

File No. **599** 11. County: FI Basin: **ARKANSAS RIVER** Stream: Formation Code: **211** Special Use:

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

DEL 14796

ENT SW NE NW 7 23S 33W 4147 3108

MOD 55011 LOT 1 NW NW 7 23S 33W 1 4249 4977

2.23 640 2.23 640 BLANKET R & Q

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	
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
CHK 20678																										

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

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

September 1, 2022

CORMACK & WILBER LLC
30961 RD 700
BURLINGTON OK 73722

RE: Filed Office Application for Change
Water Right, File No. 599

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, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3


CERTIFICATE OF SERVICE

On this 1st day of September, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 599 dated 1st day of September, 2022 was mailed postage prepaid, first class, US mail to the following:

CORMACK & WILBER LLC
30961 RD 700
BURLINGTON OK 73722

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 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.

RECEIVED
 10:31 am
 AUG 31 2022

File No. 599

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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: SCOTT LEE CORMACK CORMACK & WILBER, LLC
1205 S PENNSYLVANIA AVE, CHEROKEE, OK 73728-4024 30961 ROAD 700, BURLINGTON, OKLA 73722

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: FRED D CORMACK JR SCOTT CORMACK
PO BOX 1006, HOLCOMB, KS 67851 30961 ROAD 700, BURLINGTON, OKLA 73722

Phone Number: (580) 829-1988 Email address: CORMACK.Scott1958@icloud.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: SCOTT LEE CORMACK CORMACK & WILBER, LLC

ADDRESS: 1205 S PENNSYLVANIA AVE, CHEROKEE, OK 73728-4024

(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 \$ 100.00 TR # _____ Receipt Date 8-31-22 Check # 7067

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the SE Quarter of the NW Quarter of Section 7, Township 23 South, Range 33 W, in FI County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well _____ (feet)
 (DWR use only: Computer ID No. 2 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 SW Quarter of the NE Quarter of the NW Quarter of Section 7, Township 23 South, Range 33 W, in FI County, Kansas, 4147 feet North 3108 feet West of Southeast corner of section.
 Proposed Rate No change Proposed Quantity No change Proposed well depth (feet) 358.
 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 SW ~~SW~~ Quarter of the NW Quarter of the NW Quarter of Section 7, Township 23 South, Range 33 W, in FI County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well _____ (feet)
 (DWR use only: Computer ID No. 1 GPS 4249 feet North 4977 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 Lot 1 Quarter of the NW Quarter of the NW Quarter of Section 7, Township 23 South, Range 33 (E/W), in FI County, Kansas, 4249 feet North 4977 feet West of Southeast corner of section.
 Proposed Rate No change Proposed Quantity No change 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) well failure

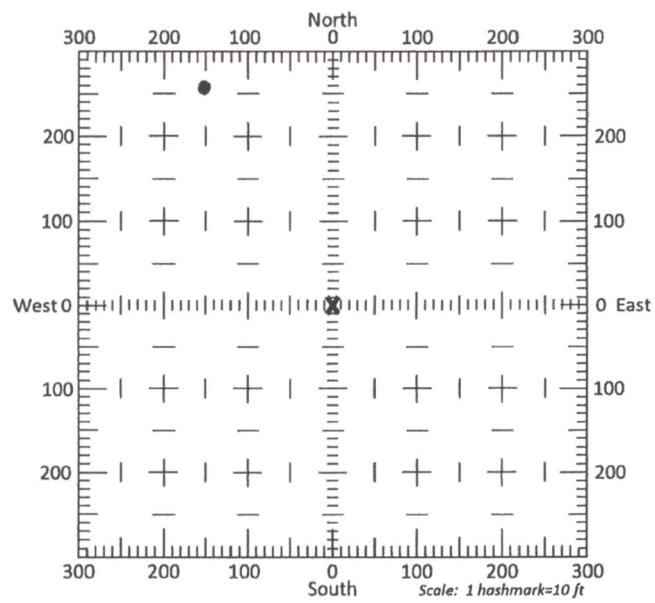
8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug cap
 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by mdf/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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (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.)

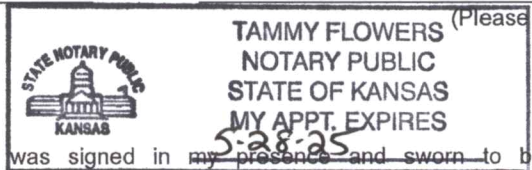
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 31ST day of AUGUST, 20 22.

<p><u>Todd Roth member</u> (Owner)</p>	<p>_____ (Spouse)</p>
<p><u>Todd Roth</u> (Please Print)</p>	<p>_____ (Please Print)</p>
<p>_____ (Owner)</p>	<p>_____ (Spouse)</p>
<p>_____ (Please Print)</p>	<p>_____ (Please Print)</p>
<p>_____ (Owner)</p>	<p>_____ (Spouse)</p>
<p>_____ (Please Print)</p>	<p>_____ (Please Print)</p>

State of Kansas }
 County of Finney } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31 day of August, 20 22.

Tammy Flowers
 Notary Public

My Commission Expires 5-28-25

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



CORMACK & WILBER, LLC
 30961 COUNTY ROAD 700
 BURLINGTON, OKLA 73722

HYDRO
 KEN
 620-260-7356

Kansas Water Wells inc.

Test# 4

FARMER, TODD ROTH 620-290-0306

Customer	Scott Cormack/Todd Roth	Date	8/19/22
Address	30961 County Rd. 7001	City/State	Burlington, Ok. 73722
County	Finney	Quarter	NW
		Sec.	7
		Township	23
		Range	33
GPS Format	NAD 83	Lat.	38.07312
		Long.	100.98603
Static Water Level	220'	Proposed Well Depth	358'

From	Pay	To	Description of Strata	
			REPLACEMENT WELL	18' SUMP
0		3	Top soil	LOCATION 599
3		122	Brown sandy clay / few sand streaks	
122		132	Med to coarse sand w/ clay streaks	
132		145	Red gravelly clay mix	
145		160	Fine sandy clay / small gravel streaks	
160		165	Coarse sand	
165		206	Gravelly red clay	
206		208	Coarse sand	RECEIVED
208		213	Red clay	
213		220	Fine to med sand	AUG 30 2022
220		223	Gravelly red clay	
223	6	229	Med to coarse sand	Garden City Field Office Division of Water Resources
229	11	236	Red gravelly clay	
236	11	247	Med to coarse sand (loose)	
247	(2)	259	Gravelly tan clay	
259	(5)	264	80% fine sand / 20% clay	
264	8	272	50% fine sandy clay / 50% med sand	
272	(6)	278	Clay	
278	(6)	284	Gravelly clay & gyp mix	
284	10	294	60% fine sand / 30% coarse sand/10% gyp (little loose)	
294	(3)	297	Clay	
297	(3)	300	Fine sandy clay	
300	(3)	303	Gravelly clay & gyp	
303	3	306	Med to coarse sand (loose)	
306	(1)	317	Yellow clay (very sticky/sticks to everything real bad!)	
Location From Old Hole			251' NORTH & 157' WEST	(296' NW of EXISTING WELL)
Bags Of High Yield		3	Bags Of Hole Plug	

Signature Amel Shub

