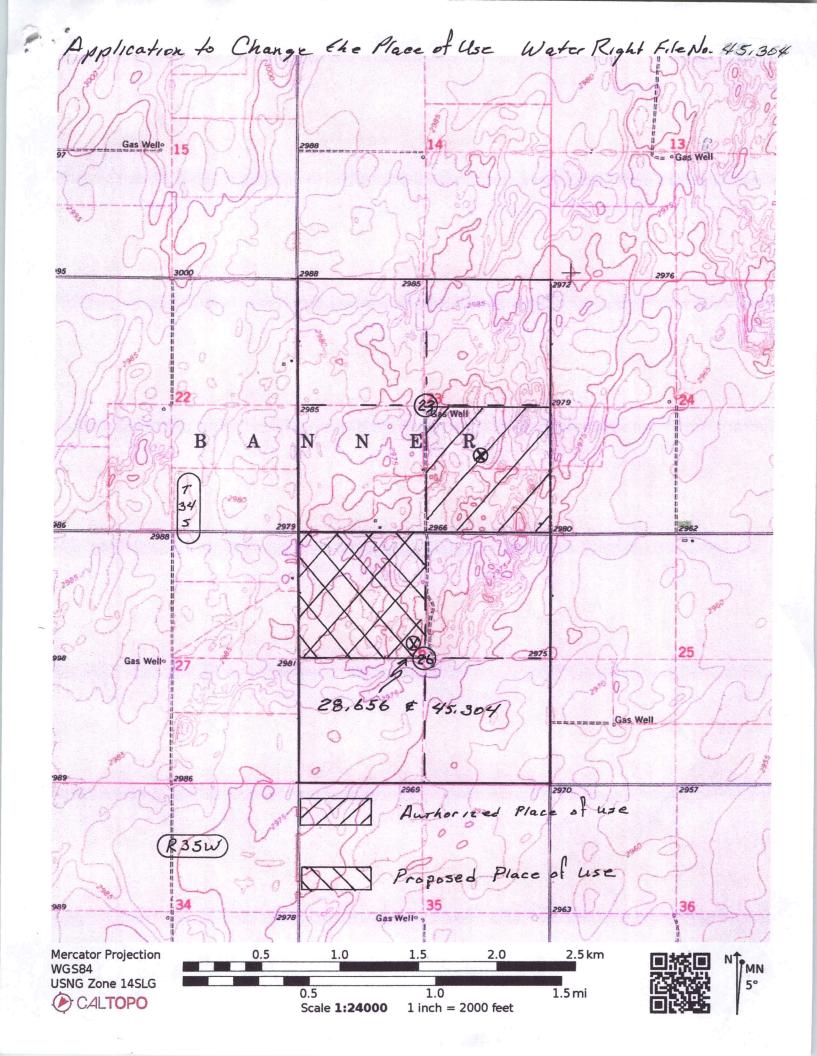
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Name and address of Water Use Correspondent: Nick Hatcher ZEast 11th Street Liberal KS. 67901 / 20 / N	C. Carrier																			re pert
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itt to Isa	za máj bris nos	(Please Print)	737, as amended and/of ement actions authorized	(Please I	Print) John 19 to 1915.v
State of	CMW FIDAM	RD ss	der a-1901.	anu Effoctive Date of On Operation N.S.A. 528 Leading before the Chief	Administrative Appell Legistry of the Legistry
∫ here	eby certify that	the foregoing application, 20	was signed in my pres JOYCE E. BEGLEY Notary Public - State of Kans My Appt. Expires 09/29/24	sas	ore me this 819 day of
My Com	nmission Expires	09/29/2020	(* 1879) 1982 - Janes D. (* 1882) 1983 - Janes D. (* 1882)	(Notary P	ublic
accurate		, if necessary, must be included		applicable portions of the appli	cation form must be completed wit the application and notarized; and
			FEE SCHEDULE		
forth in t	the schedule bel	ow: Make checks payable to	: Kansas Department of	Agriculture	ed by the application fee set
	(2) Application	to change a point of diversion to change a point of diversion to change the place of use	n more than 300 feet		\$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708 provisions of the <i>Kansas Water Appropriation Law, K.S.A.</i> 82a-708 With the exception of those conditions expressly contained here and limitations of File No	01 et. seq., and rules and regulations promulgated thereunder, in, this Summary Order does not change the terms, conditions
A change application was received on	requesting that the place of use and / or point of be changed as described in the application.
2. On and after the effective date of this summary order, the au on the topographic map accompanying the application to companying the application to company	thorized place(s) of use shall be located substantially as shown hange the place of use. Applicable
3. The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. Applicable	this summary order shall be located within a foot
4. The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. Applicable	e located more than feet from the previously Applicable
5. 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 leasurements shall be installed, operated and maintained in
6. The owner of the authorized place(s) of use shall proper 31, 20 1, or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4	perly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, through 5-1-12. As required by K.S.A. 82a-732, as amended, port the reading of the water flow meter and the total quantity of
7. Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the aworks for diversion has been completed, on the form provided Applicable Not Applicable	pplicant shall notify the Chief Engineer that construction of the
8. The completed well log shall be submitted with the requir	ed notice. Applicable Not Applicable
 All diversion works into which any type of chemical or other for with an in-line, automatic, quick-closing check valve capab check valve(s) shall be installed, operated and maintain Applicable 	reign substance will be injected into the water shall be equipped le of preventing pollution of the source of the water supply. The led in accordance with K.A.R. 5-3-5c. Applicable \(\sigma\) Not
10. Additional Conditions are attached. Yes No	
limitations, as amended and/or supplemented by this Sum Appropriation Law and the Rules and Regulations promul	er are responsible for compliance with its terms, conditions and mary Order, and with applicable provisions of the Kansas Water gated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the
Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, 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 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 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.	By: Duly Authorized Designee of the Chief Engineer (Print Name): Division of Water Resources - Kansas Department of Agriculture Date of Issuance: Summany 20, 204 State of Kansas
For Use by Register of Deeds) SS
	County of timey)
	Acknowledged before me on January 20, 2021
	by Michael A. Meyer.
	Signature: Julie James
	Notary Public JULIE JONES My Appointment Expires December 15, 2022
DWR 1.121 /Pavised 07/10/2017\	(Notary Seal)
DWR 1-121 (Revised 07/10/2017) Page	4 File No. <u>45.304</u>





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. 28656, 32319 & 45304

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 separate the two quarters out and eliminate the current overlap for a land sale, which is in accordance with K.A.R. 5-5-11. In order to not have increased consumptive use, File No. 45304 can keep the limitation when combined with 28656. 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

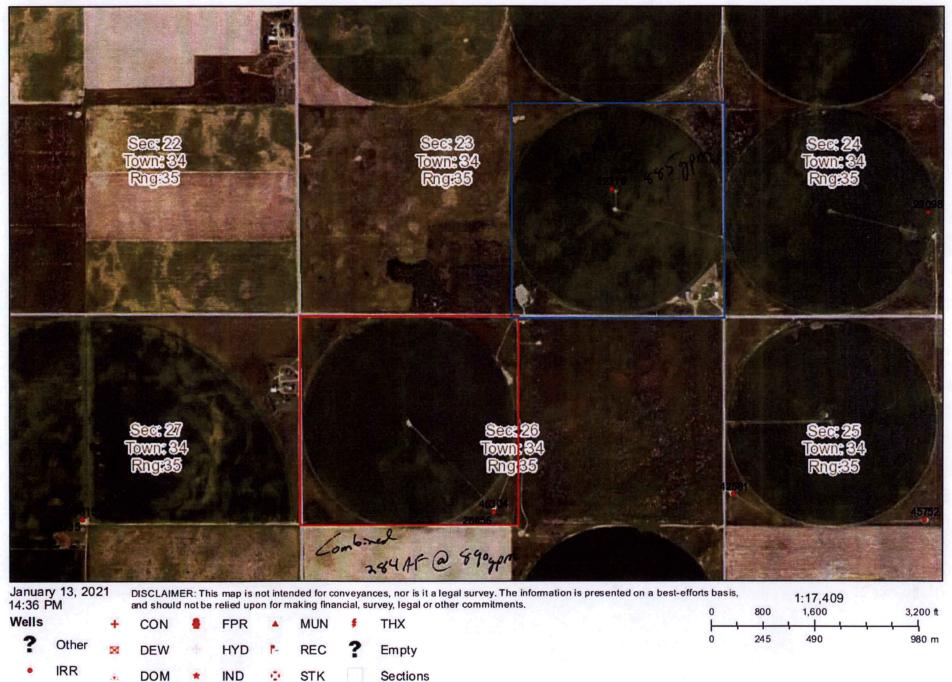
DWR office: GC. File No(s).: 28656, 32319 & 45304. App filed to change: PU (Reduce/Separate). Is Landowner(s) correct in WRIS: Nick Hatcher. If NO, is documentation included? Is Water Use Correspondent correct in WRIS? __. If NO, is documentation included? Regulation(s) Reviewed: KAR 5-5-11 Point of diversion ID No(s) _ being changed. ft. North ft. West **Authorized PD** Proposed PD 0 0 Difference a2 + b2 = c20 0 Long:__. GPS for proposed PD: Lat: Is proposed PD stacking on existing WRs? No Change. Is Proposed PU overlapping existing WRs? ___. Neighboring certified well(s) notified: __. Name Address . Zip Phone: . Domestic well(s) notified: . Name Address Zip Base Acres: ___. Perfected Acres: ___. Irr. Return-Flow ____% 28656: 272AF @ 890gpm 45304: 128AF @ 890gpm, limited to 564AF w/28656 & 32319 28656 & 45304 overlap PD 32319: 280AF @ 885gpm Applicant wants to split the two quarters to be separate. 32319 would irrigate the SE quarter of sect 23 with 280AF @ 885gpm. 28656 & 45304 would water the NW quarter of sect 26 with combined 284AF @ 890gpm, keeping the limitation on 45304 when combined with 28656. Is a waiver needed: Appears to meet the current area rules. Application is to separate the land for land sale.

GMD3 Change Review

Recommendation: After review of all available information, staff recommends approval of the applications.



Hatcher



Meyer, Mike [KDA]

From:

Meyer, Mike [KDA]

Sent:

Tuesday, January 12, 2021 7:19 AM

To:

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

Subject:

request for recommendation, File Nos. 28656, 32319, 45304

Attachments:

20210112070432924.pdf

good morning

attached is a request for recommendation for the above files for changes in place of use. for some reason change apps were filed rather than reductions to simply remove an overlap. these are Hatcher files that I assume need expedited. please review and respond within 15 days with a recommendation

thank you

Mike

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. 28656, 32319, 45304

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