Kansas Department of Agriculture Division of Water Resources

CHANGE: pu WORKSHEET

1. File Number: 16803	2. Status Change Date:	3. Change Num:	4. Field Office: 04	5. GMD:
6. Status: Approved □ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 11/4/2022
8a. Landowner, New to system ☐ HEMINK FARMS LTD 2635 CR 521 HART, TX 79043	Person ID 64577 Add Seq#	8c. Landowned New to sy		Person IDAdd Seq#
8b. Landowner(s) New to system □	Person ID Add Seq#	РО ВО	stem B & MICHELLE	
9. Documents and Enclosure(s): DV				
☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Require				Driller Copy
10. Use Made of Water From:	1	To: _		
			Date Prepared: 11/2 2 Date Entered:	2/2022 By: MAM By:

File No. 16803	11. County: 0	GY	Basin:	BUCKN	IER C	REEK			Str	ream:							Fo	ormation Code: Special Use:
12. Points of Diversion CHK MOD DEL PDIV ENT Qualifier	S	T R	l ID		'N	'W		Com	ıment (AKA L	ne)		A			y	Rate	dditional Quantity af Overlap PD Files
CHK 7001				Jr 11-						60			90	34.		Pri-	36	
		7/1																
13. Storage: Rate	NI	F (Quantity					ac/ft	Ad	ditiona	l Rate					NF	Addi	tional Quantity ac/ft
14. Limitation:	af/yr at		- But I		gpm (cfs) wh	en cor	nbined	with t	file nu	ımber(s)	3-11	Ma.	
Limitation:																		
15. 5YR Allocation: Allocation					Miles.													
16. Place of Use CHK			NE1/4			NV	V¹/4			sv	11/4			s	E1/4		Total	Owner Chg? Overlap Files
MOD DEL ENT PUSE S T R	ID	NE 1/4	NW 5W 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		
MOD 1715 24 24 28		1.4			31	31	31	31	31	31	31	31					248	8a N 12315, 12456, 13865, 21819, 21820, 23295
MOD 26526 25 24 2	8W 01	31	31 31	31	25	25	25	25	36.76	38.50	38.50	40	40	40	40	40	537.76	82 N 12315 12456 13865
CHK 33049 31 24 27	7W 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
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				Ter.														
Base Acres: Year:	Minimum R	easonal	ble Quan	tity:														
Comments: CORRECTION																		

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 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.

or alv	reision a	na/or pi	ace of	use.		F	ile No	1	6803									12:3	3 pm 4 2022
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ι	under the	water	right w	hich is	the si	ubject	of this	applic	ation i	n acco	rdance	e with t	the cor	ndition	s desc	ribed b	pelow.		
	The sour	ce of su	ipply is	3:		⊠ G	round	water			Surfa	ce wat	er						
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(If there is									4	sary.)						100		
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1	.If the proposed point of div feet but within 2,640 feet o					propose	ed point of div	ersion v	vill be relo	ocated	within a 3
	a topographic map or a	erial photog	graph. For gro	undwat	er foot ra	adius of	the existing p	oint of c	liversion,	indicate	its locat
	sources, show all wells (in	cluding dom	nestic) within one	e-half mi	ile on the	e diagra	m shown abo	ve in re	lation to t	he exis	ting poin
	of the proposed point of addresses of the owners.	For surface	a the names an	a mailir	ng divers	the circ	ne proposed cle shown ab	point o	LEASE N	n must	The "X"
	names and addresses	of the lan	downer(s) one-	half mi	ile cente	r of	diagram at	ove r	epresent	s the	preser
	downstream and one-hal				ty autho	rized p	oint of divers	sion.)			

Quarter of the _

Quarter

lines

5.

One in the _

Presently authorized point of diversion:

Quarter of the ___

14. 11 1110	proposed groundwater point of di	version is 300	or lewer leet iro	II the exis	sting point	of diversion, complete t	he following.
	Does the undersigned represent al ☐ Yes ☐ No (If no, a		e currently authort sign this applic		ce(s) of us	e identified in this applic	ation?
	Will the ownership interest of any affected if this application is appropriate Yes □ No (If yes,	ved as request			e(s) of use	e identified in this applica	ation be adversely
	If this application is not approved e ☐ Yes ☐ No (If no, a		vill there be subs t sign this applic		mage to p	property, public health or	safety?
r a char	olication proposes a surface water on age in place of use, the application tach notarized statement authorizing tach notarized statement authorized tach notarized tach notarized	must be signe	d by all owners				
age and heir be	y verify, being first duly swor I the owner, the spouse of the half, in regards to the water ed in this application are true	e owner, or a right(s) to w , correct an	a duly authoriz hich this app d complete.	zed ager lication	nt of the pertains	owner(s) to make the life in t	is application o
Dated at	Harl	TX	_, Kansas, this _	25	_ day of _	October	, 20_22
	PC-P.D.	0					
	(Owner)	Mz.		45.		(Spouse)	
	L SCHILDER (Please Print)	INK				(Please Print)	diameter
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1	(Owner)					(Spouse)	
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4	(Owner)					(Spouse)	Y Y
	(Please Print)					(Please Print)	
State of I	Kansas TA	20					
County o	of Costno	SS					
I here	by certify that the foregoing a	pplication wa	s signed in m	ny prese	nce and	sworn to before me	this 25 day
		STRYPU	ILONA VAN			5	
My Comi	mission Expires		My Commission April 30.	on Expires		Notary Public	
ONLY CO	MPLETE APPLICATIONS WILL BE PR nformation; maps, if necessary, must b priate fee must be paid.	ROCESSED. To e included; signa	be complete, all o	of the appli	cable portion	ons of the application form r st be affixed to the applicati	nust be completed w on and notarized; an
			FEE SCHEDU	LE			
orth in th ((polication to change the place of use the schedule below: Make checks p 1) Application to change a point o 2) Application to change a point o 3) Application to change the place	payable to: Ka f diversion 300 f diversion mo	insas Departme) feet or less re than 300 feet	nt of Agi	riculture		\$100 \$200

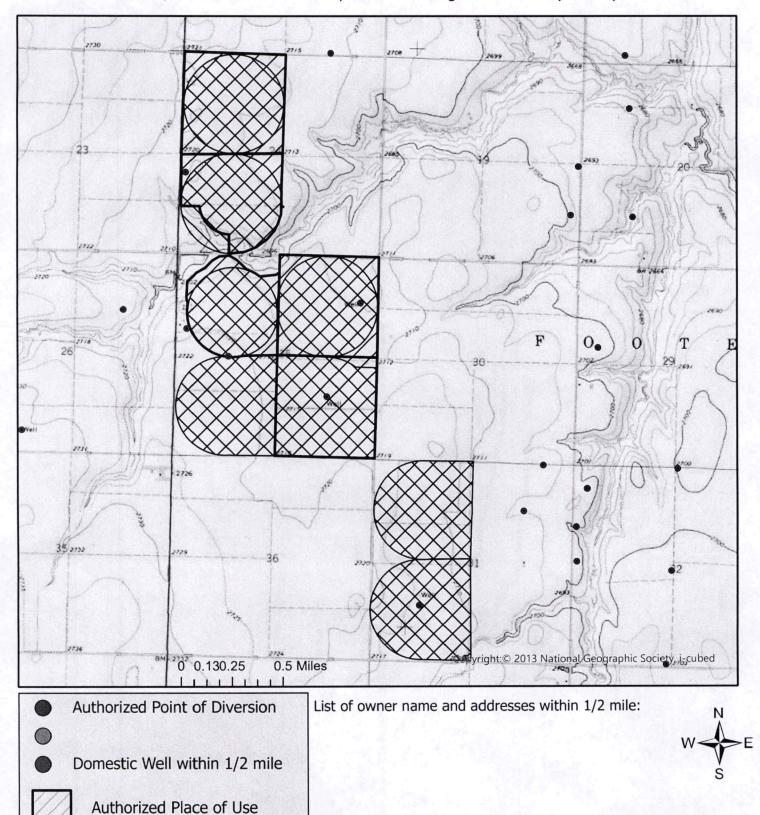
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law. K.S.A. 82a-	98b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 701 et. seq., and rules and regulations promulgated thereunder, n, this Summary Order does not change the terms, conditions and
1.	A change application was received on diversion authorized under the above-referenced file numbers.	ber be changed as described in the application.
2.	On and after the effective date of this summary order, the aut the topographic map accompanying the application to cha	thorized place(s) of use shall be located substantially as shown on inge the place of use. Applicable Not Applicable
3.		nts and shall be limited to the same source or sources of water as by this summary order shall be located within afoot leNot Applicable
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 . Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable N	be located more than feet from the previously of Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a wor other device suitable for making water level measureme 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 <u>2.3</u> , 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 the reading of the water flow meter and the total quantity of water ng the end of each calendar year.
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form proving Applicable Not Applicable	completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the ided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requi	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 ble 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.	
12.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Sun Appropriation Law and the Rules and Regulations promu	A.R. 5-5-14, all of the owners of the authorized place(s) of use of oper are responsible for compliance with its terms, conditions and nmary Order, and with applicable provisions of the <i>Kansas Water</i> algated thereunder. Failure to comply with these provisions may needed, 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
If v	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND
you	may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED
Eng	gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	By: Muhal A. Meg
filed	d within 15 days of service of this Order and a request for	Duly Authorized Designee of the Chief Engineer
	ninistrative review by the Secretary must be filed within 30 pursuant to K.S.A. 77-531. Any request for administrative	(Print Name): MICHAGT A. MEYEX
revi	ew 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 23, 2012
665	502. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas) SS
	For Use by Register of Deeds	County of Juney ()
		Acknowledged before me on November 23, 2023
		by Michael A. Meyer.
		Signature:
		Notary Public
		My commission expires: JULIE JONES JULI
		Public (Notary Seament Expires December 15, 2022

File No. <u>16803</u>

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

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



Date JG/GCFO 1:24,000 Scale

Proposed Place of Use

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

(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

RECEIVED

NOV 1 8 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,

Michael A. Meyer Water Commissioner

MAM Enclosures