# Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: <b>27106</b>	2. Status Change Date: 9-27-2023	3. Change Num:	4. Field Office:	5. GMD:
6. Status: Approved	Denied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 9/21/2023
8a. Landowner, applicant New to system   DESERET TRUST #2- Attn: FARMLAND RE 521 50TH ROAD SATANTA, KS 67870			* *	Person IDAdd Seq#
8b. Landowner(s) New to system □	Person ID 59951 Add Seq#		vstem □	Person ID 40999 Add Seq#
9. Documents and Enclosure(s):  Anti-Reverse Meter	leter Seal	□ N & P Form	☐ Water Tube ☐	Driller Copy ☐ H & E Letter
10. Use Made of Water From:		То:		
			Date Prepared: <b>9/27</b> Date Entered:	7/2023 By: <b>MAM</b> By:

File No.	27106	6		11.	County:	HS	Ва	sin: AF	RKAN	SAS R	IVER			S	tream:							Fo	ormatio	n Code:		Special Use:
CHK MOD	nts of Dive	ersion								7					- 12				and Q Author	uantity		A	dditiona	al		
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Limi	tation:				_ af/yr a	at			9	gpm (_				cfs) w	hen co	mbine	d with	file n	umber	(s)						
15. 5YR	Allocation	n: All	ocation	туре	=	_ Sta	rt Year			5 YR	Amour	nt		Amo	ount Ur	nit		Base	Acres		_ C	omment _				12 15 15
16. Plac	ce of Use						NE	E1/4			NW	11/4			sv	<b>V</b> ½			S	6E1/4		Total	Owne	er Ch	ng?	Overlap Files
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Comme	nts:																									

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

September 27, 2023

DESERET TRUST COMPANY 521 50TH ROAD SATANTA, KS 67870

RE: Field Office Application for Change

Water Right, File Nos. 22578-D1, 27106, 30820, & 36324, 36330, 36333, 36370

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.

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. Meyer Water Commissioner

MAM: Enclosures

pc:

GMD3

#### **CERTIFICATE OF SERVICE**

On this 27<sup>th</sup> day of September 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 22,578-D1, 27,106, 30,820, & 36,324, 36,330, 36,333, 36,370 dated 27<sup>th</sup> day of September 2023 was mailed postage prepaid, first class, US mail to the following:

DESERET TRUST COMPANY 521 50TH ROAD SATANTA, KS 67870

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) of diversion and/or place of use.

of dive	ersion a	na/or p	ace of	ruse.												F	REC	EIV	ED
						F	ile No	2	7106					,			SEP	2 1 2	.023
1. A	pplicati	on is he	reby n	nade fo	or appr		f the C		nginee			the (ch		ne or b	oth):	Ga Divisi	rden ( ion of	City Fie Water	ld Office Resources
u	nder the	e water	right v	vhich is	s the si				ation i					ndition	s desc	ribed b	pelow.		
	he sour						round					ce wate							
2. N	lame ar	nd addre	ess of	Applica	ant: D	ESER	ET TR	UST C	OMPA	ANY									
5	21 50 <sup>TH</sup>	ROAD	, SATA	ANTA,	KS 67	870													
P	hone N	umber:	(	)					Email	addres	ss:								
	lame ar							t:											
3. T	hone N he pres wner o	ently au f Land -	uthoriz	ed pla	ce of u	se is: AS Al	BOVE												
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2	27	34W		LOT 2 33.25			39.90		40	40									. <b>79</b> 292,80
							39.89												
F	or Offi	ce Use	Only:	Code		Fe	e \$ 2	00.0	O TR	#		Re	eceipt	Date	9-21	-23	Chec	k#21	1579

Presently authorized	point of diversion:			
One in the	Quarter of the		Quarter of the	Quarte
of Section	, Township		South, Range	V
in	County, Kansas,	feet North	feet West of So	outheast corner of section.
Authorized Rate	Authorized Quantity		_ Depth of well	(feet)
(DWR use only: Con	nputer ID No. 1 GPS		feet North	feet West)
☐This point will not be	changed This point will be changed	as follows:	No change, point better de	scribed with GPS as follows:
Proposed point of di	version: (Complete only if change	is requested	or if existing point is b	etter described by GPS)
One in the	Quarter of the		Quarter of the	Quarte
of Section	, Township		South, Range	V
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Proposed Rate	Proposed Quantity		Proposed well depth (f	eet)
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Presently authorized	point of diversion:			
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of Section	, Township		South, Range	V
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3a. 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

3b. 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.)

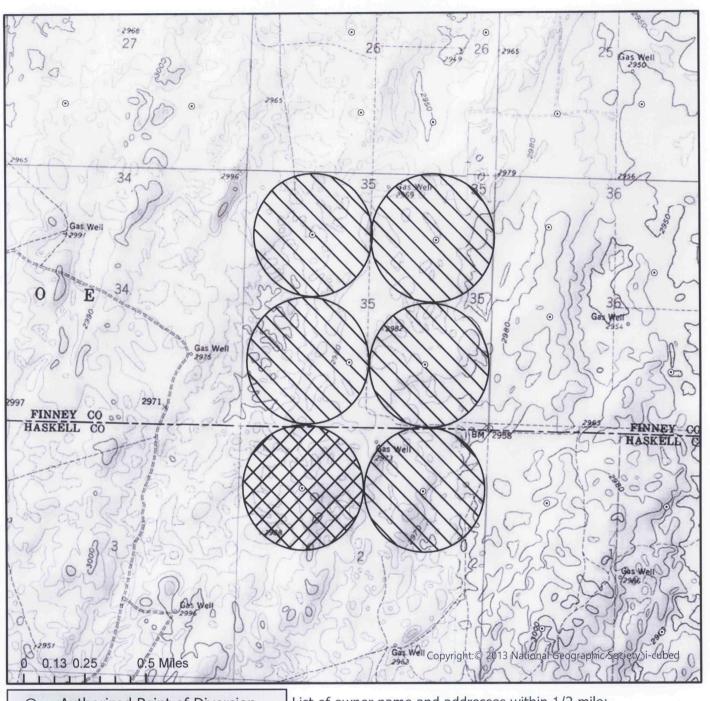
<ol><li>14. If the proposed</li></ol>	groundwater point of diversion is 3	300 or fewer feet from	n the exis	ting point o	f diversion,	complete the	following:
(a) Does the u	undersigned represent all owners o  No (If no, all owners r	f the currently autho must sign this applic		e(s) of use	identified ir	n this applicati	on?
	wnership interest of any owner of t this application is approved as requ \[ \sum \text{No}  \text{(If yes, all owners)} \]			(s) of use i	dentified in	this applicati	on be adversely
(c) If this appli	ication is not approved expeditious  No (If no, all owners r	ly, will there be subs must sign this applic		mage to pro	operty, pub	lic health or sa	afety?
or a change in place	oposes a surface water change in pe of use, the application must be sized statement authorizing represer	igned by all owners					
age and the own their behalf, in re contained in this	peing first duly sworn upon mer, the spouse of the owner, egards to the water right(s) to application are true, correct	or a duly authorized or which this appart and complete.	ed agen lication	t of the o pertains.	wner(s) to	o make this verify that	application on the statements
Dated at	+ Lave City	, <del>Kansas</del> , this _	101	_ day of	zeble	mber	_, 20_ 23_
Kanin	Hard				(Spo	use)	
Karin	h Alcolu				(0)00	/	
White	(Please Print)				(Please	e Print)	
Matt	hew Lawrence				(Spo	use)	
	(Please Print)				(Please	e Print)	
	(Owner)				(Spo	use)	
Utan	(Please Print)				(Please	e Print)	
State of Kansas  County of Salt	Lava City						
I hereby certify	that the foregoing application	AL OF THE	AMANDA	BUXTON		pefore me th	nis lol day
,		Com	ary Public - mission No	State of Utumber: 7308	326	Amaria	der Bur
My Commission Ex	pires April 24, 2027	1200	April 24	n Expires o	Notary F	Public	750
	PPLICATIONS WILL BE PROCESSED maps, if necessary, must be included; sust be paid.						
		FEE SCHEDU	LE				
forth in the schedule (1) Applica (2) Applica	change the place of use or the poile below: Make checks payable to: ation to change a point of diversion ation to change a point of diversion ation to change the place of use	Kansas Departme 300 feet or less more than 300 feet	nt of Agri	culture			\$100 \$200

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov	This Summary Order is issued under authority of K.S.A. 82a-708b, as an provisions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-701 et. s</i> With the exception of those conditions expressly contained herein, this Sulimitations of File No.	ea. and rules and regulations promulgated thereunder,
1.	1. A change application was received on	requesting that the place of use and / or point of anged as described in the application.
2.	<ol><li>On and after the effective date of this summary order, the authorized p the topographic map accompanying the application to change the p</li></ol>	lace(s) of use shall be located substantially as shown on lace of use. Applicable
3.	previously authorized. The point of diversion authorized by this sur	nall be limited to the same source or sources of water as nmary order shall be located within a foot Not Applicable
4.	<ol> <li>The point(s) of diversion described herein is administratively correct Positioning System (GPS), as described in the application. ☐ App</li> </ol>	tted to be more accurately described using the Global licable Not Applicable
5.	<ol> <li>The point(s) of diversion authorized herein shall not actually be locate authorized point(s) of diversion. ☐ Applicable Not Applicable</li> </ol>	d more than feet from the previously able
6.	6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a or other device suitable for making water level measurements shall K.A.R. 5-6-13. ☐ Applicable ☐ Not Applicable	diversion rate of 100 gallons per minute or more, a tube be installed, operated and maintained in accordance with
7.	7. The owner of the authorized place(s) of use shall properly in December 31, 20 23, or before the first use of water, whichev operated and maintained in accordance with K.A.R. 5-1-4 through 5 K.A.R. 5-3-5e, the owner shall maintain records and report the read diverted annually to the Chief Engineer by March 1 following the end Applicable Not Applicable	er occurs first. The water flow meter shall be installed, i-1-12. As required by K.S.A. 82a-732, as amended, and ing of the water flow meter and the total quantity of water
8.	8. Installation of the works for diversion of water shall be complet authorized extension of time. By March 1, 20the applican works for diversion has been completed, on the form provided by the Applicable Not Applicable	shall notify the Chief Engineer that construction of the
9.	9. The completed well log shall be submitted with the required notice	ce.
10.	10. All diversion works into which any type of chemical or other foreign su with an in-line, automatic, quick-closing check valve capable of pre check valve(s) shall be installed, operated and maintained in accord	venting pollution of the source of the water supply. The
11.	11. Additional Conditions are attached.   Yes  No	
12.	12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-1 water appropriated under the above-referenced file number are re limitations, as amended and/or supplemented by this Summary Or Appropriation Law and the Rules and Regulations promulgated the result in civil penalties pursuant to K.S.A. 82a-737, as amended, a water or appropriation right or any other enforcement actions authorized.	esponsible for compliance with its terms, conditions and der, and with applicable provisions of the <i>Kansas Water</i> ereunder. Failure to comply with these provisions may nd/or the suspension or revocation and dismissal of the
If you you Engage Agrifiled adn day revire Leges 665	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  County Acknowledged  Acknowledged  County	APPLICATION APPROVED AND SUMMARY ORDER ISSUED  Duly Authorized Designee of the Chief Engineer  Frint Name):  White A Mayer  Invision of Water Resources - Kansas Department of Agriculture  Issuance:  Of Kansas  Of Finney  Wedged before me on September 27th, 23  Wichael A Meyer  Inture:  Notary Public
	Му со	AARON T. HOLSTED  My Appointment Expires  (Notary State) 18, 2027

#### **CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 27106**

NW 1/4 of Section 2 Township 27 South Range 34 West HASKELL County



**Authorized Point of Diversion** 0

Domestic Well within 1/2 mile



Authorized Place of Use



Proposed Place of Use

List of owner name and addresses within 1/2 mile:



All wells of any kind within 1/2 mile of the requested place of use have been plotted.

(Signature)

Date JG/GCFO 1:24,000 Scale



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

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

September 26, 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. 22578 D1, 27106 & 30820 36324, 36330, 36333 & 36370

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). These applications are actually making two separate groupings that proposes to make a change in place of use will make a complete overlap in currently authorized place of use in accordance with K.A.R. 5-5-11(b), respectively. So no new acres are being proposed. It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely.

Jason L. Norquest Assistant Manager

RECEIVED

SEP 2 7 2023

Garden City Field Office
Division of Water Resources

File No(s).: 22578D1, 27106, 30820.  DWR office:								
App filed to change: <u>PU</u> .								
Is Landowner(s) correct in WRIS: Desert Trust Company.								
If NO, is docume								
Is Water Use Correspond								
Regulation(s) Reviewed: KAR 5-5-11								
Point of diversion ID No	o(s) _ beir	ng changed.						
ft. N	orth ft.	. West						
Authorized PD								
Proposed PD				1 20 1				
Difference	0	0						
a2 + b2 = c2	0	0	0					
GPS for proposed PD: 1	_at:	Long:						
Is proposed PD stacking	on existing	g WRs? No	Change.					
Is Proposed PU overlapp	oing existin	g WRs? Ma	king a comple	te overlap in current acres.				
Neighboring certified w	ell(s) notifie	ed:						
Name								
Address								
Zip								
Email: Phone:								
Domestic well(s) notifie	d: .							
Name .	7-1							
Address								
Zip								
Base Acres:								
Perfected Acres:								
Irr. Return-Flow%								
Haskell County								
These water rights are	part of a r	ecently appr	oved WCA					
22578 D1: 4 wells in 3	-							
ID02, 272AF								
ID05, 272AF								
ID07, 272AF								
ID08, 272AF								
Authorized acre	es: 136acr	es/quarter, 5	44acres total.	35-26-34				
27106: 260AF, 3960N								
Authorized 159								
30820: 266AF, 4180N								

Authorized 133acres NE of 2-27-34 Proposed acres:

Same as already listed, this is just making a complete overlap in PU

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

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

Ja

RECEIVED

Garden City Field Office Division of Water Resources

File No(s): 36324, 36330, 36333, 36370.						
App filed to change: PU.						
Is Landowner(s) correct in WRIS: Deseret Trust Company.						
If NO, is documentati	on included?					
Is Water Use Correspondent	correct in WRI	S? <u></u>				
If NO, is documentati						
Regulation(s) Reviewed: KA	R 5-5-11					
		ed.				
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 on e	xisting WRs?	No Change.				
Is Proposed PU overlapping e	existing WRs?	Making a complete overlap in current acres.				
Neighboring certified well(s)	notified:					
Name						
Address						
Zip						
Email: Phone:						
Domestic well(s) notified:						
Name						
Address						
Zip						
Base Acres:						
Perfected Acres:						
Irr. Return-Flow%						
Finney County						
These water rights are part	of recently ap	proved WCA				
36324: 260AF, 1350N 1320						
Authorized 136acres, SE 27-26-34						
36330: 260AF, 3940N 1320						
Authorized 136 acre						
36333: 260AF, 3960N 3930						
Authorized 136 acre		-34				
36370: 260AF, 1290N 3960						
Authorized 136acres		34				
Proposed acres:						

#### Same as already listed, this is just making a complete overlap in PU

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

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

Jan Jan

RECEIVED

Garden City Field Office Division of Water Resources

SEP 2 7 2023

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

September 25, 2023

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

Re: Request for Recommendation

Water Right, File Nos. 22578-D1, 27106, 30820, & 36324, 36330, 36333, 36370

Dear Mr. Norquest:

This is to advise you that Deseret Trust Company has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use. There are two groups of applications attached.

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

### **■ Deseret Trust** Company

#### CERTIFICATE OF RESOLUTION

I, the undersigned, Assistant Secretary of Deseret Trust Company, a Utah corporation, hereby certify that the following is a true copy of a certain resolution duly adopted by the Board of Trustees of the said corporation and recorded in the Minutes of a meeting of the said Board duly held on the 23<sup>rd</sup> day of February 2023, at which time a quorum was present, and that the same has not been rescinded or modified and is now in full force and effect.

I further certify that said corporation is duly organized and existing and has the power to take the action called for by the following resolution.

RESOLVED: The following officers shall be elected, each to hold the respective office until they shall resign or shall be removed or otherwise disqualified to serve, or a successor shall be qualified and elected:

Chairman of the Board/President/CEO

Vice-Chairman of Board of Trustees

VP/Chief Financial Officer/BSA/AML Officer

VP/Sr. Trust Officer & Asst. Secretary

Treasurer

Senior Trust Administrator

Trust Officer

Trust Officer

Trust Officer

BSA/AML Officer

Secretary & General Counsel

Assistant Treasurer

Assistant Treasurer

M. Wesley Mashburn

Kent H. Collins

Matthew S. Lawrence

Karin S. Hardy

Scott B. Colton

Denisha R. Harris

Tyler G. Burnett

Ryan L. Gonda

Ryan T. Jenkins

-1 . . . -1

Christina Cheney

Lucas R. Deppermann

Douglas H. Martin

Gregory N. Tarbet

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**DESERET TRUST COMPANY** 

SEP 2 1 2023

(SEAL)

Garden City Field Office Division of Water Resources

Karin S. Hardy, Assistant Secretary

## **■ Deseret Trust** Company

#### CERTIFICATE OF RESOLUTION

I, the undersigned, Assistant Secretary of Deseret Trust Company, a Utah corporation, hereby certify that the following is a true copy of a certain resolution duly adopted by the Board of Trustees of the said corporation and recorded in the Minutes of a meeting of the said Board duly held on the 23<sup>rd</sup> day of February 2023, at which time a quorum was present, and that the same has not been rescinded or modified and is now in full force and effect.

I further certify that said corporation is duly organized and existing and has the power to take the action called for by the following resolution.

RESOLVED: The President/CEO of Deseret Trust Company acting alone, or in his absence at least two (2) Vice Presidents, is authorized to perform all acts or execute any and all instruments, including deeds and endorsements necessary and proper or desirable for the sale, purchase, pledge, assignment, transfer, discharge and release of real estate, notes and other obligations, mortgages (real estate or chattel) or deeds of trust held by Deseret Trust Company in its own right or in any fiduciary capacity, pursuant to and in accordance with the terms of any such purchase, sale, pledge, assignment, transfer, discharge and release as approved by the Investment Review Committee (IRC).

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the said corporation this 30% day of  $20\_3$ .

**DESERET TRUST COMPANY** 

By Kannstan

(SEAL)

Karin S. Hardy, Assistant Secretary

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SEP 2 1 2023

Garden City Field Office
Division of Water Resources