



File No. **11794**      11. County: **GT**      Basin: **BEAR CREEK**      Stream:      Formation Code: **211/330**      Special Use:

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

**DEL 30912**  
**ENT NW SW SW 24 27S 37W 1140 5128 290 234 290 234 29141**

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
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
<b>CHK 26053</b>																									

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

June 2, 2023

JAMES C & MARY K MOYER  
2158 E ROAD 5  
ULYSSES, KS 67880-8030

RE: Filed Office Application for Change  
Water Right, File Nos. 11794 & 29141

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:

**CERTIFICATE OF SERVICE**

On this 2<sup>nd</sup> day of June, 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 11,794 and 29,141 dated 2<sup>nd</sup> day of June, 2023 was mailed postage prepaid, first class, US mail to the following:

JAMES C & MARY K MOYER  
2158 E ROAD 5  
ULYSSES, KS 67880-8030

Pc:

  
\_\_\_\_\_  
Division of Water Resources Staff



5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the NW Quarter of the SW Quarter of Section 24, Township 27 South, Range 37 W, in GT County, Kansas, 1570 feet North 5260 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. 3 GPS 1420 feet North 5185 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 NW SW Quarter of the SW Quarter of Section 24, Township 27 South, Range 37 W, in GT County, Kansas, 1140 feet North 5117 feet West of Southeast corner of section.  
 Proposed Rate No change Proposed Quantity No change Proposed well depth (feet) 600  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 29141

6. **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 \_\_\_\_\_ 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 Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/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) \_\_\_\_\_  
 \_\_\_\_\_

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:

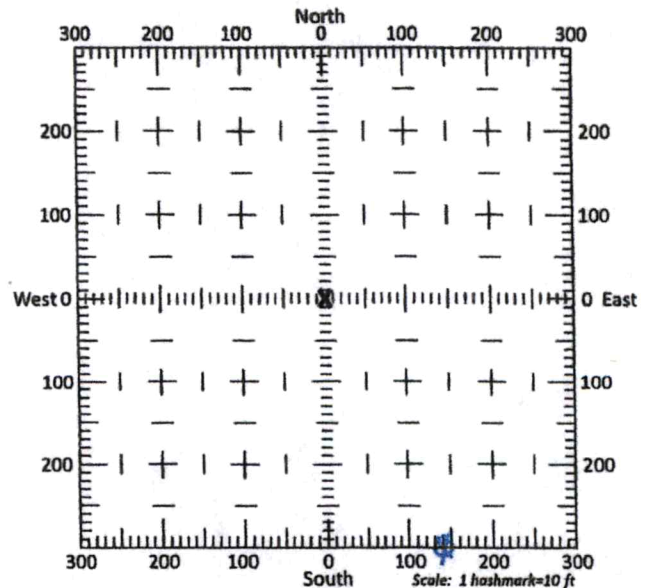
(a) What are you going to do with the old well?  
 \_\_\_\_\_

(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).

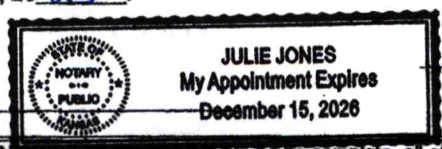
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Warden City, Kansas, this 31<sup>st</sup> day of May, 2023.

<u>James Moyer</u> (Owner)	
<u>JAMES MOYER</u> (Please Print)	

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<sup>st</sup> day of May, 2023.



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

**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. 11794.

1. A change application was received on May 31, 2023 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. 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
3. 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 50 foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. 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
5. The point(s) of diversion authorized herein shall not actually be located more than 300 feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
6. 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  Not Applicable
7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2023, 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.  Applicable  Not Applicable
8. Installation of the works for diversion of water shall be completed on or before December 31, 2023, or within any authorized extension of time. By March 1, 2024 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
9. 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**

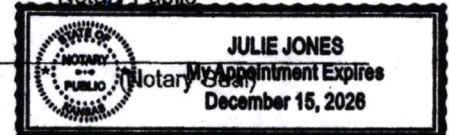
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for administrative review by the Secretary must be filed within 30 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, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

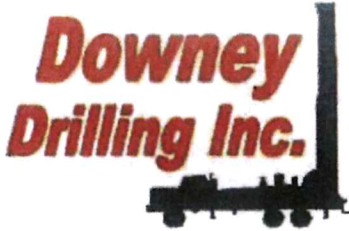
FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND SUMMARY ORDER ISSUED**

By: Austin McColloch  
Duly Authorized Designee of the Chief Engineer  
(Print Name): Austin McColloch  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: June 2, 2023  
State of Kansas )  
County of Linney ) SS  
Acknowledged before me on June 2, 2023  
by Austin McColloch  
Signature: Julie Jones  
Notary Public

My commission expires:







CUSTOMER NAME: JIM MOYER

TH#3

LEGAL: SW 24-27S-37W

COUNTY: GRANT CO, KS

GPS: 37.68125

-101.32673

DRILLER: ROCKY

WO: 22-1647



V	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOP SOIL	SOFT	LIGHT BROWN	FAST		SMOOTH
	2	7	FINE SOIL	SOFT		FAST		SMOOTH
	7	12	BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
	12	16	FINE-MED-COARSE SAND	FIRM		FAST		CHOPPY
	16	40	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	40	79	BROWN & GREEN CLAY	SOFT	BROWN & GREEN	FAST		SMOOTH
	79	123	SANDY CLAY W/ FINE-MED-COARSE SAND	FIRM	BROWN	FAST		SMOOTH & CHOPPY
	123	131	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	131	166	BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
	166	179	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	179	188	SANDY CLAY W/ FINE-MED-COARSE SAND	FIRM	BROWN	FAST		SMOOTH & CHOPPY
	188	196	FINE-MED GRAVEL	STIFF		FAST		FAST CHATTER
	196	200	BIG ROCKS	HARD		SLOW	X	CHATTER
	200	205	FINE-MED-COARSE SAND W/ LIME ROCK	FIRM	WHITE	FAST		FAST CHATTER
	205	224	FINE-MED-COARSE SAND W/ SANDY CLAY	FIRM	BROWN	FAST		CHOPPY & SMOOTH
	224	232	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	232	254	SANDY CLAY W/ LIME ROCK & FINE SAND	FIRM	TAN & WHITE	FAST		SMOOTH & CHOPPY
	254	266	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	266	271	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
	271	283	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	283	294	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
	294	316	WEATHERED CLAY W/ BROWN ROCK & FINE SAND	SOFT	YELLOW GRAY & BROWN	SEMI SLOW		SMOOTH & CHOPPY @ TIMES
	316	358	BROWN ROCK W/ FINE SAND & SANDSTONE	FIRM	BROWN	FAST		FAST CHATTER
	358	364	GRAY CLAY	SOFT	GRAY	FAST		SMOOTH
	364	415	SHALE	SOFT	BLUE	SLOW		SMOOTH
	415	430	SOAPSTONE W/ SANDSTONE	FIRM	GRAY	FAST		VIBRATION & CHOPPY
	430	438	SHALE	SOFT	BLUE	SLOW		SMOOTH
	438	453	SANDSTONE W/ FINE SAND	HARD	GRAY	SLOW		FAST CHATTER
	453	470	SHALE	SOFT	BLUE	SLOW		SMOOTH
	470	550	WHITE SANDSTONE W/ FINE SAND & IRON PYRITE	STIFF	WHITE	FAST		FAST CHATTER
	550	551	VERY HARD SPOT	HARD		SLOW	X	CHATTER
	551	578	SANDSTONE W/ FINE SAND	FIRM	TAN	FAST		FAST CHATTER
	578	600	RED BED	STIFF	RED	SLOW		CHOPPY
			QG - 12					




**Jim Moyer**

SW 24-27S-37W Grant Co.

**Legend**

-  285'
-  Feature 1

N 37.68125 W 101.32673 

 Jim Moyer WR#11794 & 29141

*WR# 6*



100 ft