Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
16369	'	C3	4	3
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
	1 (4)			4/10/2023
8a. Applicant(s) New to system □	Person ID 3813 Add Seq#	8c. Landowne		Person IDAdd Seq#
ROBERT W & SONIA S D PO BOX 487 RICHFIELD, KS 67953-04		3		
				*
8b. Landowner(s) New to system □	Person ID Add Seq#	8d. WUC New to sy	stem 🗌	Person ID 67535 Add Seq#
8a		1655 Q	LAND & CATTL BLVD ELD, KS 67953	E
	-	:		
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Compl	y: 12/31/2023	N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter	Seal	⊠ N & P Form	☐ Water Tube ☐ [Oriller Copy
☐ Conservation Plan Date Requir	ed: Da	te Approved:	Date to	o Comply:
10. Use Made of Water From:		To: _	1	
			Date Prepared: 4/21/ Date Entered:	2023 By: AM By:

File No	. 16369)	11. County	: MT	Ва	sin: N	F CIN	MARRO)N RIV	/ER		s	Stream	i:							ormation C 11/331	ode:	Special Use:	
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13. Storage: RateNF Quantity ac/ft Additional RateNF Additional Quantity ac/ft																								
14. Limitation: af/yr at gpm (cfs) when combined with file number(s)																								
Lim	itation:		af/yr a	at				gpm (_				cfs) w	hen co	ombine	d with	file nu	umber((s)						
15. 5YR	≀ Allocation	: Allocation	Туре	_ Sta	rt Yea	r		5 YR	Amou	nt		Amo	ount U	nit		Base	Acres		_ C	omment .	4			
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Base Ad	cres:	Year:	N	/linimum	n Reas	onable	e Quar	ntity:				ų)	OVE	RLA	PPII	NG V	NR C)N PL	_ACE	OF U	SE: 16	359; 16	6369; 22895 &	24686
Comme	omments: COMBINE PUSE ID 7132 (KEEP) & 11069 (DELETE); ADD LOTS TO SECTION 5																							

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

April 21, 2023

DAVIS LAND & CATTLE 1655 Q BLVD RICHFIELD, KS 67953

RE: Filed Office Application for Change

Water Right, File Nos. 16359; 16369; 22895 & 24686

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 numbers. Note: this approval does not allow any single point of diversion to exceed its annual authorized quantity.

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/or 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.

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:

GMD 3

CERTIFICATE OF SERVICE

On this 21st day of April, 2023, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 16,359, 16,369, 22,895 and 24,686 dated 21st day of April, 2023 was mailed postage prepaid, first class, US mail to the following:

DAVIS LAND & CATTLE 1655 Q BLVD RICHFIELD, KS 67953

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.

than	100 feet	t, or if pla	ace of	use wi															sion is greater posed point(s)
of an	version a	.nd/or pi	lace or	use.		, F	-ile No	. <u>1636</u>	9				y			F	REC II APF	:08c	/ED 2023
	1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): ☐ Place of Use ☐ Point of Diversion ☐ Division of Water Resource ☐ Under the water right which is the subject of this application in accordance with the conditions described below.											eld Office r Resources							
					s the si				ation i					dition	s desc	ribed b	oelow.		
•	The sour	ce of su	apply is	s:		⊠G	round	water			Surfac	ce wate	er						
	Name ar 1655 Q F						_AND	& CAT	TLE										
_	1655 Q BLVD, RICHFIELD, KS 67953 Phone Number: () Email address:																		
	Name ar																		
	Phone Number: () Email address:																		
	The pres																		
(Owner o																		
	(If there is			ESS: <u>I</u>						1,	7								
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5	33	41W	40	40	40	40	40	40	40	40									320
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	For Offic	ce Use	Only:	Code		Fe	e \$ <u>20</u>	00-00	TR	#		Re	eceipt	Date <u>*</u>	+/10/	23	Chec	k#	580

5.	Presently authorized			\ \ \
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	of Section	, Township	South, Range	(E/W),
	in	County, Kansas,	South, Range feet North feet West of Southeas	t corner of section.
	Authorized Rate	Authorized Quantity	Depth of well	(feet)
			feet North f	
			as follows: No change, point better described	
	Proposed point of div	version: (Complete only if change	is requested or if existing point is better d	escribed by GPS)
	One in the	Quarter of the	Quarter of the	Quarter
	of Section	, Township	South, Range	(E/W),
	in	County, Kansas,	South, Range feet North feet West of Southeas	t corner of section.
	Proposed Rate	Proposed Quantity	Proposed well depth (feet)	
-	This point is: Additi	ional Well	er water rights that will use this point	
_				
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,	South, Range feet North feet West of Southeas	t corner of section.
	Authorized Rate	Authorized Quantity	Depth of well	(feet)
	(DWR use only: Com	puter ID No GPS	feet Northf	eet West)
	,		as follows: No change, point better described v	-
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			Quarter of the	
			South, Range	
- 1			eet North feet West of Southeas	
- 1			Proposed well depth (feet)	
			er water rights that will use this point	
			· -	
7.	9	re desired for the following reasons?		
		re efficient use of irrigation	North 300 200 100 0 100	200 300
	resources.		5 <u>uduuluuluuluuluuluuluuluuluuluuluuluuluu</u>	<u>111111111111</u>
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8.	If a well, is the test hole	log attached? Yes No	200 + 1 + 1 = 1 +	1 + 1 = 200
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9.	The change(s) (was)(wi	ii be) completed by?		
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	N/A			- 1
	(b) When will this be do	one2 N/A	100 + + + + + + + + +	十 - 100
	(b) vinen will this be d	Olic: IWA		_ 4
11	Groundwater Manager	ant District recommendation attacks al	300 = 1 = 1 = 1 = 1	
1 Į.	Groundwater Managem Yes	ent District recommendation attached?	200 - + + - +	十 量200
	□ res			· - =
12.	Assisted by mdf/GCFO		<u></u>	
				200 300 : 1 hashmark=10 ft
13a		diversion will be relocated <u>more than 30</u> t of the existing point of diversion, attac	<u>0</u> h 13b.If the proposed point of diversion will be re	elocated within 300 feet
	a topographic map or	aerial photograph. For groundwate	er of the existing point of diversion, indic	ate its location on the
	sources, show all wells	(including domestic) within one-half mi of diversion and the names and mailin	e diagram shown above in relation to diversion. (PLEASE NOTE: The "X"	the existing point of
	addresses of the owner	s. For surface water sources, show the	e above represents the presently	authorized point of
	names and addresses	s of the landowner(s) one-half minalf mile upstream from your proper	e diversion.)	-
	adwinducant and one-i	ian inno apatream nom your proper	· J	

lines

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. <u>16369</u>
MAKE ADDITIONAL COPIES AS NECESSARY

3. C	ontinue wner o	f Land -	N/	entiy at AME: ESS:																
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			אטטג		РОВС	JA 401	, KICI	ILIELL	J, NO (37933-	04073									
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DWR 1	121.2	Pavisac	01/23	(2008)					Pa	ne .		L						File No	o. 16369	

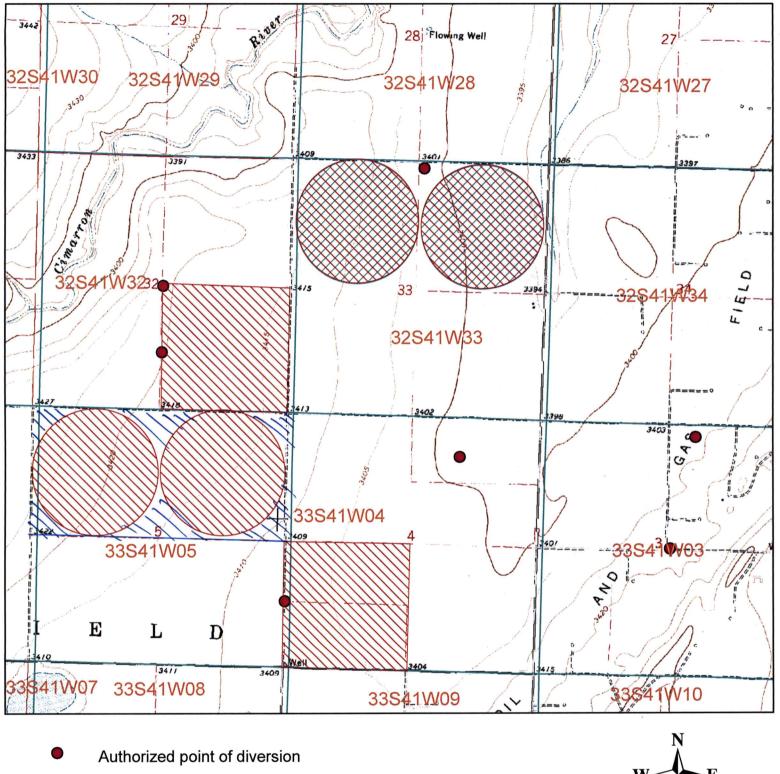
14. If the proposed groundwater point of diversion is 300 or fewer feet fr	om the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this appli	
 (b) Will the ownership interest of any owner of the currently authoral affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this approved as requested?) 	
(c) If this application is not approved expeditiously, will there be sul ☐ Yes ☐ No (If no, all owners must sign this appli	
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 affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this apcontained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
Dated at, Kansas, this	3 day of (pp 1, 20 33.
Edward W. Davis (Owner) Edward W. Davis (Please Print)	(Spouse)
Florad W P. V	(-1)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of SS SS CA M. C.	Th.
of that the foregoing application was signed	presence and sworn to before me this day
My Commission Expires 2 10 3037 77. 10-201.65	Notary Public
OF KA	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the at the appropriate fee must be paid.	l of the applicable portions of the application form must be completed wit
FEE SCHED	ULE
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departm (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	er this section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section of the section set the section shall be accompanied by the application fee set the section of the section set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the section shall be accompanied by the section shall be accompanied by the application fee section
JULIE JONES My Appointment Expires Press December 15, 2026	

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit Iimi	s 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 visions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, h the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and tations of File No. 16369
1.	A change application was received on 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.
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 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 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
7.	The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 23, 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, 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
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
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 <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> 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
you Eng Agr filed adn day revi File Leg 665	APPLICATION APPROVED AND SUMMARY ORDER ISSUED The property of the property of the content of th
	For Use by Register of Deeds County of
	Acknowledged before me on April 21, 2023
	by Austin McColloch.
	Signature:Nofary Public
	My commission expires: Motion Julie Jones Julie Jon

File No. 16369

Change in Place of Use for water right 16369

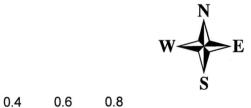




Authorized place of use



Proposed place of use



All wells within 1/2 mile are on this map.

0 0.1 0.2

X



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

April 20, 2023

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

RECEIVED

APR 2 0 2023

RE:

reserve i

Applications for Change in Place of Use

Water Right, File Nos. 16359, 16369, 22895 & 24686

Garden City Field Office Division of Water Resources

Dear Austin:

We have reviewed the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will make a complete overlap in currently authorized place of use in accordance with K.A.R. 5-5-11(b). No new acres being proposed. It is therefore recommended that the applications be approved at this 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

GMD3 Change Review

File No(s).: 16359, 16369, 22895 & 24686. DWR office: 0										
App filed to change: PU.										
Is Landowner(s) correct in WRIS: <u>Davis Land & Cattle</u> .										
	If NO, is documentation included?									
Is Water Use Corr			S? .							
If NO, is do										
Regulation(s) Rev										
Point of diversion			red.							
· omi or arversion	12 110(0)	oung unung	,00.							
	ft. North	ft. West								
Authorized PD										
Proposed PD										
Difference	0	0								
a2 + b2 = c2	0	0	0							
GPS for proposed	PD: Lat:	Long:								
Is proposed PD sta	cking on exis	sting WRs?	No Change							
Is Proposed PU ov	erlapping exi	isting WRs?	Create overl	ap.						
Neighboring certif	ied well(s) no	otified:								
Name										
Address										
Zip										
Email: Pho	one:									
Domestic well(s) r	notified: .									
Name										
Address										
Zip										
Base Acres:										
Perfected Acres:										
Irr. Return-Flow	%									
Morton County										
Current authority	v									
16359: 320AF @										
_	W 4-33-41									
16369: 480AF @	1335gpm									
_	12 33-32-41									
22895: ID02 302	AF @ 400gp	m, ID03 411	AF @ 545gp	m, ID05 139AF @ 630gpm						
	22895: ID02 302AF @ 400gpm, ID03 411AF @ 545gpm, ID05 139AF @ 630gpm 160acres SW 4-33-41 (Same acres as 16359)									
320acres N		<i>a</i>								
160acres S	E 32-32-41									

GMD3 Change Review

24686: 480AF @ 1335gpm (Limited to same authority as 16369) 248acres N2 33-32-41 (Same acres as 16369)

Is a waiver needed: No. No new acres proposed, just making a complete overlap in current acres.

Recommendation: After review of all available information, it appears current area rules are met. Staff therefore recommends approval of the application.

Im

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

April 17, 2023

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

Re:

Request for Recommendation,

File Nos. 16359; 16369; 22895 & 24686

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Davis Land & Cattle 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: