



File No. **26065**      11. County: **KE**      Basin: **ARKANSAS RIVER**      Stream:      Formation Code: **211**      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
<b>DEL</b>				<b>29097</b>												
<b>ENT</b>				<b>NE NW NE</b>	<b>24</b>	<b>25S</b>	<b>36W</b>		<b>4910</b>	<b>1448</b>		<b>900</b>	<b>268</b>	<b>900</b>	<b>268</b>	
<b>CHK</b>	<b>75877</b>			<b>NC SW</b>	<b>24</b>	<b>25S</b>	<b>36W</b>	<b>5</b>	<b>1303</b>	<b>4025</b>		<b>900</b>	<b>245</b>	<b>900</b>	<b>245</b>	
<b>CHK</b>	<b>77624</b>			<b>SE NW SE</b>	<b>24</b>	<b>25S</b>	<b>36W</b>	<b>6</b>	<b>1415</b>	<b>1575</b>		<b>900</b>	<b>266</b>	<b>900</b>	<b>266</b>	
<b>CHK</b>	<b>86653</b>			<b>SE SW NW</b>	<b>24</b>	<b>25S</b>	<b>36W</b>	<b>7</b>	<b>3262</b>	<b>4081</b>		<b>900</b>	<b>260</b>	<b>900</b>	<b>260</b>	

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	NE ¼	NW ¼	SW ¼	SE ¼			
<b>CHK</b>				<b>25963</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

January 11, 2023

FRED RITSEMA & YOKA RODENHUIS TRUSTS  
Attn: LAKIN DAIRY  
PO BOX 389  
LAKIN, KS 67860-0389

RE: Filed Office Application for Change  
Water Right, File No. 26065

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:  
Tokoi Ag Partnership  
GMD 3

## CERTIFICATE OF SERVICE

On this 11<sup>th</sup> day of January, 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 26,065 dated 11<sup>th</sup> day of January, 2023 was mailed postage prepaid, first class, US mail to the following:

FRED RITSEMA & YOKA RODENHUIS TRUSTS  
Attn: LAKIN DAIRY  
PO BOX 389  
LAKIN, KS 67860-0389

Pc:

TOKOI AG PARTNERSHIP  
902 WEST BROADWAY PLAZA  
LEOTI, KS 67861

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.

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. 26065

RECEIVED  
 9:30 am  
 DEC 14 2022

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

Garden City Field Office  
 Division of Water Resources

2. Name and address of Applicant: TOKOI AG PARTNERSHIP

902 WEST BROADWAY PLAZA, LEOTI, KS 67861

Phone Number: (    )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: TOKOI AG PARTNERSHIP

902 WEST BROADWAY PLAZA, LEOTI, KS 67861

Phone Number: (    )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: \_\_\_\_\_

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: \_\_\_\_\_

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 \$ 200.00 TR # \_\_\_\_\_ Receipt Date 12-14-22 Check # 735



5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ NC Quarter of the \_\_\_\_\_ NE Quarter  
 of Section \_\_\_\_\_ 24 \_\_\_\_\_, Township \_\_\_\_\_ 25 \_\_\_\_\_ South, Range \_\_\_\_\_ 36 \_\_\_\_\_ W,  
 in KE \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 3940 feet North \_\_\_\_\_ 1320 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 01 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 \_\_\_\_\_ NE Quarter of the \_\_\_\_\_ NW Quarter of the \_\_\_\_\_ NE Quarter  
 of Section \_\_\_\_\_ 24 \_\_\_\_\_, Township \_\_\_\_\_ 25 \_\_\_\_\_ South, Range \_\_\_\_\_ 36 \_\_\_\_\_ (E/W),  
 in KE \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 4910 feet North \_\_\_\_\_ 1448 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_ 560 \_\_\_\_\_  
 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 \_\_\_\_\_ NC Quarter of the \_\_\_\_\_ SW Quarter  
 of Section \_\_\_\_\_ 24 \_\_\_\_\_, Township \_\_\_\_\_ 25 \_\_\_\_\_ South, Range \_\_\_\_\_ 36 \_\_\_\_\_ W,  
 in KE \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 1303 feet North \_\_\_\_\_ 4025 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 05 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

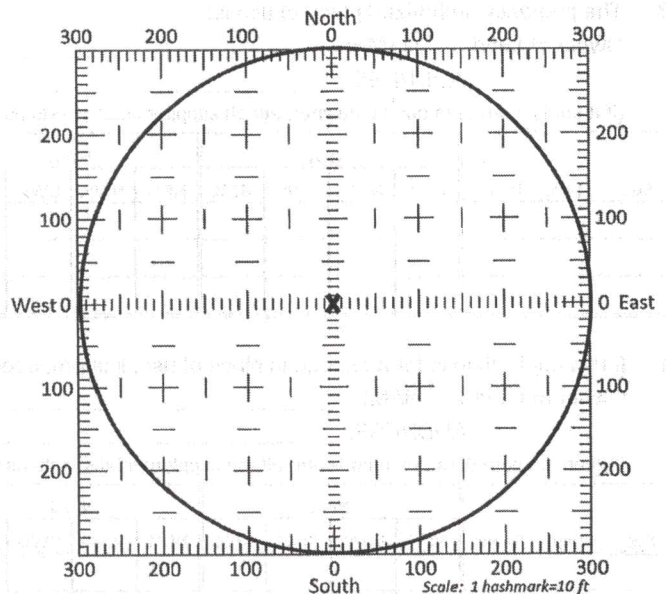
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

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

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.)



APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 26065

**Presently authorized point of diversion:**  
One in the SE Quarter of the NW Quarter of the SE Quarter  
of Section 24, Township 25 South, Range 36 W,  
in KE 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)**  
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 \_\_\_\_\_

**Presently authorized point of diversion:**  
One in the SE Quarter of the NW Quarter of the SE Quarter  
of Section 24, Township 25 South, Range 36 W,  
in KE County, Kansas, 1415 feet North 1575 feet West of Southeast corner of section.  
Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
(DWR use only: Computer ID No. 06 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)**  
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 \_\_\_\_\_

**Presently authorized point of diversion:**  
One in the SE Quarter of the SW Quarter of the NW Quarter  
of Section 24, Township 25 South, Range 36 W,  
in W County, Kansas, 3262 feet North 4081 feet West of Southeast corner of section.  
Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
(DWR use only: Computer ID No. 07 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)**  
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 \_\_\_\_\_

**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)**  
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 \_\_\_\_\_



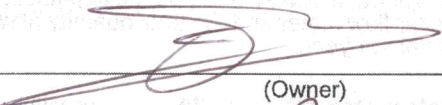
14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (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 \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

  
\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

Fred Ritsema  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

  
\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

Brent Loko  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

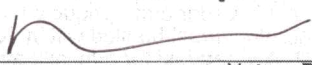
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of Kansas }  
County of Kearny } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 14<sup>th</sup> day of December, 2022.

  
\_\_\_\_\_  
Notary Public

My Commission Expires 9.11.24

**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. 26065.

1. A change application was received on December 14, 2022 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 300 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 2640 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: January 11, 2023

State of Kansas )

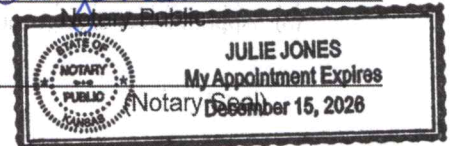
County of Finney ) SS

Acknowledged before me on January 11, 2023

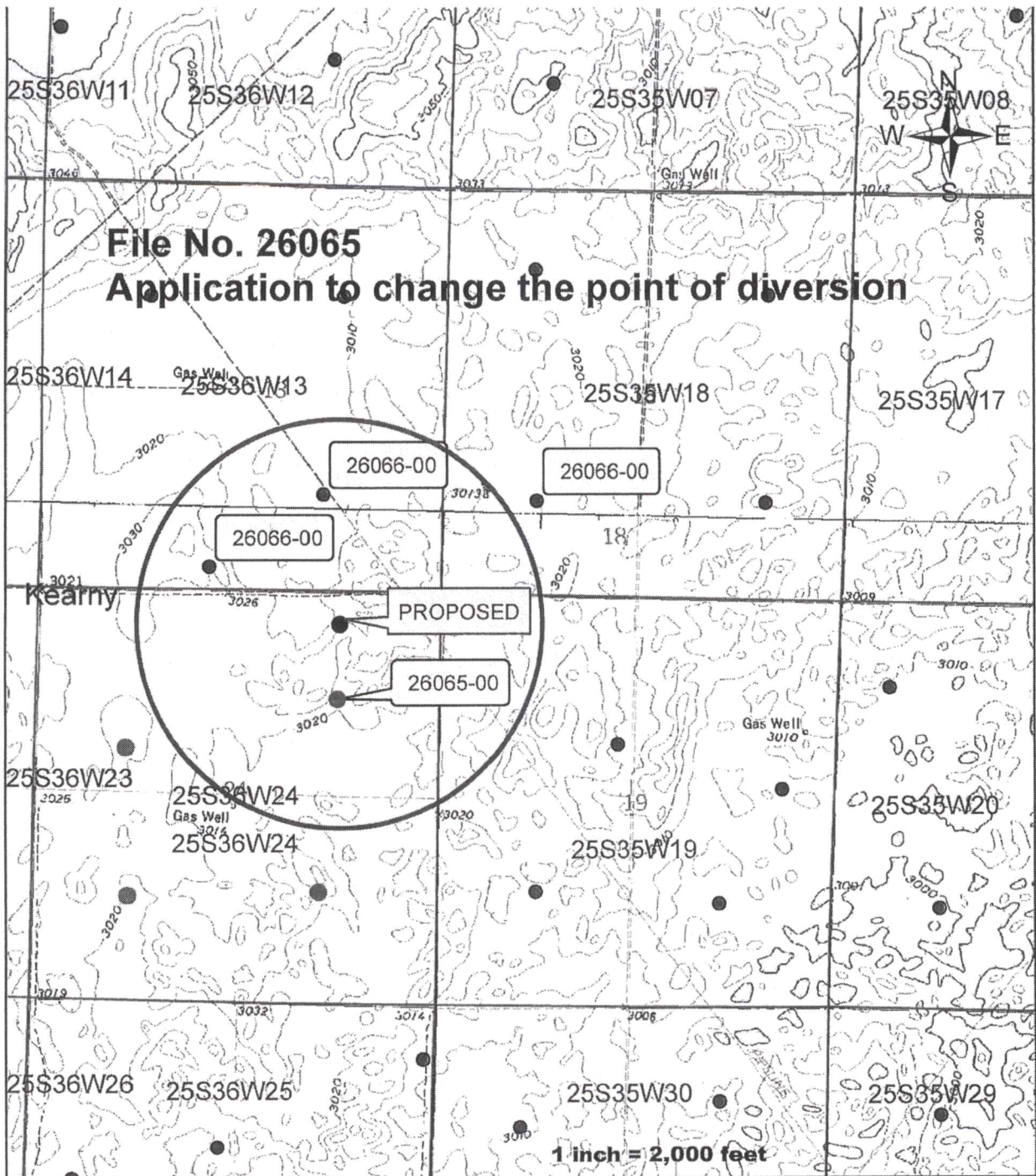
by Austin McColloch

Signature: Julie Jones

My commission expires: \_\_\_\_\_



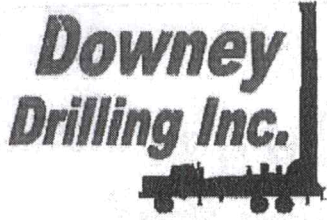




X *[Handwritten Signature]*  
Applicant signature  
No other wells within half mile

WELL LOG

DATE: 11/30/2022



CUSTOMER NAME: TFT HAY LLC, BRENT TOKIO

TH #3

LEGAL: NE 24-25S-36W

COUNTY: KEARNY CO, KS

GPS: 37.870845

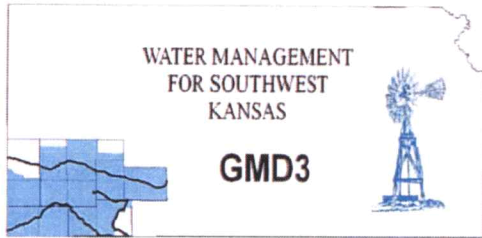
-101.217663

DRILLER: DIEGO

WO: 22-330

V	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	17	SURFACE SAND	SOFT	LIGHT BROWN	FAST		SMOOTH
	17	50	FINE-MED-COARSE SAND W/ FINE-MED-COARSE GRAVEL	STIFF		FAST		CHATTER
	50	60	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	60	84	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	84	99	WHITE SANDY CLAY	SOFT	WHITE	FAST		SMOOTH
	99	116	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	116	141	BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
	141	176	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER SMOOTH & VIBRATION
	176	197	SANDY CLAY W/ FINE SAND	SOFT	BROWN	FAST		SMOOTH SMOOTH & VIBRATION
	197	208	BLUE CLAY	SOFT	BLUE	FAST		SMOOTH SMOOTH & VIBRATION
	208	231	SANDY CLAY W/ FINE SAND	SOFT	BROWN	FAST		SMOOTH SMOOTH & VIBRATION
	231	275	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	275	290	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	290	310	FINE-MED SAND	SOFT		FAST		CHOPPY
	310	349	SANDY CLAY W/ BROWN CLAY	SOFT	TAN & BROWN	FAST		SMOOTH
	349	384	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	384	401	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH VIBRATION & SMOOTH
	401	419	FINE SAND W/ SANDY CLAY	SOFT	TAN RED YELLOW GRAY & BROWN	FAST		SMOOTH & CHOPPY SMOOTH & VIBRATION
	419	435	MULTI COLORED CLAY W/ SOAPSTONE & BROWN ROCK TRACE	FIRM	BLUE & GRAY	SEMI SLOW		SMOOTH & CHOPPY SMOOTH & VIBRATION
	435	530	BLUE CLAY W/ SOAPSTONE LEDGES & SOME SANDSTONE	SOFT	GRAY	FAST		FAST CHATTER
	530	550	FINE SAND W/ SANDSTONE	STIFF	GRAY	FAST		FAST CHATTER
	550	560	SHALE	SOFT	BLUE	SLOW		SMOOTH
			QG - 8					
			WATER LOADS - 1 1/2					
			SA - 1/2					
			HOLE PLUG - 2					
			CS - 1					
			EZ MUD - 1 CUP					





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

January 9, 2023

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

RE: Application for Change in Point of Diversion  
Water Right, File No. 26065

Dear Austin:

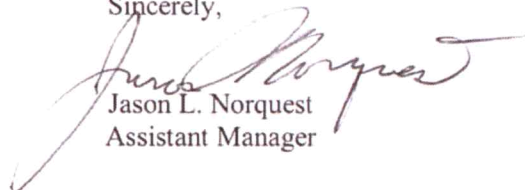
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4.0 ft with saturated thickness is greater than 200ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that none of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed no further evaluation. No critical wells were determined in the area. We did not receive any comments from neighboring well owners. Therefore, GMD3 sees this move as meeting current area rules and would recommend approval. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that 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

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File No(s): 26065. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Tokoi Ag Partnership.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?   .

If NO, is documentation included?

Regulation(s) Reviewed: [KAR 5-23-3](#)

Point of diversion ID No(s) 01 being changed.

	ft. North	ft. West	
Authorized PD	3940	1320	Sect 24-25-36
Proposed PD	4910	1448	
Difference	-970 n	-128 w	
a2 + b2 = c2	940900	16384	978.4089 foot move NW

GPS for proposed PD: Lat: 37.870845 Long: -101.217663.

Is proposed PD stacking on existing WRs? NO.

Is Proposed PU overlapping existing WRs? No change.

Neighboring certified well(s) notified:   .

Name Ryan Goertzen (26066, 27343D1, domestic).

Address 1892 Road 105.

Zip Lakin, KS 67860.

Email: [rvlifsgood@gmail.com](mailto:rvlifsgood@gmail.com) Phone: 620-355-5195.

Name Walter & Alberta Redger Living Trust %Wade Redger (26067D1).

Address 106 Greensboro St.

Zip Plains, KS 67869.

Email: [wredger@gmail.com](mailto:wredger@gmail.com) Phone: 620-655-8971.

Had conversation with Grant County Bank rep(Trustees). No concerns, wanted to talk about the process and ask about water law/policies.

Name David K & Shawna L Nichols (27343D1).

Address 1770 Road 70.

Zip Lakin, KS 67860.

Email: [davidn@pld.com](mailto:davidn@pld.com) Phone: 620-355-9829.

Name Church of God in Christ Mennonite Inc (27343D3).

Address 13011 SW 72<sup>nd</sup> St.

Zip Halstead, KS 67056.

Email: ksame email as goertzen . Phone:    .

Domestic well(s) notified:   .

Name   .

## GMD3 Change Review

---

Address \_\_\_.

Zip \_\_\_.

Base Acres: \_\_\_.

Perfected Acres: \_\_\_.

Irr. Return-Flow \_\_\_%

**Kearny County**

**This is one of 4 PDs under this water right. Only this one being changed right now.**

**ID 01 authorized: 268AF @ 900gpm**

**Average reported water use (2012-2021): 143.3AF/year**

**Proposed depth of 560'**

Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears met. Analysis shows results within guidelines, no critical wells.

Recommendation: After review of all information, it appears current area rules are met.

Staff recommends approval of the application.

A handwritten signature in black ink, appearing to be 'JA', is located on the right side of the page.



Water Rights and Points of Diversion Within 1 mile of point defined as:

4910 Feet N and 1448 Feet W of the Southeast Corner of Section 24 Twp 25S Rng 36W  
 Located at: 101.218110 West Longitude and 37.870864 North Latitude  
 Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan
A__ AF	26065	00	IRR	NK	G*	977	--	--	NC	NE	3940	1320	24	25	36W	1	268.00	268.00
Same AF						3098	--	SE	SW	NW	3262	4081	24	25	36W	7	260.00	260.00
Same AF						3500	--	SE	NW	SE	1415	1575	24	25	36W	6	266.00	266.00
Same AF						4427	--	--	NC	SW	1303	4025	24	25	36W	5	245.00	245.00
A__ AF	26066	00	IRR	NK	G	1689	--	NE	SW	SE	1242	1475	13	25	36W	6	262.00	262.00
Same AF						1703	--	SE	SE	SW	233	2978	13	25	36W	7	264.00	264.00
Same AF						3083	--	NE	SW	SW	1209	4036	18	25	35W	7	272.00	272.00
Same AF						4238	--	--	NC	NE	3800	1320	13	25	36W	1	282.00	282.00
Same AF						4836	--	NE	SW	NW	3740	3844	13	25	36W	5	270.00	270.00
A__ AF	26067	D1	IRR	NK	G	5270	--	NC	S2	SE	650	1350	14	25	36W	4	272.00	272.00
A__ AF	26068	D2	IRR	NK	G	5249	--	--	NC	NE	3960	1320	23	25	36W	1	272.00	272.00
A__ AF	27343	D1	IRR	NK	G	4008	--	SE	SE	NW	3265	2850	19	25	35W	5	260.00	260.00
A__ AF	27343	D3	IRR	NK	G	4274	--	--	NC	SW	1420	3950	19	25	35W	8	260.00	260.00

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	3453.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3453.00	.00

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as:

4910 Feet North and 1448 Feet West of the Southeast Corner of Section 24 Twp 25S Rng 36W  
 Located at: 101.218110 West Longitude and 37.870864 North Latitude  
 Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

```

=====
File Number      Use ST SR
> TOKOI AG PARTNERSHIP
>
> 902 WEST BROADWAY PLAZA
> LEOTI KS 67861
>-----
> RYAN GOERTZEN
>
    
```

> 1892 ROAD 105  
> LAKIN KS 67860

-----  
> WALTER & ALBERTA REDGER LIVING TRUST  
> WADE REDGER  
> 106 GREENSBORO ST  
> PLAINS KS 67869

-----  
> TOKOI AG PARTNERSHIP  
>  
> 902 WEST BROADWAY PLAZA  
> LEOTI KS 67861

-----  
> DAVID K & SHAWNA L NICHOLS  
>  
> 1770 ROAD 70  
> LAKIN KS 67860

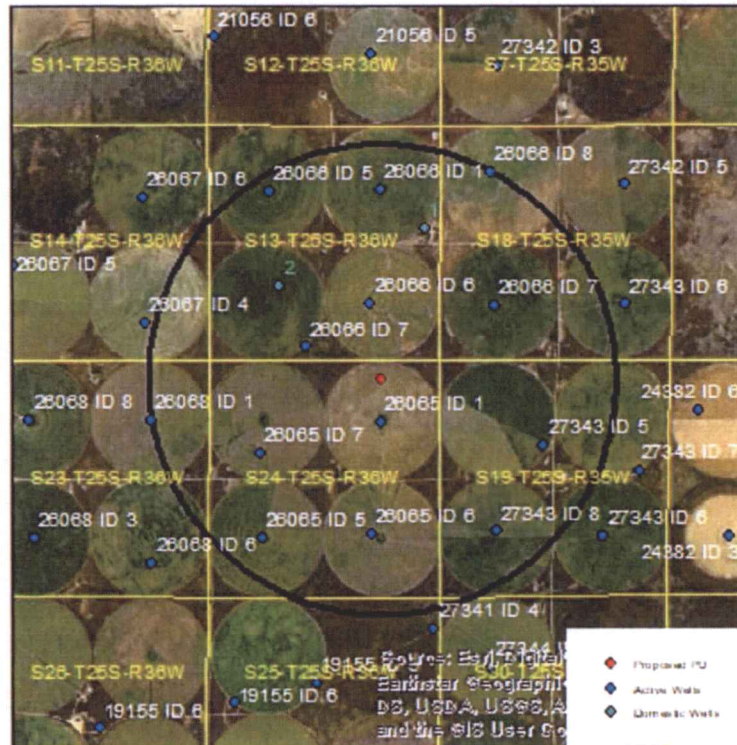
-----  
> RYAN GOERTZEN  
>  
> 1892 ROAD 105  
> LAKIN KS 67860

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> CHURCH OF GOD IN CHRIST MENNONITE INC  
>  
> 13011 SW 72ND ST  
> HALSTEAD KS 67056

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## Evaluation of proposed move for Water Right No. 26065

Proposed: Move water right no. 26065 ID1 to a new well location, a distance of 963 ft to the north.



Wells within 1 mile: 26065 ID5, 26065 ID6, 26065 ID7, 26066 ID1, 26066 ID5, 26066 ID6, 26066 ID7 (section 13), 26066 ID7 (section 18), 26066 ID8, 27343 ID5, 27343 ID8, and two domestic wells, numbered on the above map.

The saturated thickness at the proposed well location is estimated to be 239 ft, based upon the GMD3 model. For saturated thickness greater than 200 ft, the drawdown allowance is 4.0 ft.

**50 year Theis Analysis:** The following values were used to run the analysis:

$S = 0.2356$ ,  $T = 22,489 \text{ ft}^2/\text{day}$ ,  $t_{\text{current}} = 149 \text{ days}$  (based on average use and observed rate),  
 $Q_{\text{current}} = 217 \text{ gpm}$  (based on 2018 field inspection),  $t_{\text{proposed}} = 67 \text{ days}$ ,  $Q_{\text{proposed}} = 900 \text{ gpm}$

Theis drawdowns were calculated as follows:

26065 ID5: Drawdown from current location = 0.41 ft  
Drawdown from proposed location = 0.73 ft  
Net drawdown = **0.3 ft**

26065 ID6: Drawdown from current location = 0.51 ft  
Drawdown from proposed location = 0.88 ft  
Net drawdown = **0.4 ft**

26065 ID7: Drawdown from current location = 0.47 ft  
Drawdown from proposed location = 0.95 ft  
Net drawdown = **0.5 ft**

26066 ID1: Drawdown from current location = 0.34 ft  
Drawdown from proposed location = 0.76 ft  
Net drawdown = **0.4 ft**

26066 ID5: Drawdown from current location = 0.32 ft  
Drawdown from proposed location = 0.68 ft  
Net drawdown = **0.4 ft**

26066 ID6: Drawdown from current location = 0.49 ft  
Drawdown from proposed location = 1.54 ft  
Net drawdown = **1.0 ft**

26066 ID7 S13: Drawdown from current location = 0.52 ft  
Drawdown from proposed location = 1.44 ft  
Net drawdown = **0.9 ft**

26066 ID7 S18: Drawdown from current location = 0.41 ft  
Drawdown from proposed location = 1.00 ft  
Net drawdown = **0.6 ft**

26066 ID8: Drawdown from current location = 0.30 ft  
Drawdown from proposed location = 0.64 ft  
Net drawdown = **0.3 ft**

27343 ID5: Drawdown from current location = 0.41 ft  
Drawdown from proposed location = 0.80 ft  
Net drawdown = **0.4 ft**

27343 ID8: Drawdown from current location = 0.42 ft  
Drawdown from proposed location = 0.75 ft  
Net drawdown = **0.3 ft**

Domestic 1: Drawdown from current location = 0.37 ft  
Drawdown from proposed location = 0.87 ft  
Net drawdown = **0.5 ft**

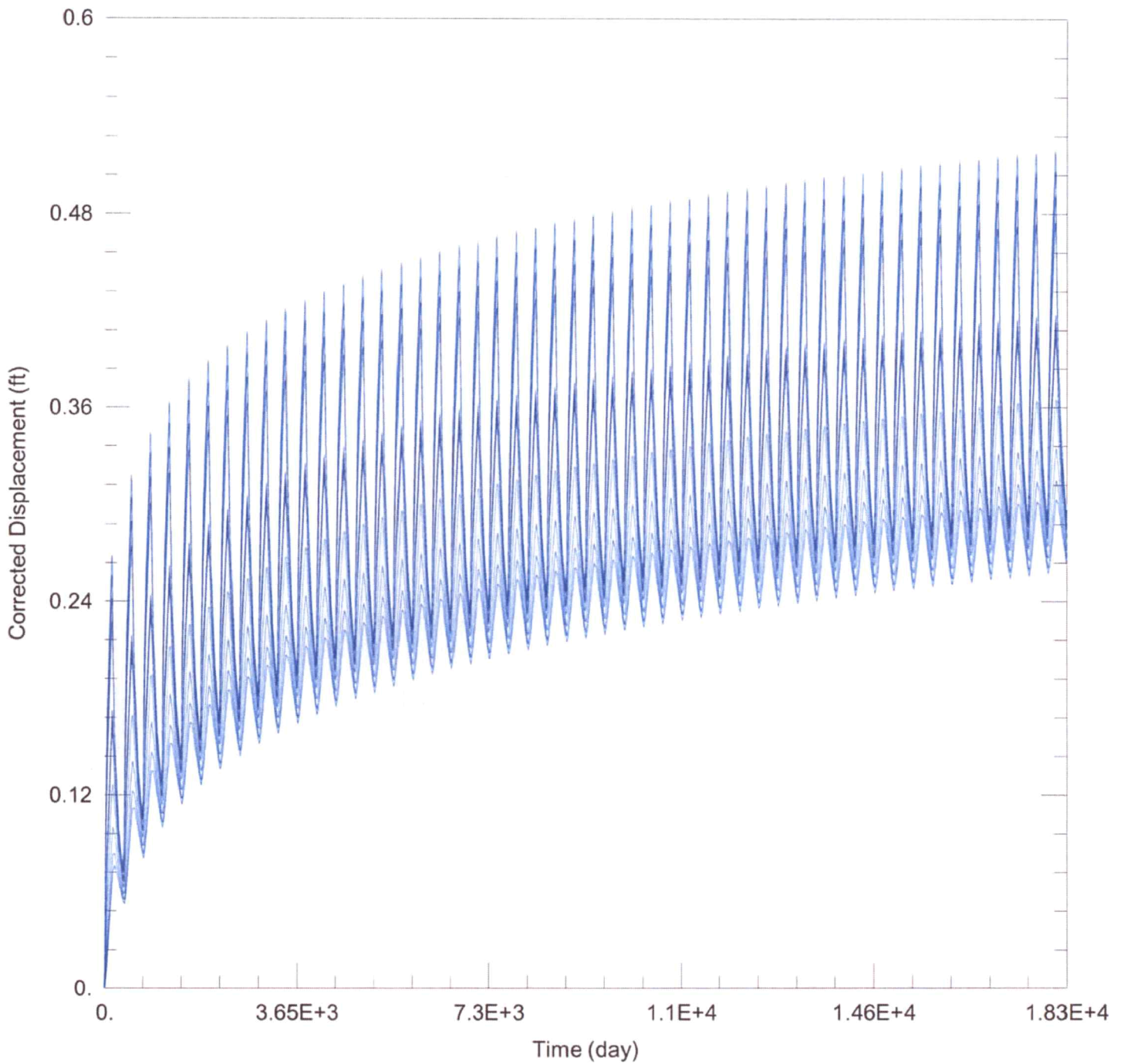
Domestic 2: Drawdown from current location = 0.40 ft  
Drawdown from proposed location = 0.97 ft  
Net drawdown = **0.6 ft**

Net drawdown does not exceed the drawdown allowance of 4.0 ft for any well within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

**Conclusion:**

The proposed move is likely to create minimal effects on neighboring wells and appears unlikely to cause impairment. Any concerned neighbors should contact GMD3 at (620) 275-7147 or the Division of Water Resources at (620) 276-2901.





WELL TEST ANALYSIS

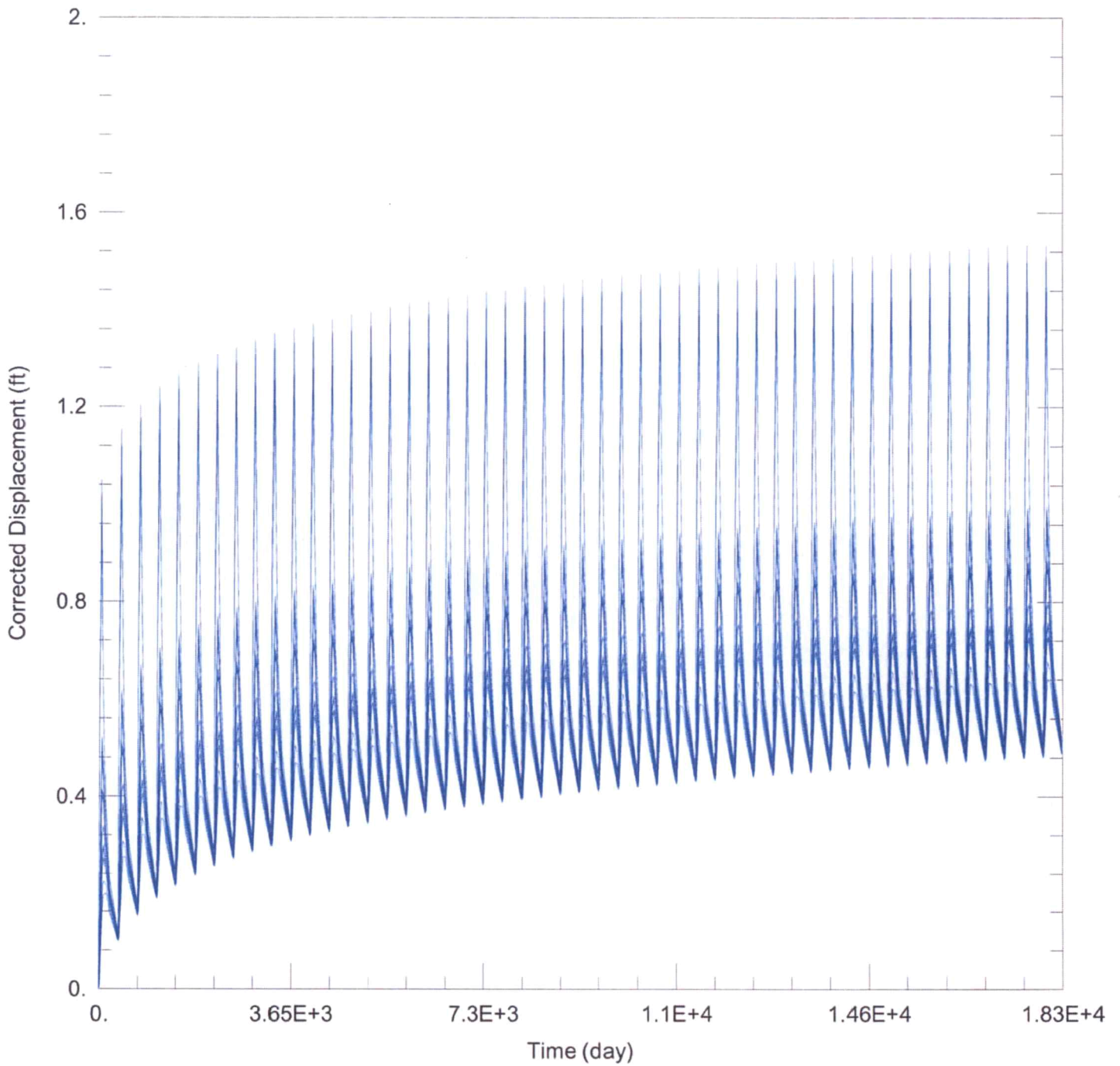
Data Set: C:\Users\trevora\Documents\2022\_moves\26065\26065 Current.aqt  
 Date: 01/04/23 Time: 16:06:58

PROJECT INFORMATION

Company: GMD 3  
 Project: 26065  
 Location: Kearny County

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
26065 ID1	-120740	361913	□	-120740	361913



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2022\_moves\26065\26065 Proposed.aqt  
 Date: 01/04/23 Time: 16:06:51

PROJECT INFORMATION

Company: GMD 3  
 Project: 26065  
 Location: Kearny County

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
26065 ID1	-120725	362876		-120725	362876

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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

December 20, 2022

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

Re: Request for Recommendation,  
File No. 26065

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Fred Ritsema 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,

A handwritten signature in blue ink that reads "Austin McColloch".

Austin McColloch  
Assistant Water Commissioner

Enclosure  
pc: