## Kansas Department of Agriculture Division of Water Resources

CHANGE: pu WORKSHEET

1. File Number: <b>21819</b>	2. Status Change Date:	3. Change Num:	4. Field Office: <b>04</b>	5. GMD:
6. Status: ☑ Approved ☐ Der	nied 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. Landown		Person IDAdd Seq#
8b. Landowner(s) New to system □	Person ID Add Seq#	РО ВО	stem □  B & MICHELLE	
9. Documents and Enclosure(s):	Seal	□ N & P Form	 ☐ Water Tube ☐	Driller Copy
10. Use Made of Water From:		To: _		
			Date Prepared: <b>11/2</b> Date Entered:	<b>2/2022</b> By: <b>MAM</b> By:

ile No.	21819			11.	County:	GY	Bas	sin: BL	JCKNI	ER CR	EEK			Str	eam:							Fo	rmation Code:	Special Use:
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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

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.

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P	hone N	umber:	(620)	338-35	514				Email	addres	ss: afr	ink14@	hotm	ail.cor	n								
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of Section, To	wnship		South, Range			V\
in County, Kans	sas,	_ feet North _	feet West	of Southeast	corner of	section.
Authorized Rate Autho	rized Quantity		Depth of well		(feet)	
(DWR use only: Computer ID No. 1	GP	S	feet North	fe	et West)	
☐This point will not be changed ☐This poi	int will be change	ed as follows:	No change, point bet	ter described v	vith GPS as	follows:
Proposed point of diversion: (Complete	e only if chang	ge is requeste	d or if existing poin	t is better de	scribed b	y GPS)
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Proposed point of diversion: (Complete	e only if chang	ge is requeste	d or if existing poin	t is better de	scribed b	y GPS)
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in County, Kans	sas,	_ feet North _	feet West	of Southeast	corner of	section.
Proposed Rate Propo	sed Quantity		Proposed well de	pth (feet)		
(please be specific)		300	200 100	0 100	200	300
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The change(s) (was)(will be) completed by?			/	= -%	- /	1
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If the point of diversion is a well:		1		E		=
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(b) When will this be done?	an reid at	100	/	Ξ-, '	' /	100
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Groundwater Management District recomme Yes No	endation attache	d? 200	-141+1	=   +	/-	200
Assisted by JG/GCFO		300	300 100	100	200	300
			proposed point of div	oroion will be	role coted u	ithin a
a topographic map or aerial photograph.	For groundw	ater foot r				
sources, show all wells (including domestic)	within one-half	mile on the	e diagram shown abo	ve in relation t	to the exist	ing point
of the proposed point of diversion and the	names and ma	iling divers	sion. The proposed	point of diver	Sion must	be loca
names and addresses of the landowned	er(s) one-half	mile cente	er of diagram ab	ove represe	ents the	preser
downstream and one-half mile upstream	from your prop	erty autho				1
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Presently authorized point of diversion:

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One in the \_

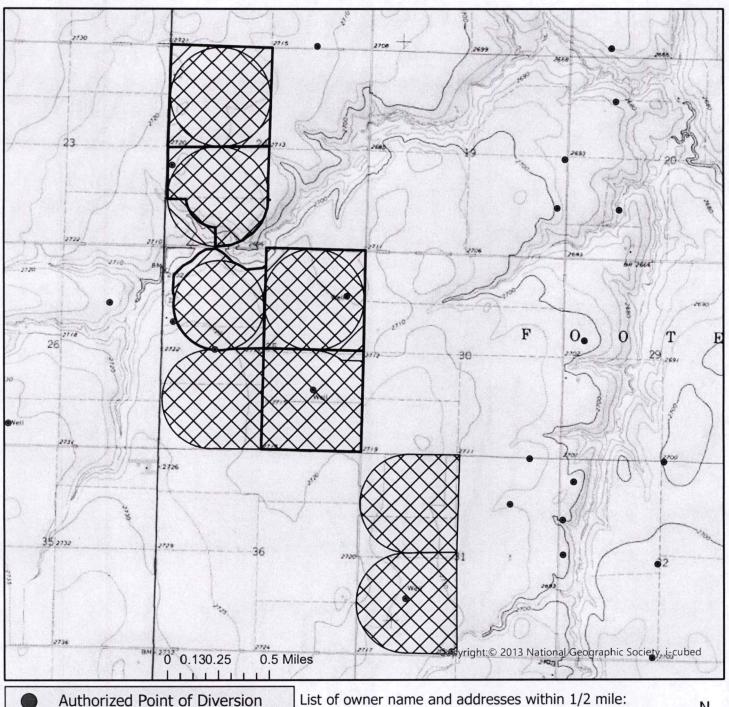
14. If the proposed groundwater point of diversion is 300 or fewer fee	et from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently a Yes No (If no, all owners must sign this a	
<ul> <li>(b) Will the ownership interest of any owner of the currently au affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	athorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this a	
If the application proposes a surface water change in point of diversic or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or aff age and the owner, the spouse of the owner, or a duly aut their behalf, in regards to the water right(s) to which this contained in this application are true, correct and complet	horized agent of the owner(s) to make this application on application pertains. I further verify that the statements te.
Dated at X, Kansas,	this 25 day of Belober, 2022.
L. Selulderink	
(Owner)	(Spouse)
L. SCHILDERINK (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas TX	
County of Castro	
I hereby certify that the foregoing application was signed	in my presence and sworn to before me this 25 day
	ILONA VAN VLIET
My Commission Expires 4/30/24	My Commission Expression ary Public  April 30, 2024
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	
FEE SCH	EDULE
(2) Application to change a point of diversion more than 300	

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable visions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and itations of File No.
1.	A change application was received on
2.	On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within afoot radius of the authorized point(s) of diversion.   Applicable
4.	The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.   Applicable York Applicable
5.	The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized point(s) of diversion.    Applicable P Not Applicable
6.	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 tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.   Applicable Not Applicable
7.	The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 2 3, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.    Variable   Not Applicable   N
8.	Installation of the works for diversion of water shall be completed on or before December 31, 20, or within any authorized extension of time. By March 1, 20 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable Not Applicable
9.	The completed well log shall be submitted with the required notice.   Applicable
10.	All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable \( \subseteq \) Not Applicable
11.	Additional Conditions are attached.
12.	In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.
	Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,
you	may request an evidentiary hearing before the Chief
Agr	gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be  By:
filed	d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30
day	rs pursuant to K.S.A. 77-531. Any request for administrative (Print Name):
	iew must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture
Leg	gal Division, 1320 Research Park Drive, Manhattan, KS
pre	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 4
	Acknowledged before me on November 23, 202
	by Michael A. Meyer.
	Signature: Notar Public
	Notaby Public
	My commission expires:    JULIE JONES   JULI
DWI	R 1-121 (Revised 09/11/2019) Page 4 File No. <u>21819</u>

### **CHANGE IN PLACE OF DIVERSION WATER RIGHT, FILE NO. 21819**

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



Domestic Well within 1/2 mile

Authorized Place of Use



Proposed Place of Use



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

(Signature)

Date JG/GCFO 1:24,000 Scale

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