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:				
27085	12-4-2023	C1	4	3				
6. Status: ⊠ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 11/27/2023				
8a. Landowner, applicant New to system	Person ID 38873 Add Seq#	8c. Landowno	1. 1	Person IDAdd Seq#				
JEFFREY L & VICKY L N 2443 ROAD D HUGOTON, KS 67951-52								
8b. Landowner(s) New to system □	Person IDAdd Seq#	8d. WUC New to sy	stem □	Person ID 38873 Add Seq#				
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Compl	ly: <u>12/31/2024</u>	N & P Date to	Comply:				
☐ Anti-Reverse Meter ☐ Meter	Seal	□ N & P Form	☐ Water Tube ☐ [Driller Copy ☐ H & E Letter				
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date t	o Comply:				
10. Use Made of Water From:) 	To: _						
			Date Prepared: 1127 Date Entered:	By: MAM By:				

File No. 27085	11. County: §	SV	Ва	sin: AR	KANS	SAS R	IVER			St	ream:							Fo	mation Code:	Special Use:	
12. Points of Diversion CHK MOD															and Qu	uantity		^	ditional		
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ENT Qualifier	S	1	К	טו	۱'	N	ʻW		Com	ment	(AKA I	_ine)		Rate gpm/c		Quantit af/mgy	,	Rate gpm/c	Quantity s af/mgy Overla	ap PD Files	
CHK 26615			41																		
																		-			
															1.			1			
13. Storage: Rate	Ni	=	Quar	ntity				8	ac/ft	Ad	ddition	al Rat	e				NF	Add	onal Quantity	ac	/ft
14. Limitation:	af/yr at				g	pm (_			0	cfs) wh	nen co	mbine	d with	file nu	umber((s)			-,		
Limitation:	af/yr at				g	pm (_				ofs) wh	nen co	mbine	d with	file nu	umber((s)				÷	_
15. 5YR Allocation: Allocation	Туре	Star	t Year			5 YR	Amour	nt		Amo	unt Ur	nit	_	Base	Acres	1	_ C	omment .	* . '		
16. Place of Use CHK					NE1/4		¥ 	NW1/4			SW1/4		,	SE1/4			Total	Owner Chg? Ov	erlap Files		
MOD DEL ENT PUSE S T R	ID	NE ¼	NW 1/4	SW 1/4	SE 1/4	NE 1⁄4	NW 1/4	SW 1/4	SE 1/4	NE ¼	NW 1/4	SW 1/4	SE 1/4	NE 1⁄4	NW 1⁄4	SW 1/4	SE 1/4	7 ;			,
ENT 28010 13 35 36V	V 2					32.5	32.5	32.5	32.5					1.0				130	8a N 2656	4, 43721	
MOD 29136 12 35 36	W 1					32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5					260	8a N 2656	4, 43721	
ENT 52463 1 35 36V	V 3	1								32.5	32.5	32.5	32.5					130	8a N 2656	4, 43721	
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Base Acres: 260 Year: Comments:	Minimun	n Reas	onabl	e Quar	ntity:		1										, A				7

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

December 4, 2023

JEFFREY L & VICKY L NEWLON 2443 ROAD D HUGOTON, KS 67951-5224

RE:

Field Office Application for Change

Water Right, File Nos. 26564, 27085, 43721

Dear Sir:

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.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. Conditions of these approvals are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers 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.

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. Meyer Water Commissioner

MAM: enclosures

pc: GMD3

CERTIFICATE OF SERVICE

On this 4th day of December 2023, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 26,564, 27,085, 43,721 dated 4th day of December 2023 was mailed postage prepaid, first class, US mail to the following:

JEFFREY L & VICKY L NEWLON 2443 ROAD D HUGOTON, KS 67951-5224

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.

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)

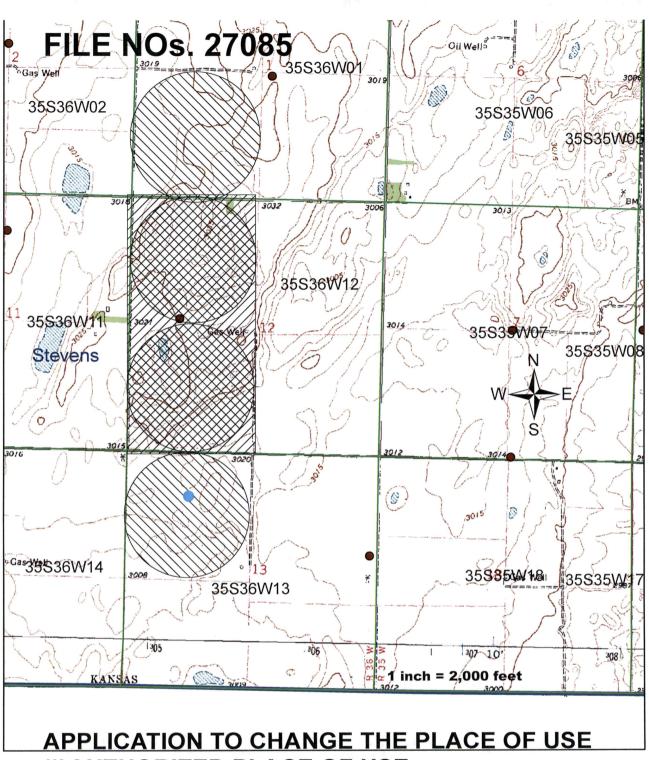
nder the	e water	right w		or appı	roval o			5				-			1	3:4	ILAN	1
ne sour ame ar	ce of su		vhich is		File No. 27085 Application is hereby made for approval of the Chief Engineer to change the (check one or both): RECEIVED 3:41.001 NOV 2 7 2023													23
ne sour ame ar	ce of su		hich i		⊠ P	lace o	f Use			Point	of Dive	ersion						Office
ne sour ame ar	ce of su			s the s	ubject	of this	applic	ation i	n acco	rdance	e with	the cor	nditions	s desc	dibed d	relow!	later R	esource
							water			Surfac								
143 RC	ame and address of Applicant: <u>JEFFREY L & VICKY L NEWLON</u>																	
2443 ROAD D, HUGOTON KS 67951-5224 Phone Number: ()																		
										ss: <u>V.I</u>	NEWL	ON306	88@GI	MAIL.C	COM			
ame ar	nd addre	ess of	Water	Use C	orresp	onden	t: <u>NO</u>	CHAN	IGE	1						η,		-
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there is	more th	ADDRI an one	ESS: landov	vner, at ≣¼	tach su	ppleme	NV	V1/4		NE1⁄4	NW¼	SW1/4		NE1⁄4			SE¼	TOTAL ACRES
	none None pressure of there is	none Number: ne presently au wner of Land - there is more th Twp. Range 35 36W	none Number: (none Number: () ne presently authorized pla wner of Land NAME: ADDRESS: there is more than one landov Twp. Range NE½ NW½ 35 36W	none Number: () ne presently authorized place of union when of Land NAME: SAME ADDRESS: there is more than one landowner, at	none Number: () ne presently authorized place of use is: wner of Land NAME: SAME AS IT ADDRESS: there is more than one landowner, attach su NE½ Twp. Range NE½ NW½ SW½ SE½ 35 36W	none Number: () ne presently authorized place of use is: where of Land NAME: SAME AS ITEM NO ADDRESS: there is more than one landowner, attach supplement NE¼ Twp. Range NE½ NW½ SW½ SE½ NE½ 35 36W 40	none Number: () ne presently authorized place of use is: where of Land NAME: SAME AS ITEM NO. 2 ADDRESS: there is more than one landowner, attach supplemental sh NE¼ NV Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ 35 36W 40 40	none Number: () Email ne presently authorized place of use is: where of Land NAME: SAME AS ITEM NO. 2 ADDRESS: there is more than one landowner, attach supplemental sheets as NE½ NW½ Twp. Range NE½ NW½ SE½ NE½ NW½ SW½ 35 36W 40 40 40	ne presently authorized place of use is: wner of Land NAME: SAME AS ITEM NO. 2 ADDRESS: there is more than one landowner, attach supplemental sheets as neces NE½ NW¼ Twp. Range NE½ NW⅓ SW⅓ SE⅓ NE⅓ NW⅓ SW⅓ SE⅓ 35 36W 40 40 40 40	none Number: () Email address: ne presently authorized place of use is: wher of Land NAME: SAME AS ITEM NO. 2 ADDRESS: there is more than one landowner, attach supplemental sheets as necessary.) NE½ NW½ Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ 35 36W 40 40 40 40 40	none Number: () Email address: ne presently authorized place of use is: where of Land NAME: SAME AS ITEM NO. 2 ADDRESS: there is more than one landowner, attach supplemental sheets as necessary.) NE½ NW½ SW½ SE½ NW½ SE½ NE½ NW½ 35 36W 40 40 40 40 40 40 40 4	Email address:	none Number: () Email address:	Email address:	mone Number: (Email address:	Email address:

5.	Presently authorized p	oint of diversion:	i		1.								
		Quarter of the											
		, Township											
		County, Kansas,											
		Authorized Quantity											
		uter ID No G											
	This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:												
		ersion: (Complete only if char											
		Quarter of the											
		, Township		_									
		County, Kansas,											
		Proposed Quantity											
L	This point is: Addition	nal Well Geo Center List	other water right	s that will use this point _									
г													
6.	Presently authorized p												
		Quarter of the											
		, Township											
-		County, Kansas,											
		Authorized Quantity											
-		outer ID No G											
	☐This point will not be ch	anged This point will be changed	ged as follows: 🗌	No change, point better de	scribed with GPS as follows:								
	Proposed point of dive	ersion: (Complete only if char	nge is requested	or if existing point is I	petter described by GPS)								
		Quarter of the											
	of Section	, Township	11	South, Range	(E/W),								
	in	County, Kansas,	feet North	feet West of S	outheast corner of section.								
		Proposed Quantity											
L	This point is: Addition	nal Well	other water right	s that will use this point _	· · · · · · · · · · · · · · · · · · ·								
_	The of several bands of												
7.	The changes herein are desired for the following reasons? (please be specific)												
	(picase be specific)		300	200 100 North	100 200 300								
			- E	11111111111111111111111111111111111111									
•	16		F	-/- -	- \-								
8.	If a well, is the test hole in	og attached? Yes No	200	1/4 + 1 = 1	+ + = 200								
9	The change(s) (was)(will	he) completed by?	<u> </u>	/ <u> </u>									
0.	The change(e) (was)(wiii	be) completed by:	. E/	/									
			100	1+1+1=	1 + 1 + 1 100								
10.	If the point of diversion is	a well:	#	-	-								
	(a) What are you going	o do with the old well?	West 0 ±++	վավավավավա ջ ա									
	(a) This are year going		<u> </u>										
		<u> </u>	- 1	<u> </u>									
	(b) When will this be don	ne?	100	1+1+1=	+ + 100								
			- E	$\sqrt{-}$	/ ∃								
11.	Groundwater Manageme	nt District recommendation attach	ed? 200	1 + 1 = 1	+ + = 200								
		No	E	, , , ,									
		_	E										
12.	Assisted by		– 300 சா	200 100 0	100 200 300								
132	If the proposed point of di	version will be relocated more that		South	Scale: 1 hashmark=10 ft								
iJa	feet but within 2,640 feet	of the existing point of diversion, a	attach 13b. If the	proposed point of diversion	n will be relocated within a 300								
	a topographic map or a sources, show all wells (in	aerial photograph. For ground ncluding domestic) within one-hal	water <u>foot ra</u> f mile on the	dius of the existing point of diagram shown above in	of diversion, indicate its location relation to the existing point of								

lines

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

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.)



/// AUTHORIZED PLACE OF USE \\\\ PROPOSED PLACE OF USE

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 fee 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 lawfu age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application o their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statement contained in this application are true, correct and complete.
Dated at Garden City, Kansas, this 27th day of November, 2023.
Jeff Hewler (Spouse)
Jeff Newlow Vicky L New Lon
(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 27th day of November 2023
AARON T. HOLSTED My Appointment Expires Morary Public Notary Public
iviy Commission Expires
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed w 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
May Appointment Expire May 18, 2027

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

oro Vit	nis Summary Order is issued under authority of K.S.A. 82a-708b, a provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 e With the exception of those conditions expressly contained herein, this mitations of File No.	et, seg., and rules and regulations promulgated thereunder.								
۱.	. A change application was received on diversion authorized under the above-referenced file number be	requesting that the place of use and / or point of e changed as described in the application.								
2.	 On and after the effective date of this summary order, the authoriz the topographic map accompanying the application to change t 	ed place(s) of use shall be located substantially as shown on the place of use. Applicable Not Applicable								
3.	previously authorized. The point of diversion authorized by this	nd shall be limited to the same source or sources of water as summary order shall be located within a foot Not Applicable								
1.	. The point(s) of diversion described herein is administratively conversioning System (GPS), as described in the application.	prected to be more accurately described using the Global Applicable Not Applicable								
5.	 The point(s) of diversion authorized herein shall not actually be logauthorized point(s) of diversion. Applicable I Not Applicable 	cated more than feet from the previously plicable								
δ.	As required by K.A.R. 5-3-5d, if the works for diversion is a well w or other device suitable for making water level measurements st.A.R. 5-6-13. Applicable Not Applicable	ith a diversion rate of 100 gallons per minute or more, a tube hall be installed, operated and maintained in accordance with								
7.	The owner of the authorized place(s) of use shall properly December 31, 20 24, or before the first use of water, which operated and maintained in accordance with K.A.R. 5-1-4 throu K.A.R. 5-3-5e, the owner shall maintain records and report the rediverted annually to the Chief Engineer by March 1 following the Applicable Not Applicable	chever occurs first. The water flow meter shall be installed, gh 5-1-12. As required by K.S.A. 82a-732, as amended, and reading of the water flow meter and the total quantity of water								
3.	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 Not Applicable									
Э.	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 foreig with an in-line, automatic, quick-closing check valve capable of check valve(s) shall be installed, operated and maintained in according to the control of the contro	f preventing pollution of the source of the water supply. The								
11.	Additional Conditions are attached. ☐ Yes									
12.	2. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5 water appropriated under the above-referenced file number as limitations, as amended and/or supplemented by this Summan Appropriation Law and the Rules and Regulations promulgate result in civil penalties pursuant to K.S.A. 82a-737, as amende water or appropriation right or any other enforcement actions a	re responsible for compliance with its terms, conditions and y Order, and with applicable provisions of the <i>Kansas Water</i> and thereunder. Failure to comply with these provisions may bed, and/or the suspension or revocation and dismissal of the								
2	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY								
f yc	you are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND								
ou/	ou may request an evidentiary hearing before the Chief ingineer or request administrative review by the Secretary of	SUMMARY ORDER ISSUED								
١gr	griculture. A request for hearing by the Chief Engineer must be led within 15 days of service of this Order and a request for	Duly Authorized Designee of the Chief Engineer								
adn	dministrative review by the Secretary must be filed within 30	(Print Name): MCMCT A.MEVCK								
evi	lays pursuant to K.S.A. 77-531. Any request for administrative eview must state a basis for review pursuant to K.S.A. 77-527.	Division of Water Resources - Kansas Department of Agriculture								
_eg	egal Division, 1920 Research Faik Drive, Maintattan, No	te of Issuance: Recember 9, 2023								
	6502. Failure to timely request a hearing or review may reclude review under the Kansas Judicial Review Act.	ate of Kansas)								
	For Use by Register of Deeds Co	unty of								
		knowledged before me on December 4, 2023								
	by	Michael A. Meyer								
	S	ignature: Naron holsted								
	N	Notary Public AARON T. HOLSTED My Appointment Expires (Notary Seway 18, 2027								



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

December 1, 2023

Michael A. Meyer Division of Water Resources 4532 W Jones Ave., Suite B Garden City, Kansas 67846

RE:

Applications for Change in Place of Use

Water Right, File Nos. 26564, 27085 & 43721

Dear Mike:

We have reviewed the applications for the above referenced water rights. The proposal is 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 rearrange the acres to better suit the operation and keeps the acres within the allowable range, in accordance with K.A.R. 5-5-11(b). At the same time, the water rights will have a complete overlap in place of use. 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

RECEIVED

DEC 01 2023

GMD3 Change Review

File No(s).: 26564, 2	7085, 43721.		DWR	office: <u>GC</u> .
App filed to change:	PU.			
Is Landowner(s) correct		Jeffrey & Ve	cky Newlon	
If NO, is docur				
Is Water Use Correspo			Bry,	
If NO, is docur			="	
Regulation(s) Reviewe				
Point of diversion ID				
	, —			
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 stacking	ng on existing	WRs? No C	hange	
Is Proposed PU overla	pping existing	WRs? _Mal	ke complete over	lap and rearrange
acres.				
Neighboring certified	well(s) notified	d:		
Name				
Address				
Zip				
Email: Phone:				
Domestic well(s) notif	ied:			
Name				
Address				
Zip				
Base Acres: 130, 260	110 = 500			
Perfected Acres:				
Irr. Return-Flow%	Ď			
Stevens County				
26564: 260AF @ 975	gpm, 3960N 3	3940W 13-35	5-36	
160acres NW	13-35-36			
27085: 497AF @ 175	0gpm, 2750N	4200W 12-3	35-36	
320acres W2	2-35-36			
43721: 210AF @ 760	gpm, LIMIT	ED to 975gp	m w/26564, PD	overlap w/26564
110acres SW	13-35-36			· -
Proposed acres:				
1-35-36: 130a	cres in SW (New acres)		
12-35-36: 260	acres in W2			

GMD3 Change Review

13-35-36: 130acres in NW

Total of 520 acres

Proposal is to use +10 base acres on the two senior water rights which gives applicant a total of 520 allowable acres.

Is a waiver needed: No, increase in acres as allowed by the rules.

Recommendation: After review of all available information, it appears current area

rules can be met. Staff therefore recommends approval of the applications.

RECEIVED

DEC 01 2023

Garden City Field Office Division of Water Resources 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

November 30, 2023

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re:

Request for Recommendation

Water Right, File Nos. 26564, 27085, 43721

Dear Mr. Norquest:

This is to advise you that Jeff Newlon has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change in place of use.

We are delaying action on the change application to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer

Water Commissioner

MAM Enclosures

Meyer, Mike [KDA]

From:

Meyer, Mike [KDA]

Sent:

Thursday, November 30, 2023 2:53 PM

To:

Norquest, Jason

Subject:

request for recommendation, File Nos. 26564, 27085, 43721

Attachments:

20231130144618250.pdf; 20231130144655235.pdf

Good afternoon

Jeff newlon has proposed changes in place of use to add new acres. Base acres total = 500 acres. We are allowing plus 10 acres for each well under the senior files for a proposed total of 520 acres.

Please review and provide a recommendation within 15 days.

Thanks

Mike