

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/D WORKSHEET**

1. File Number: <b>28903</b>	2. Status Change Date:	3. Change Num: <b>C1</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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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: <b>9/27/2022</b>
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8a. Applicant(s)                      Person ID **67605**  
 New to system               Add Seq# \_\_\_\_\_

**GRANT WEBBER**  
**PO BOX 339**  
**SUBLETTE, KS 67877**

8c. Landowner(s)                      Person ID \_\_\_\_\_  
 New to system               Add Seq# \_\_\_\_\_

8b. Landowner(s)                      Person ID **19032**  
 New to system               Add Seq# \_\_\_\_\_

**TIM & VIRGINIA WEBBER**  
**PO BOX 327**  
**SUBLETTE, KS 67877**

8d. WUC                                      Person ID \_\_\_\_\_  
 New to system               Add Seq# \_\_\_\_\_

**8b**

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2023**     N & P Date to Comply: **3/1/2024**

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter

Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **11/14/2022** By: **AM**  
 Date Entered: \_\_\_\_\_ By: \_\_\_\_\_

File No. **28903**      11. County: HS      Basin: CROOKED CREEK      Stream:      Formation Code: **211/331**      Special Use:

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

**DEL 36509**  
**ENT      NW NE NE      9      30S 32W      4902      1251      1400      720      1400      547      NONE**

13. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: **2560** af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **3184; 7755; 12836 & 24397**  
 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
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
<b>CHK 13659</b>																									
<b>CHK 31673</b>																									
<b>CHK 39520</b>																									
<b>CHK 69519</b>																									

Base Acres:      Year:      Minimum Reasonable Quantity:

Comments: **NOTE – CORRECTION OF ADDITIONAL QUANTITY. SEE INCLUDED MEMO FROM 1999 CERT / CHANGE PU**

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 14, 2022

TIM & VIRGINIA WEBBER  
PO BOX 327  
SUBLETTE, KS 67877

RE: Filed Office Application for Change  
Water Right, File No. 28903

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number 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.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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 "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GMD 3

**CERTIFICATE OF SERVICE**

On this 14<sup>th</sup> day of November, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 28,903 dated 14<sup>th</sup> day of November, 2022 was mailed postage prepaid, first class, US mail to the following:

TIM & VIRGINIA WEBBER  
PO BOX 327  
SUBLETTE, KS 67877

Pc:

GMD 3

  
\_\_\_\_\_  
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.

File No. 28903

**RECEIVED**  
 12:06 PM  
 SEP 27 2022

Garden City Field Office  
 Division of Water Resources

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

2. Name and address of Applicant: GRANT WEBBER  
PO BOX 339 SUBLETTE KS 67877

Phone Number: ( ) \_\_\_\_\_ Email address: grfarmz@gmail.com

Name and address of Water Use Correspondent: TIM & VIRGINIA WEBBER  
PO BOX 327 SUBLETTE KS 67877

Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: NO CHANGE

ADDRESS: \_\_\_\_\_

(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			

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: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(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				

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 9-27-22 Check # 33216



5. **Presently authorized point of diversion:**  
 One in the NW Quarter of the NW Quarter of the NE Quarter of the NE Quarter of Section 9, Township 30 South, Range 32 (W), in HASKELL County, Kansas, 5266 feet North 2264 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 02 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 NW Quarter of the NE Quarter of the NE Quarter of the NE Quarter of Section 9, Township 30 South, Range 32 (W), in HASKELL County, Kansas, 4902 feet North 1251 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) 690'  
 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 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 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) LOSS OF PRODUCTION

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

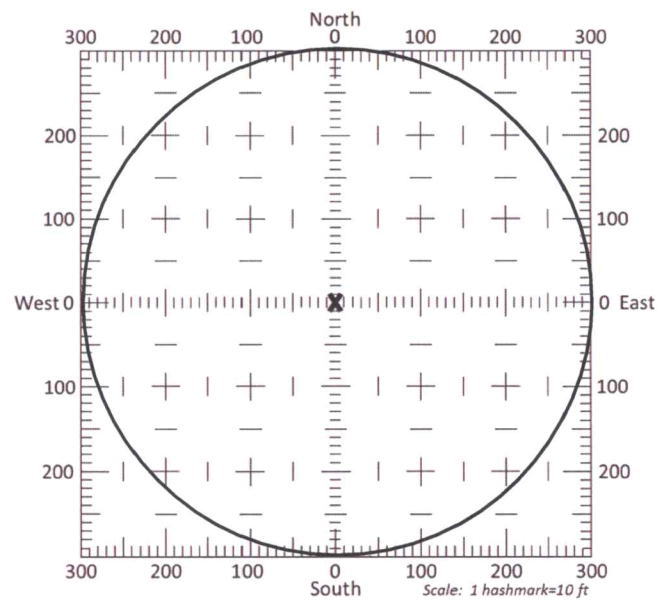
9. The change(s) (was)(will be) completed by?  
UPON APPROVAL

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
PLUG / CAP  
 (b) When will this be done? UPON COMPLETION

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AM / 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 Garden City, Kansas, this 27<sup>th</sup> day of September, 20 22.

<u>Virginia Webber</u> (Owner)	_____	(Spouse)
<u>Virginia Webber</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }  
County of Jiminy } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27<sup>th</sup> day of September, 20 22



Julie Jones  
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









S. Sublette KS

Sec. 9-T30S Blk R32W

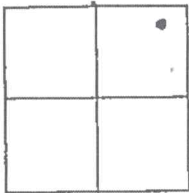
Survey Co. HASKEIL

N. 37.45924° W. 100.82068°



No. 29802

P.O. Box 784  
Sunray, Texas 79086  
(806) 948-4421



WL 360'

GRANT WEBBER

Test  Waterwell

DATE 8/11/22

NO 2-22

FROM	TO	DESCRIPTION	SAND
		Problem w/ circulation - 618'	
0	70	top soil + brown clay w/ caliche strips	
70	295	fine, med and coarse sand w/ gravel strips + clay strips	Used some water 70' to 295'
295	320	Gray sticky clay	
320	340	fine to med fairly loose sand w/ clay strips	
340	360	med + coarse fairly loose to little tight sand w/ gravel + clay strips	14
360	380	med fine fairly loose sand w/ Gray clay strips	11
380	400	fine, med + coarse fairly loose sand w/ gravel strips + clay strips	13
400	420	fine, med + coarse fairly loose to little tight sand w/ gravel + clay strips	11
420	440	fine to med little tight sand w/ tight sand stone strips + clay strips	Sand-5 stone-4
440	460	fine little tight sand w/ clay strips	13
460	480	fine to med little tight sand w/ coarse sand strips + clay w/ hard shale strips	13
480	500	Brown and Gray sticky clay w/ hard Rock strips	
500	520	Brown to Gray clay w/ hard shale strips	
520	540	Gray clay w/ some brown clay mix + hard shale strips	
540	560	Gray and Brown clay w/ hard shale strips	
560	580	Gray clay w/ little hard Rock strips	
580	600	Gray clay w/ Rock strips	
600	620	Gray clay to fine fairly tight sand	Used lot of water 618' to 640' 3
620	640	fine fairly tight sand to little tight sand stone	Sand = 4 stone = 16
640	660	little tight sand stone	20
660	680	little tight to tight sand stone to Red clay	6

water







MEMORANDUM

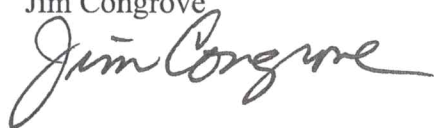
KANSAS DEPARTMENT OF AGRICULTURE  
Division of Water Resources

TO: Files

DATE: May 6, 1999

FROM: Jim Congrove

RE: Appropriation of Water  
File No. 28,903



An application to change the place of use has been received for the referenced file which requests that the place of use be identical with Water Right, File Nos. 3,184; 7,755; 12,836 and 24,397 which approve 1,280 acres for irrigation. A certificate has been drafted for File No. 28,903 to be issued the day before the change is approved which will authorize 480 acres which are part of the 1,280 acres approved under the other files.

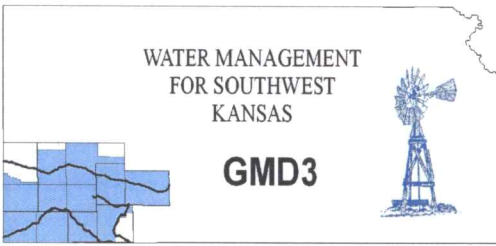
The four senior water rights authorize a total quantity of 2,013 acre-feet. The certificate for File No. 28,903 will authorize a quantity of 720 acre-feet and a limitation of 960 acre-feet when combined with the senior files for the 480 acres described on the certificate. This limitation will be modified to 2,560 acre-feet with the change approval to reflect 2 acre-feet per acre for the 1,280 acres. The additional quantity authorized under File No. 28,903 is 547 acre-feet (2,560-2,013).

The application complies with K.A.R. 5-5-11 as an identical overlap in place of use with other water rights is requested and no land not currently authorized under the other water rights is requested. The authorized quantity under the water rights which is 2 acre-feet per acre appears to be reasonable for irrigation of crops in Haskell County. A conservation plan pursuant to Administrative Policy No. 89-1 is not required since no additional land is being irrigated.

File No. 28,903 was determined to be in good standing as to non-use, pursuant to Administrative Policy No. 92-3, during the processing of the draft certificate.

RECEIVED  
KS Dept. of Agriculture  
JUN 11 1999  
Garden City Field Office  
Division of Water Resources

MICROFILMED



**Southwest Kansas**  
**Groundwater Management District No. 3**  
**2009 E. Spruce Street**  
**Garden City, Kansas 67846**  
(620) 275-7147 phone  
www.gmd3.org

November 7, 2022

Austin McColloch  
Division of Water Resources  
4532 W Jones Ave., Suite B  
Garden City, Kansas 67846

RE: Application for Change in Point of Diversion  
Water Right, File No. 28903

Dear Austin:

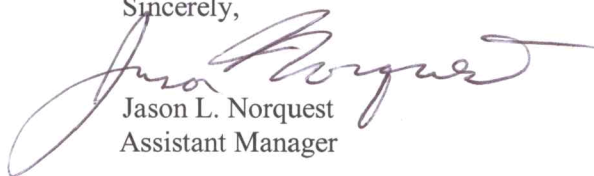
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (3.0 ft with saturated thickness is between 125-150ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that several of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed further evaluation. That evaluation showed the potential of the wells could be critical, if the proposed well is pumped at maximum authority. We did not receive any comments from neighboring well owners. Therefore, GMD3 sees this move as meeting current area rules and would recommend approval with verification that there will not be adverse effects to neighboring wells. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that 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 09 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

*October*  
September 21, 2022

GROUNDWATER MANAGEMENT DISTRICT #3  
2009 E SPRUCE ST  
GARDEN CITY KS 67846

Re: Request for Recommendation,  
File No. 28903 & 25379

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Grant Webber and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch  
Assistant Water Commissioner

Enclosure  
pc:



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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

September 29, 2022

JAY & KRISTI A STAPLETON  
PO BOX 310  
SUBLETTE, KS 67877-0310

RE: Application for Change  
Water Right, File No. 28903

Dear Sir or Madam:

This is to advise you that Grant Webber has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the NW $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 9, Township 30 South, Range 32 West, Haskell County.

You can find the complete applications posted by water right file number as referenced above at: [www.Agriculture.ks.gov/DWRNotices](http://www.Agriculture.ks.gov/DWRNotices)

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:

pc:

SCANNED