

Kansas Department of Agriculture
Division of Water Resources
CHANGE: P/D WORKSHEET

1. File Number: 23121	2. Status Change Date:	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 2/13/2023
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8a. Applicant(s) Person ID **68012**
New to system Add Seq# _____

JORDAN HEFNER AG INC
PO BOX 805
SUBLETTE, KS 67877

8c. Landowner(s) Person ID _____
New to system Add Seq# _____

8b. Landowner(s) Person ID _____
New to system Add Seq# _____

8a

8d. WUC Person ID _____
New to system Add Seq# _____

8a

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2023** N & P Date to Comply: **3/1/2024**
 Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter
 Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **2/13/2023** By: **AM**
Date Entered: _____ By: _____

File No. **23121** 11. County: **HS** Basin: **CIMARRON RIVER** Stream: Formation Code: **211/331** Special Use:

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

DEL																
ENT				NE SE SE	35	28S	33W		1309	91		1550	585	1550	585	NONE

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				NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼			
CHK				8244																			
CHK				22740																			

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

February 13, 2023

JORDAN HEFNER AG INC
PO BOX 805
SUBLETTE, KS 67877

RE: Filed Office Application for Change
Water Right, File No. 23121

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 that reads "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc:

CERTIFICATE OF SERVICE

On this 13th day of February, 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 23,121 dated 13th day of February, 2023 was mailed postage prepaid, first class, US mail to the following:

JORDAN HEFNER AG INC
PO BOX 805
SUBLETTE, KS 67877

Pc:



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.

File No. 23121

RECEIVED
 10:50 AM
FEB 13 2023

Garden City Field Office
 Division of Water Resources

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

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: Groundwater Surface water

2. Name and address of Applicant: JORDAN HEFNER AG INC

PO BOX 805 SUBLETTE KS 67877

Phone Number: (620) 675-2377

Email address: Jordan@HefnerAg.com

Name and address of Water Use Correspondent: NO CHANGE

Phone Number: ()

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: NO CHANGE

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	

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: NO CHANGE

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 2-13-23 Check # 4067

5. **Presently authorized point of diversion:**
 One in the SE Quarter of the NE Quarter of the SE Quarter of Section 35, Township 28 South, Range 33 W, in HS County, Kansas, 1600 feet North 280 feet West of Southeast corner of section.
 Authorized Rate ---- Authorized Quantity ---- Depth of well ---- (feet)
 (DWR use only: Computer ID No. 01 GPS 1462' feet North 252 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 NE Quarter of the SE Quarter of the SE Quarter of Section 35, Township 28 South, Range 33 W, in HS County, Kansas, 1309 feet North 91 feet West of Southeast corner of section.
 Proposed Rate --- Proposed Quantity --- Proposed well depth (feet) 733
 This point is: Additional Well Geo Center List other water rights that will use this point NONE

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) Loss of Production

8. If a well, is the test hole log attached? Yes No

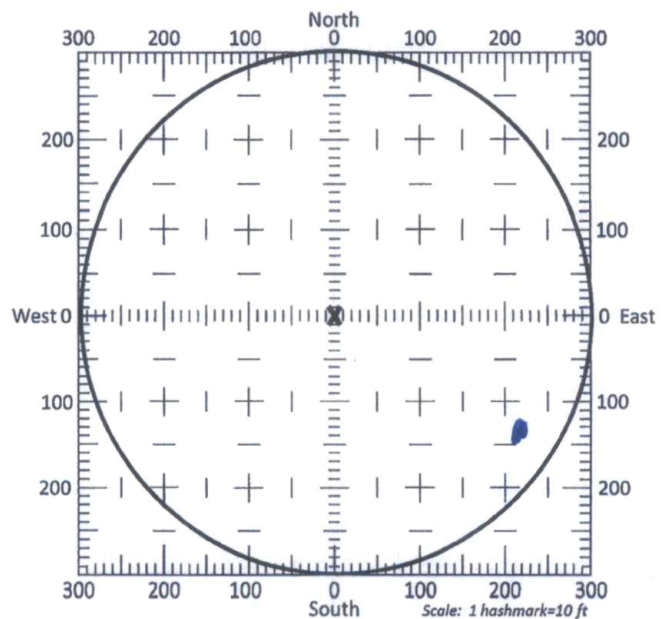
9. The change(s) (was)(will be) completed by?
Downey Drilling Summit

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

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by MM/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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (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 13 day of February, 2023.

[Signature]

(Owner)

(Spouse)

Jordan Helms

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(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 13th day of February, 2023.



My Commission Expires _____

[Signature]

Notary Public

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. 23121

- 1. A change application was received on February 13, 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

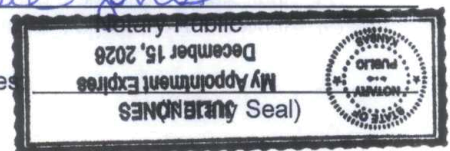
(Print Name): Austin McColloch
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: February 13, 2023

State of Kansas)
) SS
 County of Stimney)

Acknowledged before me on February 13, 2023
 by Austin McColloch

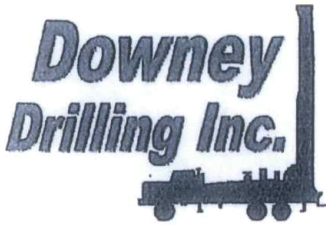
Signature: Julie Jones



My commission expires

WELL LOG

DATE: 1/25/2023



CUSTOMER NAME: JORDAN HEFNER

TH#3

LEGAL: SE 35-28S-33W

WR #23121

COUNTY: HASKELL CO, KS

GPS: 37.56589

-100.8894142

TH #3

DRILLER: DIEGO

WO: 22-507

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	3	TOP SOIL	SOFT	DRK BROWN	FAST		SMOOTH
	3	12	BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
	12	57	SANDY CLAY W/ CALICHE	SOFT	TAN & WHITE	FAST		SMOOTH
	57	130	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	130	160	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	FIRM		FAST		CHATTER
	160	179	FINE-MED-COARSE GRAVEL	STIFF		FAST		CHATTER
	179	204	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	204	210	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	210	215	LIGHT GREY & BROWN CLAY	SOFT	LIGHT & BROWN	FAST		SMOOTH
	215	234	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	234	237	BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
	237	244	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	244	249	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	249	303	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	303	377	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	377	397	SANDY CLAY W/ FINE-MED SAND / CEMENTED SAND & LIME ROCK TRACE	FIRM	TAN & WHITE	FAST		SMOOTH & CHOPPY
	397	398	HARD SPOT (LIME ROCK)	HARD	WHITE	SLOW	X	CHATTER
	398	415	FINE-MED SAND W/ LIME ROCK	STIFF	WHITE	FAST		FAST CHATTER
	415	444	BROWN STICKY CLAY W/ SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	444	456	FINE-MED-COARSE SAND W/ LIME ROCK	FIRM	WHITE	FAST		FAST CHATTER
	456	496	SANDY CLAY W/ FINE-MED SAND & LIME ROCK	FIRM	TAN & WHITE	FAST		SMOOTH & CHOPPY
	496	504	FINE-MED SAND	SOFT		FAST		CHOPPY
	504	535	BROWN CLAY W/ FINE SAND & LIME ROCK LEDGES	SOFT	BROWN & WHITE	FAST		SMOOTH & CHOPPY
	535	554	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	554	596	FINE-MED-COARSE SAND W/ FINE GRAVEL & BROWN ROCK TRACE	STIFF	BROWN	FASTER		FAST CHATTER
	596	604	BROWN ROCK W/ FINE-MED-COARSE SAND & FINE GRAVEL	STIFF	BROWN YELLOW	FAST		CHATTER
	604	614	BROWN SILTY CLAY W/ BLUE CLAY	SOFT	BROWN & BLUE	SEMI SLOW		SMOOTH
	614	615	HARD SPOT	HARD		SLOW	X	CHATTER
	615	636	FINE SAND W/ SANDSTONE & SOAPSTONE LAYERS	STIFF	GRAY	FAST		FAST CHATTER
	636	637	HARD SPOT (IRON PYRITE)	HARD		SLOW	X	CHATTER
X	637	650	FINE SAND W/ SANDSTONE & IRON PYRITE	STIFF		FAST		FAST CHATTER
	650	670	SOAPSTONE W/ FINE SAND	SOFT	GRAY	FAST		VIBRATION
	670	690	FINE-MED SAND W/ SANDSTONE & IRON PYRITE TRACE	STIFF	GRAY	F		FAST CHATTER
	690		HARD SPOT	HARD		SLOW	X	CHATTER
	1090	T33	SAND SANDSTONE					

CG. 105
DKL 710