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:
26842		,	C1	4	3
6. Status: Approved	☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
	'.				9/21/2023
8a. Applicant(s) New to system □		Person ID 17685 Add Seq#	8c. Landown		Person IDAdd Seq#
DON & CONNIE Attn: CRAIG SW PO BOX 907 HUGOTON, KS	INNEY	Υ			
8b. Landowner(s) New to system □		Person ID Add Seq#	8d. WUC New to sy	rstem □	Person ID
8a			8a		
9. Documents and Enclosur	re(s): 🛛 DV	VR Meter(s) Date to Comp	y: 12/31/2024	N & P Date to	Comply: <u>3/1/2025</u>
☐ Anti-Reverse Meter	☐ Meter	Seal 🛮 Check Valve	☑ N & P Form	☐ Water Tube ☐ □	oriller Copy ☐ H & E Letter
☐ Conservation Plan	Date Requir	ed: Da	te Approved:	Date to	o Comply:
10. Use Made of Water	From:		To: _	· · · · · · · · · · · · · · · · · · ·	
		•		Date Prepared: 10/12 Date Entered:	2/2023 By: AM By:

File No.	26842			11.	Count	y: M T		Bas	sin: CI	MARF	ON F	RIVER			S	tream:								rmation (1/331/50		Special Use:	
	nts of Dive	rsion																	Rate	and Q	uantity						
MOD																			A	Authori	zed		A	dditional			
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13. Stora	age: Rate					NF.		Quar	itity					ac/ft	A	ddition	al Rat	e				NF	Addi	tional Qua	antity		_ ac/ft
14. Limit	ation:				_ af/yr	at				(gpm (_				cfs) w	hen co	mbine	d with	file nu	umber	(s)	1+				9	
										31.5																	
16. Plac	e of Use					T		NE	:1/4			NV	V1/4			sv	V1/4				E¼		Total	Owner	Cha?	Overlap Files	
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ENT 3			32S39V		4										40	40	40	40					160	8a	Υ	MULTIPLE	
ENT 3	2979	9	32S39V	V	1	4	0	40	40	40									40	40	40	40	320	8a	Y	MULTIPLE	
ENT 3	4338	15	32S39V	V	1						40	40	40	40									160	8a	Y	MULTIPLE	
ENT 3	4373	16	32S39V	V	1	4	0	40			40	40	40	32.7									232.7	8a	Y	MULTIPLE	
ENT 1	81	4	32S39V	V	1										40	38	40	40	40	40	40	40	318	8a	Υ	MULTIPLE	
DEL 1	925																										

OVERLAP FILES ON PLACE OF USE: 434; 434-A; 1349; 3463; 8058; 21142-D1; 26842; 44357 & 44358

Comments: COMBINE PUSE IDs 181 (KEEP) & 1925 (DELETE) - SAME OWNERSHIP NOW IN S/2 4-32S-39W (REMOVE FARMSTEAD - 2 AC.)

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

October 12, 2023

DON & CONNIE SWINNEY Attn: CRAIG SWINNEY PO BOX 907 HUGOTON, KS 67951

RE:

Field Office Application for Change

Water Right,

File Nos. 434, 434-A, 1349, 3463, 8058, 21142-D1, 26842, 44357, 44358

Dear Sir or Madam:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers. Note: these approvals do 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 these approvals for change. A condition of these approvals 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 orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Michael A. Mever Water Commissioner

MAM: Enclosures GMD3

pc:

CERTIFICATE OF SERVICE

On this 12th day of October 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 434, 434-A, 1349, 3463, 8058, 21142-D1, 26842, 44357, 44358 dated 12th day of October 2023 was mailed postage prepaid, first class, US mail to the following:

DON & CONNIE SWINNEY Attn: CRAIG SWINNEY PO BOX 907 HUGOTON, KS 67951

pc:

GMD3

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	or if pl	ace of	use wi															ion is greater osed point(s)
or alv	ersion a	na/or p	iace of	r use.								,					RE	CE	IVED
						F	ile No	. <u>2684</u>	2			.,	1	i			S		1 2023
1. /	Applicati	on is he	ereby r	nade f	or app		f the C		nginee	-	nange t			ne or b	oth):			n City	Field Office er Resource
ι	under the	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with	the cor	ndition	s desc	ribed l	pelow.		
	The sour	ce of s	upply i	s:		⊠G	round	water			Surfac	ce wat	er						
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F	Phone N	umber:		_)					Email	addres	ss:								
	Name ar PO BOX						onden	nt: <u>DO</u>	N & C	ONNIE	SWIN	INEY	AT	TN: CI	RAIG	SWINN	IEY		
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(Owner o													-4			, '	-	
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		39W						1											

Receipt Date 9-21-23 Check # 109

For Office Use Only: Code Fee \$ \tag{ > 00 TR #

5.	Presently authorized point of diversion:					
	One in the Quarter	of the	711	Quarter of the	Qı	uarter
	of Section, Towns					
	in County, Kansas,					
	Authorized Rate Authorized					
	(DWR use only: Computer ID No.					
	☐This point will not be changed. ☐This point w					ows:
	Proposed point of diversion: (Complete on					
- 1	One in the Quarter					
	of Section, Towns					
	in County, Kansas,					
	Proposed Rate Proposed	Ougatity	cet North	Droposed well depth (foot)	LIOI1.
	This point is: Additional Well Geo Ce	Quality		Proposed well deptil (ieei)	
L	This point is: Additional Well Geo Ce	iter List one	r water righ	its that will use this point.		
г			_			
6.	Presently authorized point of diversion:					
	One in the Quarter of Section, Towns	of the		Quarter of the	Qı	uarter
	of Section, Towns	nip		South, Range		_ (W)
- 1	in County, Kansas,	fe	eet North _	feet West of S	outheast corner of sec	tion.
-	Authorized Rate Authorized	d Quantity		Depth of well	(feet)	
	(DWR use only: Computer ID No					
	☐This point will not be changed ☐This point w	II be changed a	s follows:	No change, point better de	scribed with GPS as follo	ows:
	Proposed point of diversion: (Complete on					
	One in the Quarter					
	of Section, Towns					
	in County, Kansas,					
	Proposed Rate Proposed					1
L	This point is: Additional Well Geo Ce	iter List othe	water ngn	its that will use this point		
7.	The changes herein are desired for the follow	ing reasons?				
•	(please be specific) CREATE COMPLETE OVE			North		
	FILE NOS. 434-A; 434; 1349; 3463; 8058; 2114		300		100 200 300	
	26842; 44357 & 44358		- E'	<u>‡</u>	, , , ,	
0	If a well is the test hals largetteched?	□Na	E		+ + = 20	
8.	If a well, is the test hole log attached? Yes	□ NO	200	-141+=	+ + = 20	00
9.	The change(s) (was)(will be) completed by?		E	$\mathbf{I} = \mathbf{I}$	E/	
J.	The change(s) (was)(will be) completed by:		E	/	\	
			100	· () + 1 + 1 章	+ + +	00
10	If the point of diversion is a well:		₽-	· -	=	
10.			West 0	+don[m]m]m]m	offermand and the contraction of	Fast
	(a) What are you going to do with the old well?		Weston	=	·····	Last
			1	· =	7	
	4) \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		100	(1+1+1=	$ + + \pm 10$	00
	(b) When will this be done?		E	\	/3	
			E	\ <u></u>		
11.	. Groundwater Management District recommenda	tion attached?	200	-1 🕂 1 + 1 🚊	1+1+1==================================	00
	☐ Yes No		=		_ /_ =	
10	Assisted by		Ę,	udandandan dan	Entimber Line	
12.	Assisted by		300	200 100 0	100 200 300	
13a	a. If the proposed point of diversion will be relocated	more than 300	0	South	Scale: 1 hashmark=10 ft	

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 on the diagram shown above in relation to the existing point of the diagram shown above in relation to the existing point of the diagram shown above in relation to the existing point of the diagram shown above in relation to the existing point of the diagram shown above in relation to the existing point of the ex 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

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 NOS. 3463 & 26842 MAKE ADDITIONAL COPIES AS NECESSARY

		/	ADDRI	AME: ESS:															
				NE	=1/4			NV	V1/4			SV	V1/4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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	τwp.	Nange	1412/4	14774	JVV/4	JL/4	141.74	1444/4	UVV/4	JL/4	141.74	1444/4	UVV/4	JL/4	142/4	1144/4	544/4	JL/4	
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	ontinue	d: If th	is app	lication	is for	a char	nae in	place o	of use.	it is p	ropose	d that	the pla	ace of	use be	chan	ned to		
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O Sec. 116 4	Twp. 32S 32S	Range 39W 39W	NE% 40	AME: ESS: NE NW/4 40 AME: ESS:	DONA 1320 \ =¼ sw¼	LD & (W C A)	NE%	E ELK NW/4 40	INNEY CITY, v/4 sw/4 40	SE1/4 32.7	NE%	\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	N/4 SW/4 40	SE1/4	NE1/4 40	\$I NW'/4 40	5W/4 40	SE½ 40	232.7 318
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O	Twp. 32S 32S where of	Range 39W 39W F Land -	NE½ 40 NE½ ADDR	AME: ESS: NE NW/4 40 AME: ESS: NI NW/4	DONA 1320 \ 5% SW% E% SW%	SE%	NE%	E SWE ELK NW/4 40 NW/4	INNEY CITY, V/4 SW/4 40	SE1/4 32.7	NE% 40 NE%	SI NW¼ 38	W/4 SW/4 40 SW/4 SW/4 SW/4	SE1/4 40 SE1/4	NE1/4 40	SI NW/4	5W/4 40 E1/4 SW/4	SE¼ 40 SE¼	TOTAL
O Sec.	Twp. 32S 32S where of	Range 39W 39W Range	NE½ 40 NE½ ADDR	AME: ESS: NE NW/4 40 AME: ESS: NI NW/4	DONA 1320 \ 5% SW% E% SW%	SE%	NE%	E SWE ELK NW/4 40 NW/4	INNEY CITY, V/4 SW/4 40 N/4 SW/4	SE1/4 32.7	NE% 40 NE%	SI NW¼ 38	V/4 SW/4 40 SW/4 SW/4 SW/4 SW/4 SW/4 SW/4 SW/4 SW/4	SE1/4 40 SE1/4	NE1/4 40	SI NW/4	=½ SW¼ 40 =½ SW¼	SE¼ 40 SE¼	TOTAL
ec. 166 4 O	Twp. 32S 32S where of	Range 39W 39W Range	NE½ 40 NE½ ADDR	AME: ESS: NE NW/4 40 AME: ESS: NI NW/4	DONA 1320 \ 5% SW% E% SW%	SE%	NE%	E SWE ELK NW/4 40 NW/4	INNEY CITY, V/4 SW/4 40 N/4 SW/4	SE1/4 32.7	NE% 40 NE%	SI NW¼ 38	V/4 SW/4 40 SW/4 SW/4 SW/4 SW/4 SW/4 SW/4 SW/4 SW/4	SE1/4 40 SE1/4	NE1/4 40	SI NW/4	=½ SW¼ 40 =½ SW¼	SE¼ 40 SE¼	TOTA ACRE

Page ____

DWR 1-121-2 (Revised 5/1/2019)

File No. ____

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 au ☐ Yes ☐ No (If no, all owners must sign this approximately auxiliary) 	
 (b) Will the ownership interest of any owner of the currently auth affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this approved in the currently authors.) 	
(c) If this application is not approved expeditiously, will there be s ☐ Yes ☐ No (If no, all owners must sign this app	
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all owne agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affir 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 a contained in this application are true, correct and complete.	prized agent of the owner(s) to make this application on pplication pertains. I further verify that the statements
Dated at Hucoton , Kansas, thi	is 21 day of September , 20 23
Stover gShore (Owner)	(Spouse)
STeven 5 Shore (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
County of Stures SS	BRANDY LITTELL Notary Public - State of Kansas My Appt. Expires 23/3/24
l kereby certify that the foreaging application was signed in of 20.	
My Commission Expires <u>B/31/24</u> .	Mandy Hotary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	
FEE SCHEI	DULE
Each application to change the place of use or the point of diversion un forth in the schedule below: Make checks payable to: Kansas Depart (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	der this section shall be accompanied by the application fee set ment of Agriculture \$100 eet\$200

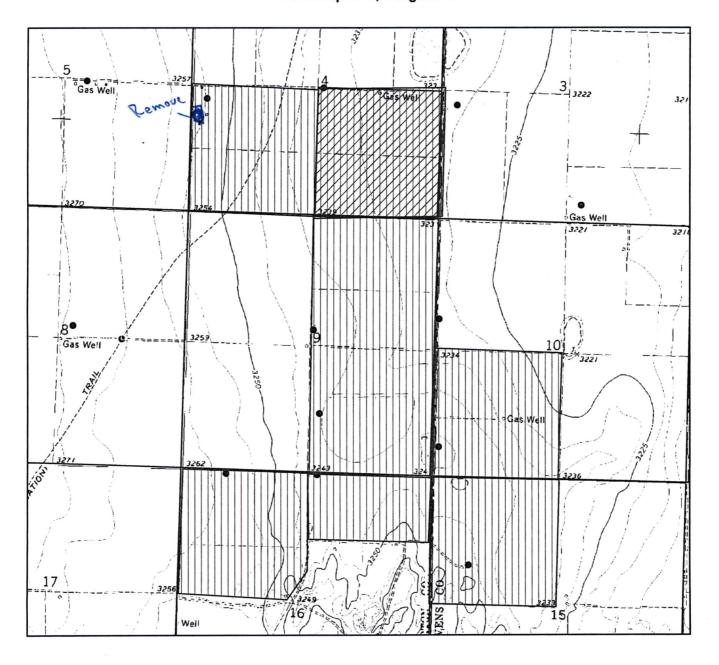
14. If the proposed groundwater point of diversion is 500 of lewer feet he	in existing point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this applic	
 (b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? ☐ Yes ☑ No (If yes, all owners must sign this application) 	ы.
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this applic	
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 authoritheir behalf, in regard to the water right(s) to which this appropriation are true, correct and complete.	zed agent of the owner(s) to make this application on lication pertains. I further verify that the statements
Dated at, Kansas, this_	21 day of September, 20 a3.
68	
(Owner) Cra. 3 Sw. w.e. y (Please Print)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of SS	
County of	presence and sworn to before me this ald day of
My Commission Expires JULIE JONES My Appointment Expires December 15, 2026	Notary Rublic
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	
FEE SCHEDU	<u>LE</u>
Each application to change the place of use or the point of diversion unde forth in the schedule below: Make checks payable to: Kansas Departme (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	ent of Agriculture

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit Iimi	is Summary Order is issued under authority of K.S.A. 82a-708b ovisions of the Kansas Water Appropriation Law, K.S.A. 82a-707 th the exception of those conditions expressly contained herein, thitations of File No.	1 et. seq., and rules and regulations promulgated thereunder, his Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of be changed as described in the application.
2.	On and after the effective date of this summary order, the author the topographic map accompanying the application to change	rized place(s) of use shall be located substantially as shown on e the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing rights previously authorized. The point of diversion authorized by the radius of the authorized point(s) of diversion. ☐ Applicable	and shall be limited to the same source or sources of water as nis summary order shall be located within a foot Not Applicable
4.	The point(s) of diversion described herein is administratively Positioning System (GPS), as described in the application.	corrected to be more accurately described using the Global ☐ Applicable ☑ Not Applicable
5.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. ☐ Applicable ☒ Not A	located more than feet from the previously Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a well or other device suitable for making water level measurements K.A.R. 5-6-13. ☑ Applicable ☐ Not Applicable	with a diversion rate of 100 gallons per minute or more, a tube shall be installed, operated and maintained in accordance with
7.	operated and maintained in accordance with K.A.R. 5-1-4 thro	nichever occurs first. The water flow meter shall be installed, bugh 5-1-12. As required by K.S.A. 82a-732, as amended, and be reading of the water flow meter and the total quantity of water
8.	Installation of the works for diversion of water shall be con authorized extension of time. By March 1, 20 5 the applicable works for diversion has been completed, on the form provided Applicable Not Applicable	plicant shall notify the Chief Engineer that construction of the
9.	The completed well log shall be submitted with the required	d notice. ☐ Applicable
10.	 All diversion works into which any type of chemical or other fore with an in-line, automatic, quick-closing check valve capable check valve(s) shall be installed, operated and maintained in a 	eign substance will be injected into the water shall be equipped of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. ☒ Applicable ☐ Not Applicable
11.	. Additional Conditions are attached. Yes No	
12.	limitations, as amended and/or supplemented by this Summa Appropriation Law and the Rules and Regulations promulga	are responsible for compliance with its terms, conditions and ary Order, and with applicable provisions of the <i>Kansas Water</i> ited thereunder. Failure to comply with these provisions may ded, and/or the suspension or revocation and dismissal of the
lf you	Administrative Appeal and Effective Date of Order rou are aggrieved by this order, pursuant to K.S.A. 82a-1901, u may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of	FOR OFFICE USE ONLY APPLICATION APPROVED AND SUMMARY ORDER ISSUED
Agri	riculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for	By:
adm	ministrative review by the Secretary must be filed within 30 ys pursuant to K.S.A. 77-531. Any request for administrative	(Print Name): Austra William
revi	riew must state a basis for review pursuant to K.S.A. 77-527.	Division of Water Resources - Kansas Department of Agriculture
Leg	gal Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance: October 12, 2023
	eclude review under the Kansas Judicial Review Act.	State of Kansas) SS
	For Use by Register of Deeds	County of Sunney)
	A	Acknowledged before me on October 12, 2023
	b	y Austin McColloch
		Signature: Notice Public
		My commission expires: JULIE JONES My Appointment Expires Notable Single 15, 2026

Change in Place of Use Files Nos.434, 434-A, 1349, 3463, 8058, 21142-D1, 26842, 44357, 44358 Morton & Stevens County

Township 32 S, Range39 W

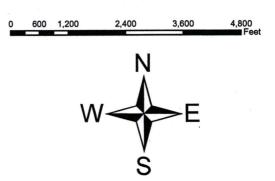




Authorized place of use file # 26842



Requested place of use



STATEMENT OF AUTHORITY

CONNIE SWINNEY has today instructed mc, Kyler Knobbe, her lawyer, to prepare the following Statement of Authority in which she, individually and on behalf of the Connie Swinney Trust and Don Swinney Trust, grant Power of Attorney authority to her son, CRAIG SWINNEY, to appear before the Board of Water Resources and sign any and all required documents on her behalf.

Kyler Kylobbe, attorney for Connie Swinney

KYLER G. KNOBHE P.O. BOX 957 CIMARRON, KANSAS 67835 (620) 855-9100

RECEIVED

SEP 2 1 2023

FAX COVER SHEET

KYLER G. KNOBBE

	109 WEST AVENUE A	POST OFFICE BOX 937	CIMARRON, KANSAS 67835-0937	
DATE:	9-20-23			
	()	2		
TO:	Large Sun	mey		
FAX NO:	<u> </u>	1		
FROM:	tyler Knok	obe		
PHONE:	(620) 855-3100	RETURN FA	AX NO: (620) 855-7729	
Total numb	oer of pages sent, inclu	ding this page:		
If you do no	ot receive all pages sat	isfactorily, please call.	•	
MESSAGE	:			
		,		,:

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SEP 2 1 2023