

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**

WATER RESOURCES
RECEIVED

FEB 01 2022

KS DEPT OF AGRICULTURE



State of Kansas

NO MONEY

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- (Check one or more)
- Place of Use
 - Point of Diversion
 - Use Made of Water

4/28/2022

Water Resources
Received

KS Dept Of Agriculture
MONEY REC'D

File No. 26526-D1

2. Name of applicant: MANFRED QUENTEL

Address: 19311 AQUATIC DRIVE

City, State and Zip: HUMBLE, TX 77346-8035

Phone Number: (713)557-2000

E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: LOGAN DORENKAMP

Address: 34500 CR 19

City, State and Zip: HOLLY, CO 81047

Phone Number: (____) _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

TO CONVERT THIS IRRIGATION WATER RIGHT TO INDUSTRIAL USE TO COVER A 49.75 ACRE EXPANSION OF A GROUNDWATER PIT

The change(s) (was) (will be) completed by BEYOND 2025

(Date)

For Office Use Only:

F.O. 4 GMD Meets K.A.R. 5-5-1 (YES/NO) Use IRR Source G/S County HM By BMM Date 5/4/22
Code C-3 Fee \$ \$700 TR # PY00040238 Receipt Date 5/5/22 Check # CC

FEB 01 2022

4. The presently authorized place of use is:

Owner of Land — NAME: **MANFRED QUENTEL**

ADDRESS: **19311 AQUATIC DRIVE HUMBLE, TX 77346-8035**

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			
21	23	43W				2											20			11	33
22	23	43W							17	6	8	35	19								85
27	23	43W					2														2

List any other water rights that cover this place of use. **3279 & 3280**

Owner of Land — NAME: _____

ADDRESS: _____

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					

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: **QUENTEL RANCHES LLC**

ADDRESS: **19311 AQUATIC DRIVE HUMBLE, TX 77346-8035**

INDUSTRIAL USE FOR AN 89.75 ACRE GROUNDWATER PIT LOCATED IN THE SOUTHWEST QUARTER (SW1/4) AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4 SE1/4) OF SECTION 22 AND LOT 1 OF SECTION 27, ALL IN TOWNSHIP 23 SOUTH, RANGE 43 WEST, HAMILTON COUNTY KANSAS.

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						

List any other water rights that cover this place of use. **26526-D2; 3279 & 3280**

Owner of Land — NAME: _____

ADDRESS: _____

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							

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

FEB 01 2022

6. The presently authorized point(s) of diversion is ONE WELL
(Provide description and number of points)
7. The proposed point(s) of diversion IS GEOGRAPHIC CENTER OF EXANDED GROUNDWATER PIT
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion: ONE WELL**

One SE of the SW Quarter of the NW Quarter of Section 22, Township 23 South, Range 43 W, in HAMILTON County, Kansas, 3025 feet North 4486 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: GEOGRAPHIC CENTER OF GROUNDWATER PIT

One in the NE Quarter of the SW Quarter of the SW Quarter of Section 22, Township 23 South, Range 43 (E/W), in HAMILTON County, Kansas, 1265 feet North 4130 feet West of Southeast corner of section. Proposed Rate NATURAL EVAP Proposed Quantity 49.6 AF

This point is: Additional Well Geo Center List other water rights that will use this point 3279; 26526-D2; 3280

9. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____

This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____

This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____
NOT APPLICABLE

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

12. The presently authorized use of water is for IRRIGATION purposes.
It is proposed that the use be changed to INDUSTRIAL purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
FILE NO. 26526-D2 AUTHORIZES A PIT SIZE OF 40 ACRES. CURRENT PROPOSAL IS TO INCREASE PIT SIZE BY 49.75 ACRES FOR A GRAND TOTAL OF 89.75 ACRES. NET EVAP FROM A 49.75 ACRE PIT = 49.75 AC X 48"/12" = 199 AF. A COMPLETE CONVERSION OF FILE NOS. 3279 (AUTHORIZED 122 AF); 3280 (AUTHORIZED 68 AF) & 26526-D1 (AUTHORIZED 59.8 AF) TO INDUSTRIAL USE WILL COVER THE EVAPORATE LOSSES FOR THE PROPOSED 49.75 ACRE EXPANSION.
HAMILTON COUNTY CONSUMPTIVE USE = 83% QUANTITY TO BE CONVERTED UNDER 3280 = 68 X .83 = 48.1 AF
QUANTITY TO BE CONVERTED UNDER 3279 = 122 AF X .83 = 101.3 AF ; QUANTITY TO BE CONVERTED UNDER 26526-D1 = 59.8 AF X .83 = 49.6 AF
TOTAL QUANTITY CONVERTED = 48.1 AF + 101.3 AF + 49.6 AF = 199 AF
14. It is requested that the maximum annual quantity of water be reduced to 49.6 (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to NATURAL EVAP gallons per minute (____ c.f.s.).
16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
- a. If a change in the location of the point(s) of diversion is proposed, show:
- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.
THIS CHANGE APPLICATION, IF APPROVED, WILL COVER THE EVAPORATIVE LOSSES FROM A GROUNDWATER PIT WHICH SHOULD NOT CAUSE ANY IMPAIRMENT ISSUES WITH ANY NEARBY WATER RIGHTS.
18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

1:18,000

Proposed Place of Use & Points of Diversion

File No. 26526-D2

WATER RESOURCES
RECEIVED

FEB 01 2022

KS DEPT OF AGRICULTURE



Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

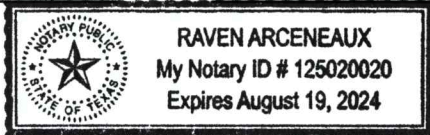
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Humble, ~~Kansas~~ ^{Texas}, this 27 day of January, 20 22.

<u>[Signature]</u> (Owner)	_____	(Spouse)
<u>[Signature]</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)

Texas
State of Kansas }
County of Harris } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27 day of January, 20 22.

[Signature]
Notary Public

My Commission Expires 8/19/2024.

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 10, 2022

MANFRED QUENTEL
19311 AQUATIC DRIVE
HUMBLE TX 77346

RE: File No(s). **26526-D1**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Garden City Field Office at 620-276-2901. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive, flowing style.

Kristen Baum
New Applications and Changes Supervisor
Water Appropriation Program