Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
599		C1	4	3
6. Status: Approved Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				8/31/2022
8a. Applicant(s) New to system ⊠	Person ID Add Seg#	8c. Landowne		Person ID
CORMACK & WILBER LI 30961 RD 700 BURLINGTON OK 73722	_C			
8b. Landowner(s) New to system □ 8a	Person IDAdd Seq#	SCOTT 30961 I BURLII	LEE CORMACK	
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	y: 12/31/2022	N & P Date to	Comply: 3/1/2023
☐ Anti-Reverse Meter ☐ Meter	Seal	⊠ N & P Form		riller Copy 🔲 H & E Lette
☐ Conservation Plan Date Requir	ed: Da	te Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 9/1/20 Date Entered:	022 Ву: АМ Ву:

File No.	599		11. Coun	ty: FI	Ва	asin: Al	RKAN	SASF	RIVER			S	tream:							Fo	rmation Cod	de: 211	Special Use:	
12. Points of Diversion CHK MOD																	and Q	uantity zed		A	dditional	1		
DEL ENT	PDIV	Qualifier	S	Т	R	ID	6	N	'W		Com	ment	(AKA I	Line))	Quantity af	у	Rate	e Quan		Overlap PD Files	
DEL	14796																							
ENT		SW NE NW	7	23S	33W		4	147	310	8														
MOD	55011	LOT 1 NW I	NW 7	23S	33W	1	4	249	497	7											-			
																2.23	}	640		2.23	640) E	BLANKET R & Q	
13. Stor	age: Rate	e		_ NF	Qua	ntity _					_ac/ft	A	ddition	nal Rat	e				NF	Addi	tional Quant	ity		_ac/ft
1																								
Lim	itation:		af/y	r at				gpm (_				cfs) w	hen co	mbine	ed with	file nu	umber	(s)						
15. 5YR	R Allocation	n: Allocation	Туре	s	Start Yea	ır	_	5 YR	Amou	nt _		Amo	ount U	nit	_	Base	Acres		_ C	omment _				
16. Pla CHK	ce of Use				NE1/4			NW1/4				SW¹/₄				SE1/4				Total	Owner	Chg?	Overlap Files	
MOD DEL ENT	PUSE	STR	ID		E 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	NE 1/4	NW 1/4	SW 1/4	SE 1/4					
CHK 2																								
	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,

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 File No. <u>5</u>99 AUG 3 1 2022 1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office Division of Water Resources ☐ 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: ☐ Surface water 2. Name and address of Applicant: SCOTTLEE CORMACK CORMACK & WILBER LLC 1205 S PENNSYLVANIA AVE, CHEROKEE, OK 73728-4024 309 6/ RURD 700, BURLINGTON, OKLA 73728-2 Phone Number: () Efficient address.

Name and address of Water Use Correspondent: FRED D CORMACK JR SCOTT CORMACK 73722 Email address: Phone Number: () PO BOX 1006, HOLCOMB, KS 67851 3096/ ROAD 700 BURLINGTON, UKLA 73722

Phone Number: (580) 829-1988 Email address: CORMACK, SCOTT 1958 @ ICLOUD, COM The presently authorized place of use is: Owner of Land --- NAME: SCOTT LEE CORMACK CORMACK & WILBER LLC ADDRESS: 1205 & PENNSYLVANIA AVE, CHEROKEE, OK 73728-4024 (If there is more than one landowner, attach supplemental sheets as necessary.) NF1/4 TOTAL ACRES SE'4 NE'4 NW'4 SW'4 SE'4 NE14 NW14 SW14 SE14 NE1/4 NW1/4 SW1/4 SE1/4 NE14 NW14 SW14 Sec Range 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.) TOTAL ACRES Sec. Twp. Range NE14 NW14 SW14 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4

For Office Use Only: Code _____ Fee \$_100.00 TR # ____ Receipt Date 8.31.22 Check # _______

5.	Presently authorized	point of diversi	on:					
	One in theN	IE Qu	arter of the	SE	Quarter of	the N	W	Quarter
	of Section							
	in FI							
	Authorized Rate No o							
	(DWR use only: Com							
	☐This point will not be cl							ollows:
	Proposed point of div							
	One in theS							
	of Section	7 , 7	ownship	23	South, Rar	nge	33	W,
	in Fl							
	Proposed Rate No o							
	This point is: Addition							
_								
6.	Presently authorized	point of diversi	on:			a management of the second		
	One in the 5w 3			NW	Quarter of	the N	V	Quarter
	of Section							
	in FI	County, Ka	nsas.	feet North	feet V	Vest of Southea	st corner of s	ection.
	Authorized Rate No o							
	(DWR use only: Comp	puter ID No. 1	GP	5 4249	feet North	4977	feet West)	
- -	This point will not be ch							llows:
	Proposed point of dive							
	One in the							
	of Section	Τ,	ownship	L3	South, Rar	ige 33		(E/W),
	in FI	County, Ka	nsas, 4249	feet North	1917 feet V	Vest of Southea	st corner of s	ection.
	Proposed Rate No C							
	This point is: Addition							
_								
7.	The changes herein are			s?				
	(please be specific) www.	il thilorg		300	200 100	North 0 100	200 30	00
				Ē	— • —	աևաֆահակա	قسلسيلسلد	
				E	• _	= -	=	
8.	If a well, is the test hole le	og attached? 🛚	Yes No	200	- + +	1 = 1 +	1 + 1=	200
0	The change(e) (wee)(will	ha) sampleted by	.0	E		<u> </u>	· ' · 3	
9.	The change(s) (was)(will	be) completed by	<i>(?</i>	E		Ξ .		
				100	-1 + 1 +	1 = 1 +	1 + 1-3	100
10	If the point of diversion is	a well		E		= -	_ =	
10.	(a) What are you going		woll?	West 0 H	edun[mdun]m	dan s andanda	= 111 111111111	0 East
				F				
	plug Ica	0		E	-1+1+	Ξ		
	(b) When will this be do			100	-1 + 1 +	1=1+	1+1=	100
	(12)			F	-	<u> </u>	_ =	
11.	Groundwater Manageme	nt District recomn	nendation attache	d? 200 €	-1 + 1 +	1 = 1 +	1+1=	200
	Yes [,o,,aattot, attaorio	E	, , , ,	` <u> </u>	. , . 🗎	
		_		E		<u> </u>		
12.	Assisted by mdf/GCFO			300		0 100		00
13a	.If the proposed point of di	version will be rel	ocated more than	300		South Scal	le: 1 hashmark=10 ft	
100	feet but within 2,640 feet	of the existing poi	nt of diversion, att	ach 13b.If the	proposed point of	diversion will be i	relocated withi	n 300 feet
	a topographic map or a	aerial photograp	n. For groundwa	ater of the	e existing point of	f diversion, indic	cate its location	on on the
	sources, show all wells (in of the proposed point of	diversion and th	e names and mai	iling diver	am shown above sion. (PLEASE N	IOTE: The "X"	in center of	diagram
	addresses of the owners.	. For surface wa	ter sources, show	the abov	e represents t	he presently	authorized	point of
	names and addresses downstream and one-ha	or the landow alf mile upstream	ner(s) one-nair i n from your prop	erty	sion.)			
	lines	2 2 200	,	,				

14. If the proposed groundwater point of diversion is 300 or fewer feet fro	m the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently authors. Yes ☐ No (If no, all owners must sign this application)	
 (b) Will the ownership interest of any owner of the currently author 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 sub-	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirmage and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards to the water right(s) to which this appropriation are true, correct and complete.	zed agent of the owner(s) to make this application on dication pertains. I further verify that the statements
Dated at, Kansas, this,	3/51 day of AURUST, 20 22.
of by Godol Rock marrher	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print) State of Kansas County of Finite SS I hereby certify that the foregoing application of August 20 22	TAMMY FLOWERS (Please Print) NOTARY PUBLIC STATE OF KANSAS MY APPT. EXPIRES TO SERVE AND ASS A
	Anny Howers Notary Public
My Commission Expires	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	r this section shall be accompanied by the application fee set ent of Agriculture \$100 \$200

Page 3

DWR 1-121 (Revised 04/5/2018)

File No. <u>599</u>

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This 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 provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 599 requesting that the place of use and / or point of change application was received on <u>House 51, 2022</u> requesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. A change application was received on 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 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 a ________ foot radius of the authorized point(s) of diversion. Applicable ☐ Not Applicable 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 Not Applicable The point(s) of diversion authorized herein shall not actually be located more than _ authorized point(s) of diversion.

✓ Applicable ☐ Not Applicable feet from the previously 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 \square\text{Not Applicable} ☐ Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 , 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. ☐ Not Applicable 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 The completed well log shall be submitted with the required notice. **Applicable** ☐ Not 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 ☐ Not Applicable 11. Additional Conditions are attached. ☐ Yes No. 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 Kansas Water Appropriation Law and the Rules and Regulations 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 APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 Austin Mallost days pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Division of Water Resources - Kansas Department of Agriculture Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on Signature: Notary Public NOTARY JULIE JONES My commission expires: (Notary Sear) ent Expires December 15, 2022 PUBLIC .

Page 4

File No. 599

DWR 1-121 (Revised 04/5/2018)

HYDRO KEN 620.260.7356



CORMACK & WILBER LLC 3096/ COUNTY ROAD 700 BURLINGTON, OKLA 73722 Kansas Water Wells inc.

Test# 4

FARMER, TODOROTH 620-290-0306

Customer	Scott Corr	mack/Todd F	Roth Date 8/19/22						
Adress		unty Rd. 700							
County F	inney	Quarte							
GPS Forma	t NA	083	Lat. 38-07312 Long. /60. 98603						
Static Wate	er Level 2	20'	Proposed Well Depth 1, 358						
From	Pay	То	REPLACEMENT WELL 18' SUMP						
0		3	Top soil LOCATION 599						
3		122	Brown sandy clay / few sand srteaks						
122		132	Med to coarse sand w/ clay streaks						
132		145	Red gravely clay mix						
145		160	Fine sandy clay / small gravel streaks						
160		165	Coarse sand						
165		206	Gravely red clay						
206		208	Coarse sand RECEIVED						
208		213	Red clay						
213		220 :	Fine to med sand AUG 3 0 2022						
220		223	Gravely red clay						
223	6	229	Med to coarse sand Garden City Field Office Division of Water Resources						
229 24		236	Red gravely clay						
236	11 7	247	Med to coarse sand (loose)						
247	(2)	259	Gravely tan clay						
259	0	264	80% fine sand / 20% clay						
264	8	272	50% fine sandy clay / 50% med sand						
272	12 (6)	278	Clay						
278	(6)	284	Gravely 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	Gravely clay & gyp						
303	3	306	Med to coarse sand (loose)						
306	(1/)	317	Yellow clay (very sticky/sticks to everything real bad!)						
Location Fi	rom Old Ho	le 25/1	NORTH 9-157 WEST (296' NW of EXISTING WEL						
Bags Of Hi	gh Yield	3	Bags Of Hole Plug						

From	Pay	То	Description of strata
317	16	333	Coarse sand (very loose)
333	6	338	Clayey gravel 50/50
338		339	Yellow clay
339		340	Black shale
	60 /5%		Total pay

RECEIVED

AUG 3 0 2022

Garden City Field Office Division of Water Resources