# Kansas Department of Agriculture Division of Water Resources

CHANGE: pu WORKSHEET

1. File Number: <b>13865</b>	2. Status Change Date: //-23 -2022	3. Change Num:	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 11/4/2022
8a. applicant, Landowner, New to system ☐  HEMINK FARMS LTD 2635 CR 521 HART, TX 79043	Person ID 64577 Add Seq#	8c. Landown New to sy		Person IDAdd Seq#
8b. Landowner(s), t New to system □  SPANDET DAIRY LLC 6306 20 RD CIMARRON, KS 67835-90	Person ID 64737 Add Seq#	ARCH PO BO CIMAR	B & MICHELLE IX 1088 RON, KS 67835-	
9. Documents and Enclosure(s): 🛛 DV				
☐ Anti-Reverse Meter ☐ Meter : ☐ Conservation Plan Date Require		□ N & P Form		Oriller Copy
10. Use Made of Water From:		To: _		
			Date Prepared: <b>11/22</b> Date Entered:	<b>2/2022</b> By: <b>MAM</b> By:

12. Points of Diversion CHK													Ra	ate a	and Qu	uantity				
MOD														Α	uthoriz	zed		Ad	dditional	
DEL PDIV ENT Qualifier	S	Т	R	ID	'۱	N	'W		Comr	ment (A	AKA Li	ne)		Rate		Quantit af	у	Rate gpm	Quantity af	Overlap PD Files
CHK 33042					15	1	(B)													
CHK 69890															1 - 110					
CHK 465 CHK 18684							Ya a fi													
CHK 33042			- 10			1														
			W.S.						33.00	18										
13. Storage: Rate		IF	Quar	ntity					ac/ft	Ad	ditiona	l Rate					NF	Addi	tional Quantity _	ac/
14. Limitation:	af/yr a	ıt			9	jpm (_			c	fs) wh	en cor	nbined	with fil	e nu	ımber(	(s)				
Limitation:	af/yr a	it			g	pm (_	J. 50.		c	fs) wh	en cor	nbined	with fil	le nu	ımber(	(s)				
			81110								1	13. 130								
15. 5YR Allocation: Allocation	Туре	Star	t Year			5 YR	Amour	nt		Amou	unt Un	t	_ Ba	ase A	Acres		_ C	omment_		
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			NE	=1/4			NN	11/.								2 = 1/.			Owner Cho	
16. Place of Use								14			SW	11/4	74			SE1/4		Total	Owner Ong	g? Overlap Files
CHK MOD		NE			CE.	NE		- 1	QE .	NE			QE .	NE			SE	Total	Owner Ong	ge Overlap Files
CHK MOD DEL	ID.	NE 1/4	NW 1/4		SE 1/4	NE 1/4	NW 1/4	- 1	SE 1/4	NE 1/4		SW 1/4	SE 1/4	NE 1/4	NW 1/4		SE 1/4	Total	Owner Ong	gr Overlap Files
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CHK MOD DEL ENT PUSE S T R WOD 1715 24 24 28	3W 02		NW 1/4	sw	SE 1/4		NW 1/4	sw 1/4 31	31	31	NW 1/4	SW 1/4	31		NW	sw			8a N 21819, 21820, 8a N	12315, 12456, 16803, 23295 12315, 12456, 16803,
CHK MOD DEL ENT PUSE S T R WOD 1715 24 24 28 WOD 26526 25 24 2	8W 02	1/4	NW 1/4	SW 1/4	31	31 25	NW 1/4 31 25	sw ¼ 31 25	31 25	31 36.76	NW 1/4 31 38.50	sw <sup>1</sup> / <sub>4</sub> 31 38.50	31 40	1/4	NW 1/4	SW 1/4	1/4	248	8a N 21819, 21820, 8a N 21819, 21820,	12315, 12456, 16803, 23295 12315, 12456, 16803, 23295 12315, 12456, 16803,
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CHK MOD DEL	8W 02	1/4	NW 1/4	SW 1/4	31	31 25	NW 1/4 31 25	sw ¼ 31 25	31 25	31 36.76	NW 1/4 31 38.50	sw <sup>1</sup> / <sub>4</sub> 31 38.50	31 40	1/4	NW 1/4	SW 1/4	1/4	248 537.76	8a N 21819, 21820, 8a N 21819, 21820, 8a N	12315, 12456, 16803, 23295 12315, 12456, 16803, 23295 12315, 12456, 16803,

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

November 23, 2022

HEMINK FARMS LTD 2635 CR 521 HART, TX 79043

RE: Field Office Application for Change

Water Right, File Nos. . 12315, 12456, 13865, 16803, 21819, 21820, 23295

Dear Sir or 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 numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. Conditions of these approvals are 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 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,

Michael A. Meyer Water Commissioner

MAM: enclosures

pc:

Spandet Dairy LLC

GMD3

#### CERTIFICATE OF SERVICE

On this 23<sup>rd</sup> day of November 2022, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 12,315, 12,456, 13,865, 16,803, 21,819, 21,820, 23,295 dated 23<sup>rd</sup> day of November 2022 was mailed postage prepaid, first class, US mail to the following:

HEMINK FARMS LTD 2635 CR 521 HART, TX 79043

Pc

ARCH B & MICHELLE FRINK PO BOX 1088 CIMARRON, KS 67835-1088

SPANDET DAIRY LLC 6306 20 RD CIMARRON, KS 67835-9018

GMD3

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.

	ersiori a	na/or pr	ace of	use.		F	ile No	1	3865								12	:32	IVED 4 2022
1. A	pplication	on is he	reby m	nade fo	or appr				nginee		9.5	100		ne or b	oth):	Di	Garde	n City of Wat	Field Office ter Resource
							ace o			10	Point					4			
u	nder the	e water	right w	hich is	the su	ubject	of this	applic	ation in	n acco	ordance	e with t	the cor	ndition	s desc	ribed I	below.		
Т	he sour	ce of su	ipply is	3:		⊠ G	round	water			Surfac	ce wate	er						
	lame an							CHELL	E FRI	NK									
P	hone N	umber:	(620)	338-35	514				Email	addre	ss: afr	ink14@	@hotm	ail.cor	n				
١	lame ar	d addre	ess of \	Water	Use C	orresp	onden	t: SAI	ME AS	ABO	VΕ		9,44		<u> </u>				
<u>S</u>	SAME A	S ABOV	/E								<del>-</del>								
P	hone N	umber:		)					Email	addre	ss:	- 11							3
	he pres																		
C	owner o														-	1	-		
	Tabe di						100		(AS 79							<del>-</del>	-		
(1	f there is	more th	an one	landov	ner, att	ach su	ppleme	ental sh	eets as	neces	sary.)		4						
				NE	1/4			NV	N1/4			SV	V1/4			SI	E1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACINES
24	24	28					40	40	40	40	40	40	18	36					294
25	24	28 /	40	40	40	40	34	25	34	40	40		38.50	40	40	40	40	40	610
31	24	27 N					40	38.14	38.42	40	40	38.70	38/98	40			8 N.V	المنا	314.24
C	f this ap Owner o	f Land -	NA	ME:	Same Same	as Abo	ove					ace of	use be	e chan	ged to:				
				NE	1/4			NV	N1/4			SV	N1/4			SI	E1/4		TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
Sec.	Twp.	Range								0.4	0.4	0.4	24	24					
Sec. 24	Twp. 24	28 V	IVEZA				31	31	31	31	31	31	31	31					248
	A TEXAS		31	31	31	31	31 25	31 25	25	25		38.50		40	40	40	40	40	537.76

#### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

#### FILE NO. <u>13865 - stk pu</u>

MAKE ADDITIONAL COPIES AS NECESSARY

 Continued: The presently authorized place of use is: Owner of Land ---- NAME: spandet dairy llc

ADDRESS: 6306 20 Rd, Cimarron KS 67836

a dairy and livestock operation located in the South Half of the Southwest Quarter (S½ SW¼) of Section 29; and in the South Half of the Southeast Quarter (S½ SE¼) of Section 30; and in the Northeast Quarter (NE¼) and the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) and the Southwest Quarter of the Southeast Quarter (SW¼ SE¼) of Section 31, and in the Northwest Quarter (NW¼) of Section 32, all in Township 24 South, Range 27 West, Gray County, Kansas,

4. Continued: 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: spandet dairy llc

ADDRESS: 6306 20 Rd, Cimarron KS 67836

a dairy and livestock operation located in the South Half of the Southwest Quarter (S½ SW¼) of Section 29; and in the South Half of the Southeast Quarter (S½ SE¼) of Section 30; and in the Northeast Quarter (NE¼) and the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) and the Southwest Quarter of the Southeast Quarter (SW¼ SE¼) of Section 31, and in the Northwest Quarter (NW¼) of Section 32, all in Township 24 South, Range 27 West, Gray County, Kansas,

DWR 1-121-2	(Revised	5/1/2019)	

Presently authorized point of o	diversion:			
One in the	Quarter of the		Quarter of the	Quarter
of Section	, Township		South, Range	W,
in Cou	unty, Kansas,	feet North	feet West of	Southeast corner of section.
Authorized Rate	Authorized Quantity		Depth of well	(feet)
(DWR use only: Computer ID				
☐This point will not be changed [				
Proposed point of diversion: (	Complete only if chan	ge is requested	d 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 Cou	unty, Kansas,	feet North	feet West of	Southeast corner of section.
Proposed Rate	Proposed Quantity _		Proposed well depth	(feet)
This point is:	☐ Geo Center List of	other water right	ts that will use this point	
Presently authorized point of c	diversion:			
One in the			Quarter of the	Quarter
of Section				
in Cou				
Authorized Rate	Authorized Quantity		Depth of well	(feet)
(DWR use only: Computer ID	No GI	PS	feet North	feet West)
This point will not be changed [				
Proposed point of diversion: (				
i ioposeu point di diversion.	Complete only it chair			
	Quarter of the		Quarter of the	
One in the	Quarter of the		Quarter of the	Quarter
One in the of Section	, Township		South, Range	W,
One in the of Section inCou	, Township unty, Kansas,	feet North	South, Range feet West of	W, Southeast corner of section.
One in the of Section cou Proposed Rate	, Township unty, Kansas, Proposed Quantity _	feet North	South, Range feet West of Proposed well depth	W, Southeast corner of section. (feet)
One in the of Section inCou	, Township unty, Kansas, Proposed Quantity _	feet North	South, Range feet West of Proposed well depth	W, Southeast corner of section. (feet)
One in the of Section Cou Proposed Rate This point is:  \_ Additional Well	, Township unty, Kansas, Proposed Quantity _ Geo Center List o	feet North other water right	South, Range feet West of Proposed well depth	W, Southeast corner of section. (feet)
One in the	, Township unty, Kansas, Proposed Quantity _ Geo Center List of	feet North other water right	South, Range feet West of Proposed well depth ts that will use this point	W, Southeast corner of section. (feet)
One in the of Section Cou Proposed Rate This point is:  \_ Additional Well	, Township unty, Kansas, Proposed Quantity _ Geo Center List of	feet North other water right ns?	South, Range feet West of Froposed well depth ts that will use this point	
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One in the	, Township unty, Kansas, Proposed Quantity _	get North	South, Rangefeet West offeet West ofProposed well depth ts that will use this point	

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

3b.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 lewer feet in	of the existing point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this appl	
<ul> <li>(b) Will the ownership interest of any owner of the currently authoral affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this approved in the currently authoral affected if this approved in the currently authoral affected if this approved in the currently authoral affected in this application is approved as requested?</li> </ul>	
(c) If this application is not approved expeditiously, will there be su  Yes No (If no, all owners must sign this appl	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owner agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirn age and the owner, the spouse of the owner, or a duly autho their behalf, in regards to the water right(s) to which this apcontained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on oplication pertains. I further verify that the statements
Dated at TX, Kalkas, this	5 25 day of October, 2022.
L. Schildering	
(Owner)	(Spouse)
L. SCHILDERINK (Please Print)	(Please Print)
(i lease i mily	(1.10000111111)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas TX	
County of Castae SS	
I hereby certify that the foregoing application was signed in	my presence and sworn to before me this 25 day
ILON PLOS	NA VAN VLIET
1 1	nmission Expires Notary Public
	ril 30, 2024
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a accurate information; maps, if necessary, must be included; signatures of all the atthe appropriate fee must be paid.	
FEE SCHED	
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departn (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	nent of Agriculture

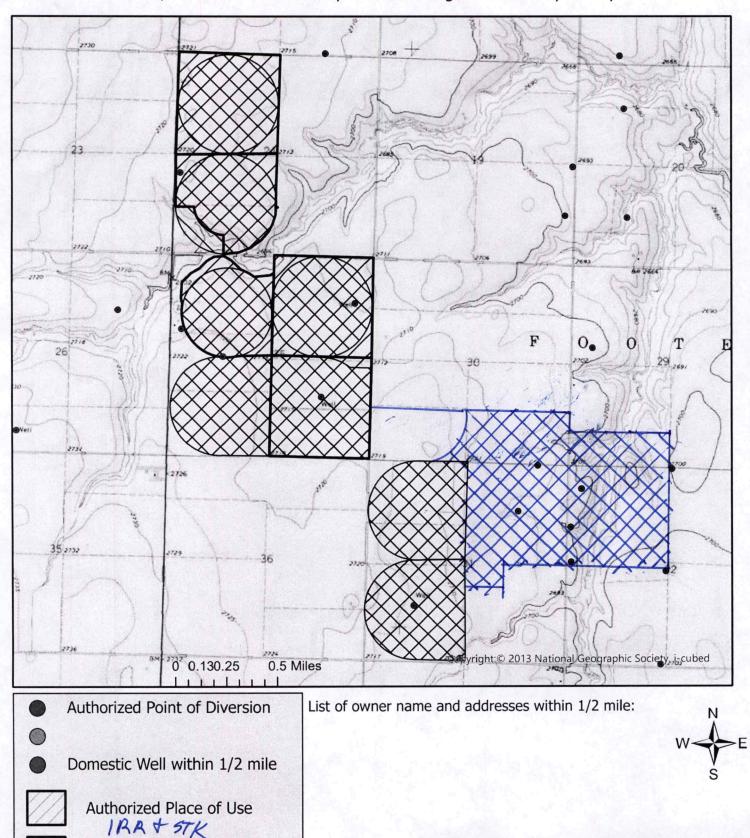
## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	08b, as amended, and K.A.R. 5-5-1, <i>et seq</i> . and other applicable -701 <i>et. seq.</i> , and rules and regulations promulgated thereunder, n, this Summary Order does not change the terms, conditions and
1.	A change application was received on	ber be changed as described in the application.
2.	On and after the effective date of this summary order, the authe topographic map accompanying the application to characteristics.	thorized place(s) of use shall be located substantially as shown on ange the place of use. Applicable \(\sigma\) Not Applicable
3.	The change in point of diversion shall not impair existing rigit previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.	hts and shall be limited to the same source or sources of water as by this summary order shall be located within a foot located within a foot
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	ely corrected to be more accurately described using the Global n.   Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.  Applicable	be located more than feet from the previously lot Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a vor other device suitable for making water level measurement K.A.R. 5-6-13. Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a tube ents shall be installed, operated and maintained in accordance with
7.	December 31, 20 23 , or before the first use of water operated and maintained in accordance with K.A.R. 5-1-4	operly 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, and t the reading of the water flow meter and the total quantity of water ing the end of each calendar year.
8.	authorized extension of time. By March 1, 20 the	completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the vided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requ	ired notice.  Applicable  Not Applicable
10.	with an in-line, automatic, quick-closing check valve capa	foreign substance will be injected into the water shall be equipped able of preventing pollution of the source of the water supply. The in accordance with K.A.R. 5-3-5c. Applicable \( \subseteq \text{ Not Applicable} \)
11.	Additional Conditions are attached.  Yes No	
12.	water appropriated under the above-referenced file num limitations, as amended and/or supplemented by this Sur Appropriation Law and the Rules and Regulations promi	A.R. 5-5-14, all of the owners of the authorized place(s) of use of ber are responsible for compliance with its terms, conditions and mmary Order, and with applicable provisions of the <i>Kansas Water</i> ulgated thereunder. Failure to comply with these provisions may nended, and/or the suspension or revocation and dismissal of the ons authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
15	and a series and but this and a surrought to K.S.A. 82a 1001	APPLICATION APPROVED AND
vou	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED
Eng	gineer or request administrative review by the Secretary of	on Michael I Man
Agr	iculture. A request for hearing by the Chief Engineer must be divition in the days of service of this Order and a request for	By:
adr	ninistrative review by the Secretary must be filed within 30 presure for sumministrative	(Print Name): MICHAGE A. MEYER
rev	iew must state a basis for review pursuant to K.S.A. 77-527.	Division of Water Resources - Kansas Department of Agriculture
	any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance: November 13, 2022
665	302. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas )
	For Use by Register of Deeds	County of Jinney ) SS
		0 1
		by Wichael A. Wieyer
		Signature: Notary Public
		My commission expires: JULIE JONES
		My commission expires:  NOTARY Searment Expires  December 15, 2022

File No. <u>13865</u>

### CHANGE IN PLACE OF DIVERSION WATER RIGHT, FILE NO. 13865

SW 1/4 of Section 31 Township 24 South Range 27 West Gray County



Date JG/GCFO 1:24,000 Scale

Proposed Place of Use

IBR + STK

All wells of any kind within 1/2 mile of the requested place of use have been plotted.

hilderin

(Signature)

Date



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

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

November 29, 2022

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. 12315, 12456, 13865, 16803, 21819, 21820 & 23295

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are 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 rearrange current acres to cover land that was not previously authorized and eliminate some of the corners that are not watered. At the same time, the applications will maintain a complete overlap in place of use in accordance with K.A.R. 5-5-11(b). 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

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Garden City Field Office Division of Water Resources 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

November 7, 2022

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

Re:

Request for Recommendation

Water Right, File Nos. 12315, 12456, 13865, 16803, 21819, 21820, 23295,

Dear Mr. Norquest:

This is to advise you that the Arch Frink has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

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