

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: pu WORKSHEET

| | | | | |
|---------------------------------|---|-----------------------------|-------------------------------|----------------------|
| 1. File Number: 16803 | 2. Status Change Date: <i>11-23-2022</i> | 3. Change Num: C1 | 4. Field Office: 04 | 5. GMD: 03 |
|---------------------------------|---|-----------------------------|-------------------------------|----------------------|

| | |
|--|---|
| 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: 11/4/2022 |
|--|---|

| | |
|--|---|
| 8a. Landowner, New to system <input type="checkbox"/> Person ID 64577 Add Seq# _____ HEMINK FARMS LTD 2635 CR 521 HART, TX 79043 | 8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ |
|--|---|

| | |
|---|--|
| 8b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ | 8d. Correspondent, New to system <input type="checkbox"/> Person ID 41940 Add Seq# _____ ARCH B & MICHELLE FRINK PO BOX 1088 CIMARRON, KS 67835-1088 |
|---|--|

| |
|--|
| 9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2023 <input type="checkbox"/> N & P Date to Comply: _____ <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input 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: 11/22/2022 By: MAM Date Entered: _____ By: _____ |
|---|

File No. **16803** 11. County: **GY** Basin: **BUCKNER CREEK** Stream: Formation Code: Special Use:

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

CHK 7001

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 | | | | |
| MOD | 1715 | 24 | 24 | 28W | 02 | | | | | 31 | 31 | 31 | 31 | 31 | 31 | 31 | 31 | | | | | 248 | 8a | N | 12315, 12456, 13865, 21819, 21820, 23295 |
| MOD | 26526 | 25 | 24 | 28W | 01 | 31 | 31 | 31 | 31 | 25 | 25 | 25 | 25 | 36.76 | 38.50 | 38.50 | 40 | 40 | 40 | 40 | 40 | 537.76 | 8a | N | 12315, 12456, 13865, 21819, 21820, 23295 |
| CHK | 33049 | 31 | 24 | 27W | 01 | | | | | 40 | L-1 38.14 | L-2 37.42 | 40 | 40 | L-3 37.70 | L-4 38.98 | 40 | | | | | 314.24 | 8a | N | 12315, 1256, 13865, 21819, 21820, 23295 |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |

Base Acres: Year: Minimum Reasonable Quantity:
 Comments: **CORRECTION LOTS**

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,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
enclosures

pc: Spandet Dairy LLC
GMD3

CERTIFICATE OF SERVICE

On this 23rd 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 23rd day of November 2022 was mailed postage prepaid, first class, US mail to the following:

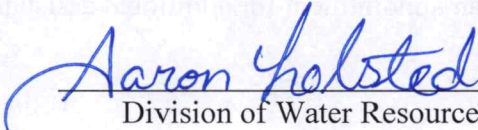
HEMINK FARMS LTD
2635 CR 521
HART, TX 79043

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.

RECEIVED
 12:33 pm
 NOV 04 2022

File No. 16803

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

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: ARCH B & MICHELLE FRINK

PO BOX 1088, CIMARRON, KS 67835-1088

Phone Number: (620)338-3514

Email address: afrink14@hotmail.com

Name and address of Water Use Correspondent: SAME AS ABOVE

SAME AS ABOVE

Phone Number: ()

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: HEMINK FARMS LTD

ADDRESS: 2635 CR 521 HART, TEXAS 79043

(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 | |
| 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 | 38.50 | 40 | 40 | 40 | 40 | 40 | 610 |
| 31 | 24 | 27 | | | | | 40 | 38.14 | 38.42 | 40 | 40 | 38.70 | 38.98 | 40 | | | | | 314.24 |

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: Same as Above

ADDRESS: Same as Above

(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 | |
| 24 | 24 | 28 | | | | | 31 | 31 | 31 | 31 | 31 | 31 | 31 | 31 | | | | | 248 |
| 25 | 24 | 28 | 31 | 31 | 31 | 31 | 25 | 25 | 25 | 25 | 36.76 | 38.50 | 38.50 | 40 | 40 | 40 | 40 | 40 | 537.76 |
| 31 | 24 | 27 | | | | | 40 | 38.14 | 38.42 | 40 | 40 | 38.70 | 38.98 | 40 | | | | | 314.24 |

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 11-4-22 Check # 015042

5. **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. 1 _____ 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 _____ 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) _____

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

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

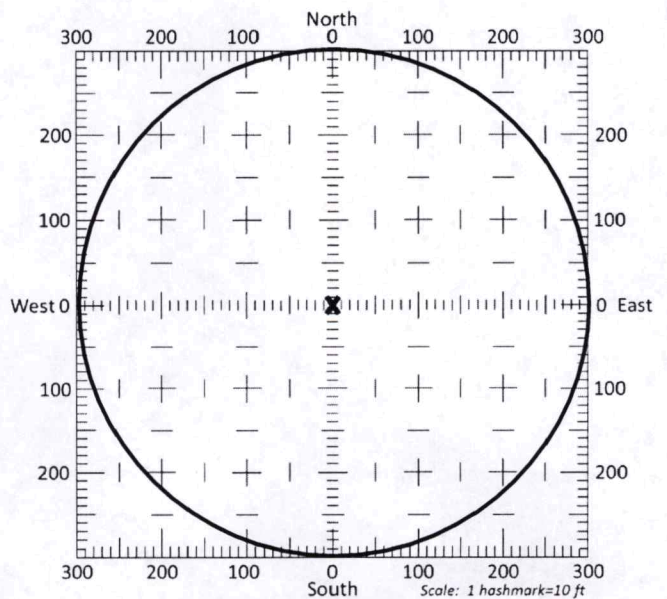
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by JG/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).

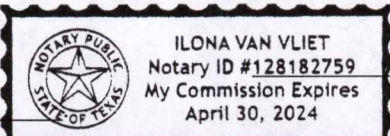
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Hark TX, ~~Kans~~, this 25 day of October, 20 22.

| | |
|-----------------------|----------------|
| <u>L. Schilderink</u> | |
| (Owner) | (Spouse) |
| <u>L. SCHILDERINK</u> | |
| (Please Print) | (Please Print) |
| | |
| (Owner) | (Spouse) |
| | |
| (Please Print) | (Please Print) |
| | |
| (Owner) | (Spouse) |
| | |
| (Please Print) | (Please Print) |

State of ~~Kansas~~ TX }
 County of Castro } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25 day of October, 20 22.



[Signature]
 Notary Public

My Commission Expires _____

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

CHANGE IN PLACE OF DIVERSION WATER RIGHT, FILE NO. 16803

SE 1/4 of Section 25 Township 24 South Range 28 West Gray County



| | |
|---|-------------------------------|
| ● | Authorized Point of Diversion |
| ● | Domestic Well within 1/2 mile |
| | Authorized Place of Use |
| | Proposed Place of Use |

List of owner name and addresses within 1/2 mile:



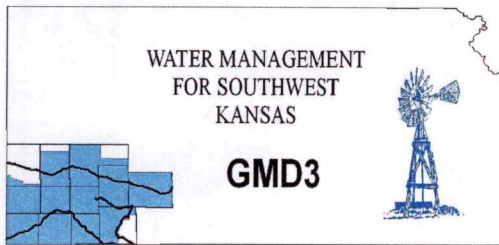
All wells of any kind within 1/2 mile of the requested place of use have been plotted.

L. Schilderink

(Signature)

Date

Date JG/GCFO
1:24,000 Scale



**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

RECEIVED

NOV 18 2022

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,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures