## 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:
9177	8-17-2022	C2	4	3
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
			1	7/25/2022
8a. Landowner, applicant, WUC New to system □	Person ID <u>62053</u> Add Seq#	8c. Landown		PersonAdd Seq#
GARY L BAUGHMAN 228 N JACKSON ST HUGOTON, KS 67951				
8b. Landowner(s),	Person ID	8d. WUC		Person ID
New to system □	Add Seq#	New to sy	stem □	Add Seq#
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	y: <u>12/31/2022</u>	N & P Date to	Comply:3/1/2023
☐ Anti-Reverse Meter ☐ Meter	Seal	⊠ N & P Form	☐ Water Tube ☐ D	riller Copy H & E Letter
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: <b>8/15/2</b> Date Entered:	<b>022</b> Ву: <b>МАМ</b> Ву:

File No.	9177		11. County:	ST	Bas	sin: CI	MARF	RON R	VER			S	tream:							Fo	rmation Co	de: 211	1 Special Use:	
12. Po CHK MOD DEL ENT	ints of Diver	sion Qualifier	S	Т	R	ID	ı	N	W.		Com	ment	(AKA I	line)			Nuthori	uantity zed Quantity	v	Ao Rate	dditional Quar	ntity		
LIVI		Qualifier							• • • • • • • • • • • • • • • • • • • •			mont	(/1/01/1			gpm		af	y 	gpm		f	Overlap PD Files	
DEL	5150																							
MOD	63244	SWNWNW	28	27S	42W	04		4414	52	220						1610	)	623		1610	0 62	3	NONE	
СНК	1292	NCW2W2E	E2 20	27S	42W	01		2650	25	550						1760	)	957		1760	95	7	NONE	
13. Stor	13. Storage: RateNF Quantityac/ft Additional RateNF Additional Quantityac/ft								_ ac/ft															
Lim	itation:		af/yr a	t				gpm (_				cfs) w	hen co	mbine	d with	file nu	umber	(s)						
15. 5YF	R Allocation:	Allocation	Туре	Sta	rt Year			5 YR	Amou	nt		Amo	unt Ur	nit	_	Base /	Acres		_ Co	mment _				
CHK	ce of Use				NE	1/4			NV	<b>1</b> 1/ <sub>4</sub>			sv	<b>V</b> ½			S	6E1/4		Total	Owner	Chg?	Overlap Files	
MOD DEL ENT	PUSE	STR	ID	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4		1			
СНК																								
CHK 8	8000																							
CHK 1	0577																							
CHK 2	20918											-												
																					e			
Base A		Year:	Mi	inimum	Reaso	onable	Quar	ntity:							•									

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

August 17, 2022

GARY L BAUGHMAN 228 N JACKSON ST HUGOTON, KS 67951

RE:

Field Office Application for Change

Water Right, File Nos. 9177 & 28584

Dear Sir:

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 these approvals 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 orders modify the original documents referred to above, they 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.

Water Commissioner

MAM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

#### CERTIFICATE OF SERVICE

On this 17<sup>th</sup> day of August 2022, I hereby certify that the foregoing Approvals of Application for Change in Point of Diversion, Water Right, File Nos. 15,466 and 28,584 dated 17<sup>th</sup> day of August 2022 was mailed postage prepaid, first class, US mail to the following:

GARY L BAUGHMAN 228 N JACKSON ST HUGOTON, KS 67951

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

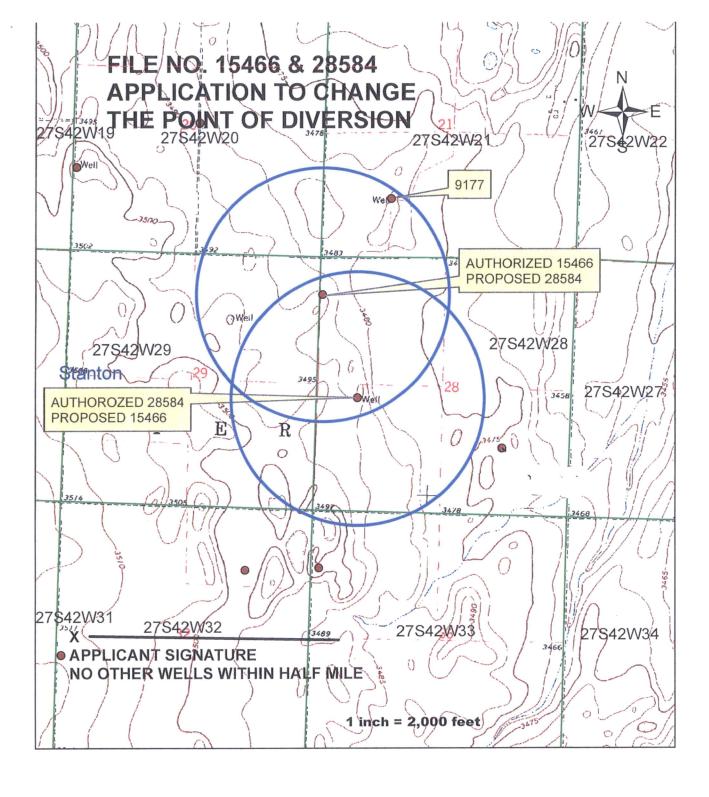
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								. <u>9177</u>									JUL 9	5 20	27
1. /	1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):  Garden City Field Office																		
		☐ Place of Use ☐ Point of Diversion ☐ Division of Water Resource									Office								
ι	under the water right which is the subject of this application in accordance with the conditions described below.																		
7	The soul	ce of su	ipply is	s:		⊠ G	round	water			Surfac	ce wate	er						
	Name and address of Applicant: GARY L BAUGHMAN  228 N JACKSON ST, HUGOTON, KS 67951																		
-	Phone N	umber:		)					Email	addre	ss:								
ı	Name ar	nd addre	ess of \	Water	Use C	orresp	onden	t: <u>NO</u>	CHAN	IGE									
-		1							F:I										
	Phone N The pres								Emaii	addres	ss:								
	-	-																	
	Owner of Land NAME: NO CHANGE  ADDRESS:																		
(	(If there is more than one landowner, attach supplemental sheets as necessary.)																		
			NE¼ NW¾									SV	V1/4		SE¼				TOTAL
_Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
																		$\vdash$	
	If this ap				-			, it is p	ropose	ed that	the pla	ace of	use be	e chan	ged to	:			
,	Owner			ESS:															
	(If there is						ppleme	ental sh	eets as	neces	sary.)								
				NE	=1/4			N	N¹/4			SV	V1/4			SI	Ε1/4		TOTAL
Sec	. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
																	<u> </u>		
	For Offi	ce Use	Only:	Code		Fe	e \$ <u></u>	00,0	<u>O</u> TR	#		Re	eceipt	Date_	7-2	5-20	Chec	:k#_	010

5.	Presently author	ized point of d	iversion:				
	One in the		Quarter of the	NC	Quarter of the	SW	Quarter
					South, Range		
					feet West of		
					Depth of well		
					4 feet North101.9		
- 1					No change, point better		
					ed or if existing point is		
	One in the	SW	Quarter of the	NW	Quarter of the	NW	Quarter
	of Section	28	, Township	27	South, Range	42	W,
	in ST	Cour	nty, Kansas, 4414	feet North	5220 feet West of	Southeast corne	er of section.
					Proposed well depth		
					hts that will use this point		
6.	Presently author	ized point of d	iversion:			***	
0.				W2	Quarter of the	E2	Quarter
1	of Section	20	Township	27	South, Range	42	W.
- 1	in ST	Coul	nty Kansas 2650	feet North	2550 feet West of	Southeast corne	er of section.
			•		Depth of well		
					feet North		
1					No change, point better d		
	•	_			ed or if existing point is		
1					Quarter of the		
1					South, Range		
	in	Coul	nty Kansas	feet North	feet West of	Southeast corne	er of section
1	Proposed Rate		Proposed Quantity		Proposed well depth	(feet)	, 0, 000
					hts that will use this point		
L	11113 point 13. [] 7	taditional vvon	LI COO COMO LIGIT	31101 Water 119	The trial time does the point		
7.	The changes here	ein are desired	for the following reason	ns?			
	(please be specific	) TO SWITCH P	RIORITIES		North		200
	BETWEEN EXIST	ING WELL LOC	ATIONS	. 30 F		100 200	300 111111 <u>9</u>
					<u> </u>	1 + 1 +	` <u> </u>
8.	If a well, is the test	hole log attache	ed? 🗌 Yes 🛛 No	200			300
	•			200	-/+	1 + 1 +	1 = 200
9.	The change(s) (wa	s)(will be) comp	leted by?		=/ =		\=
	ASAP			100		1 + 1 +	100
							#
10.	If the point of diver	sion is a well:					1
	(a) What are you	going to do with	the old well?	West 0	<del>n</del> dooloolooloolo	ուրուդեույլումո	iiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiii
	NA			1	= = =		4
				100	+++=	1+1+	100
	(b) When will this	be done? NA			+ + + = = = = = = = = = = = = = = = = =		<b>/</b> =
			1.0	10			/ = ann
11.		agement District	recommendation attache	ed? 200	= 1 4 1 + 1 =	' + ' +	200
	L 1	es 🖂 No				_/_	=
12.	Assisted by MM/G	CFO				uludindindi	щищ
				30	0 200 100 0 South	100 200 Scale: 1 hashm	300 ark=10 ft
13a	a. If the proposed poi	nt of diversion wi	Il be relocated more than	1300 ttach 13b lf th	a proposed point of diversi	on will be reloca	ted within a 300
	a topographic ma	p or aerial pho	otograph. For groundy	water foot	e proposed point of diversi radius of the existing point	of diversion, ind	icate its location
	sources, show all v	wells (including o	lomestic) within one-half	mile on t	he diagram shown above i	n relation to the	existing point of
	of the proposed po	oint of diversion whers. For surf	and the names and ma ace water sources, show	alling dive withe with	rsion. The proposed point in the circle shown above	(PLEASE NOT	E: The "X" in
	names and addr	esses of the	landowner(s) one-half	mile cen	ter of diagram above	represents	the presently
	downstream and	one-half mile u	pstream from your pro	perty <b>aut</b> ł	norized 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:
<ul> <li>(a) Does the undersigned represent all owners of the current</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If no, all owners must sign thing)</li> </ul>	
<ul> <li>(b) Will the ownership interest of any owner of the currently affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign the currently owner of the currently affected in t</li></ul>	authorized place(s) of use identified in this application be adversely nis application.)
(c) If this application is not approved expeditiously, will there ☐ Yes ☐ No (If no, all owners must sign thi	
	rsion, a groundwater change in point of diversion greater than 300 feet, owners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a duly a their behalf, in regards to the water right(s) to which the contained in this application are true, correct and compared to the contained in this application are true.	affirmation and under penalty of perjury, that I am of lawful authorized agent of the owner(s) to make this application on his application pertains. I further verify that the statements elete.
Dated at HUGOFON, Kansa	as, this ZO Z day of Tuly , 20 ZZ.
N R 1	
Grand Brush Man	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Stuyes	BRANDY LITTELL  Notary Public - State of Kansas  My Appt. Expires (23/24)
I hereby certify that the foregoing application was signe of, 20	d in my presence and sworn to before me this 20 day
My Commission Expires Black	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be compacturate information; maps, if necessary, must be included; signatures of a the appropriate fee must be paid.	lete, all of the applicable portions of the application form must be completed with all the appropriate owners' must be affixed to the application and notarized; and
FEE St	CHEDULE
Each application to change the place of use or the point of diversion forth in the schedule below: Make checks payable to: Kansas De (1) Application to change a point of diversion 300 feet or (2) Application to change a point of diversion more than 3	on under this section shall be accompanied by the application fee set

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

pro Wit	ovisions of the <i>Kansas Water Appropriation Law. K.S.A. 82a-7</i>	b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 01 et. seq., and rules and regulations promulgated thereunder, this Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of er be changed as described in the application.
2.	On and after the effective date of this summary order, the auth the topographic map accompanying the application to chan	orized place(s) of use shall be located substantially as shown on ge the place of use.   Applicable   Not Applicable
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.	s and shall be limited to the same source or sources of water as this summary order shall be located within a foot Not Applicable
4.	The point(s) of diversion described herein is administratively Positioning System (GPS), as described in the application.	y corrected to be more accurately described using the Global ☐ Applicable ☑ Not Applicable
5.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. Applicable \( \subseteq \) No	e located more than <u>2640</u> feet from the previously t Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a we or other device suitable for making water level measuremen K.A.R. 5-6-13. Applicable Not Applicable	ell with a diversion rate of 100 gallons per minute or more, a tube ts shall be installed, operated and maintained in accordance with
7.	December 31, 2022, or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4 th	perly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, arough 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of water g the end of each calendar year.
8.	Installation of the works for diversion of water shall be cauthorized extension of time. By March 1, 20 the a works for diversion has been completed, on the form provided Applicable Not Applicable	ompleted on or before December 31, 20, or within any pplicant shall notify the Chief Engineer that construction of the ed by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requir	ed notice.   Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve capable	reign substance will be injected into the water shall be equipped to of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. Applicable \( \square\$ Not Applicable
11.	Additional Conditions are attached.  Yes	
12.	water appropriated under the above-referenced file numbe limitations, as amended and/or supplemented by this Sumr Appropriation Law and the Rules and Regulations promule	R. 5-5-14, all of the owners of the authorized place(s) of use of er are responsible for compliance with its terms, conditions and mary Order, and with applicable provisions of the <i>Kansas Water</i> gated thereunder. Failure to comply with these provisions may nded, and/or the suspension or revocation and dismissal of the is authorized by law.
If you you Englished Agriculture (Agriculture (Agricultur	Administrative Appeal and Effective Date of Order ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, a may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of riculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for ministrative review by the Secretary must be filed within 30 ys pursuant to K.S.A. 77-531. Any request for administrative iew must state a basis for review pursuant to K.S.A. 77-527. The any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS 502. Failure to timely request a hearing or review may acclude review under the Kansas Judicial Review Act.  For Use by Register of Deeds	By:
		My commission expires:  JULIE JONES  My Appointment Expires  PUBLIC Notary  My Appointment Expires  PUBLIC Notary  Sea and Sea



### KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

#### <u>MEMORANDUM</u>

TO:

Files

DATE:

August 15, 2022

FROM:

Michael A. Meyer

RE: Water Right.

File Nos. 9177, 15466,

28584

Field office change applications of the above referenced files were received requesting two different proposals. The first proposals are requesting that File Nos. 15466 and 28584 switch priorities of their authorized point of diversion locations. This proposal meets all rules. The applications were sent the GMD3 for a recommendation, no recommendation was received within 15 days, with a reminder on the 18<sup>th</sup> day. Their website has no review documented either.

The second request of these same applications, is once approved (and officially notified of the completion on paper), the new location for File No. 28484 will have the priority switched again with File No. 9177. This proposal meets all the rules except with a question on actual distance between the two wells on section 28. With this proposed priority switch, there would now be 632 AF on the NW quarter of section 27 which would require a 2300' spacing (KAR 5-23-3) to the nearby well in the SW Quarter of section 27, of the same owner and application process as described on the first step referenced above. GPS locations show that these two wells are approximately 2269' between them with GPS accuracy with possible greater than 15 feet error at each location which could meant the two wells are over 2300' apart. Since the are owned by the same landowner, the wells exist today, and apparently meet spacing due to accuracy in the field issues, we are recommending that all applications meet all rules. GMD3 never did provide a recommendation for step two process of these applications, nor find any review on their website with the 15 days past due.

This office recommends approvals of all applications.

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

July 26, 2022

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re:

Request for Recommendation

Water Right, File Nos. 9177, 15466, 28584

Dear Mr. Norquest:

This is to advise you that Gary Baughman has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion.

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