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:
27703		C3	4	3
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 12/08/2023
8a. Landowner, applicant New to system □	Person ID 29267 Add Seq#	8c. Landowno		Person ID Add Seq#
MILLER FARMS OF DEE Attn: MONTE R MILLER 2413 ROAD Y DEERFIELD, KS 67838	RFIELD INC			
8b. Landowner(s) New to system SHIRLEY A TILLOTSON PO BOX 366 ULYSSES, KS 67880-036		8d. WUC New to sy 8a	stem 🗌	Person ID 29267 Add Seq#
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	ly: <u>12/31/2024</u>	N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter	Seal	□ N & P Form	☐ Water Tube ☐ □	Oriller Copy
☐ Conservation Plan Date Requir	ed: Da	ite Approved:	Date to	o Comply:
10. Use Made of Water From:		To: _		· · · · · · · · · · · · · · · · · · ·
			Date Prepared: 12/18 Date Entered:	By: MAM By:

File No. 27703	11. County: K	KE Basin: AR	KANSAS RIVER	Stream:		Formation Code: Special Use:
12. Points of Diversion CHK MOD				F	Rate and Quantity Authorized	Additional
DEL PDIV ENT Qualifier	S	T R ID	'N 'W	Comment (AKA Line)	Rate Quantity gpm af	Rate Quantity gpm af Overlap PD Files
CHK 26709						
			-			-
13. Storage: Rate	NF	F 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	Туре	Start Year	5 YR Amount	Amount Unit E	Base Acres Com	ment
16. Place of Use CHK		NE1⁄4	NW1/4	SW1/4	SE¼	Total Owner Chg? Overlap Files
MOD DEL ENT PUSE S T R	ID	NE NW SW 1/4 1/4	SE NE NW SW 1/4 1/4 1/4	SE NE NW SW SE 1/4 1/4 1/4 1/4	NE NW SW SE 1/4 1/4 1/4	
MOD 11227 28 32 35V				22.5 22.5 22.5 22.5	31.5 31.5 31.5 31.5	8a N 6609, 7362, 21239, 23453, 26249
CHK 12853 27 35 35	N 3		40 40 40	40 40 40 40 40		8a N 6609, 7362, 21239, 23453, 26249
MOD 16900 21 23 35	W 3			31.25 31.25 31.25 31.25	31.25 31.25 31.25 31.25	8a N 6609, 7362, 21239, 23453, 26249
MOD 30907 20 23 35	W 1	31.25 31.25 31.25 3 ⁻¹	1.25 31.25 31.25 31.25	31.25 31.25 31.25 31.25 31.25	31.25 31.25 31.25 31.25	8a N 6609, 7362, 21239, 23453, 26249
CHK 33322 28 23 35	N 2	34 34 34	34 34 34 34	34		8b N 6609, 7362, 21239, 23453, 26249
MOD 39092 34 23 35	5W 7		31.5 31.5 31.5	31.5		8a N 6609, 7362, 21239, 23453, 26249
,						
Base Acres: 152 Year:	Minimu	ım Reasonable Quar	ntity:	**		

Comments: 0 ADDITIONAL BASE ACRES WHEN COMBINED WITH FILE NO. 7362

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 18, 2023

MILLER FARMS OF DEERFIELD INC Attn: MONTE R MILLER 2413 ROAD Y DEERFIELD, KS 67838

RE:

Field Office Application for Change

Water Right, File Nos. 6609, 7362, 21239, 23453, 26249, 27703

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. Please note the additional condition attached to File No. 26,249 that effectively reduced the annual authorized quantity as requested.

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:

SHIRLEY A TILLOTSON REV TRUST GMD3

CERTIFICATE OF SERVICE

On this 18th day of December 2023, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 6609, 7362, 21239, 23453, 26249, 27703 dated 18th day of December 2023 was mailed postage prepaid, first class, US mail to the following:

MILLER FARMS OF DEERFIELD INC Attn: MONTE R MILLER 2413 ROAD Y DEERFIELD, KS 67838

Pc:

SHIRLEY A TILLOTSON REV TRUST PO BOX 366 ULYSSES, KS 67880-0366

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.

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u	inder the	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	ordance	with t	he cor	ndition	s desc	ribed t	pelow.		
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For Office Use Only: Code Fee \$ 200.00 TR # Receipt Date 12.8-23 Check # 002225

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION

SUPPLEMENTAL SHEET FILE NO. 27703 MAKE ADDITIONAL COPIES AS NECESSARY

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of Section	, Township		South, Range	
in	County, Kansas,	feet North	feet West of So	outheast corner of section
Authorized Rate	Authorized Q	luantity	Depth of well	(feet)
DWR use only: Compu	iter ID No.	GPS	feet North	feet West)
This point will not be cha	nged This point will b	e changed as follows:	☐ No change, point better de	scribed with GPS as follow
Proposed point of diver	sion: (Complete only	if change is reques	sted or if existing point is b	etter described by GP
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			South, Range	
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Presently authorized po	oint of diversion.			
	** - 하나 FS() : 경영의 여름성이 개발되었습니다. 생각이 보고 생각이 함께 있는 ** [1] 전 : 1 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	he	Quarter of the	Out
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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.)

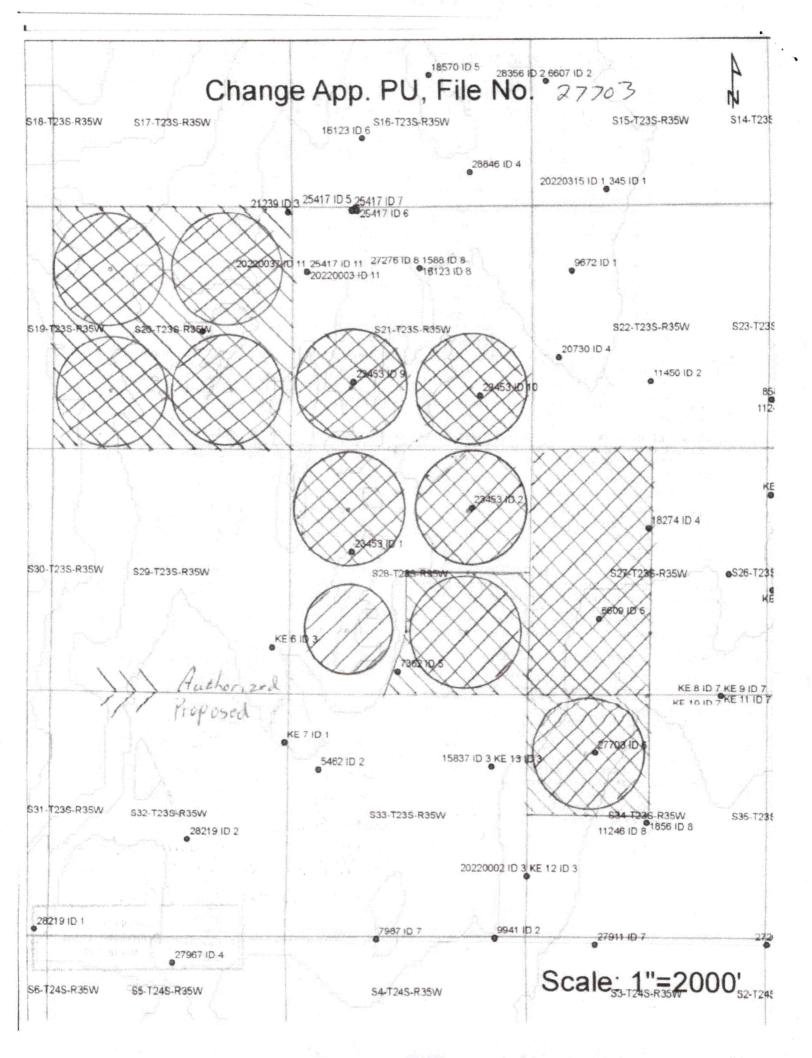
14. If the proposed groundwater point of diversion is 300 or fewer feet from	n the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently autho Yes No (If no, all owners must sign this application)	
 (b) Will the ownership interest of any owner of the currently authorisaffected if this application is approved as requested? Yes No (If yes, all owners must sign this applied) 	
(c) If this application is not approved expeditiously, will there be subs	
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).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirmage and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards 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	8th day of Necenber 2023
Monte Miller	
Monte Millen	(Spouse)
(Please Print)	(Please Print)
John Olan Alilla	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
County of Grant SS	
thereby certify that the foregoing application was signed in n of Doce more, 20 23	
NOTARY PUBLIC - State	of Kansas
My Commission Expires 4 25/24 THERESA L. P.U. My Comm. Exp. 6 2	Sol Notary Public
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.	of the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
FEE SCHEDU	LE
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmet (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	this section shall be accompanied by the application fee set ont of Agriculture \$100

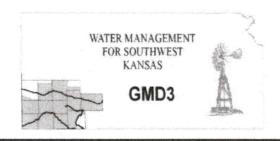
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

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. change application was received on Account 8,2023 requesting that the place of us diversion authorized under the above referenced file number be changed as described in the application. tecombe A change application was received on requesting that the place of use and / or point of 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 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 __radius of the authorized point(s) of diversion.

Applicable Not Applicable foot 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

Applicable Not Applicable 5 feet from the previously 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 24, 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 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 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 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 FOR OFFICE USE ONLY APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Tunney cember 18, 2023 Acknowledged before me on Signature: Motary AARON T. HOLSTED NOTARY My commission expires: My Appointment Expires (Notary Mayallo, 2027





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

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

December 7, 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. 6609, 7362, 21239, 23453, 26249, & 27703

Dear Mike:

We have assisted with 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). The proposed change in place of use will rearrange the acres to more accurately describe the wetted acres and bring in a new reduced pivot while maintaining a complete overlap in authorized place of use in accordance with K.A.R. 5-5-11(b). 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 08 2023

Garden City Field Office Division of Water Resources

Meyer, Mike [KDA]

To:

Jason Norquest; McColloch, Austin [KDA]

Subject:

RE: Miller

See below Bro

From: Jason Norquest <norquest@gmd3.org>
Sent: Friday, December 1, 2023 1:38 PM

To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>; McColloch, Austin [KDA] <Austin.McColloch@ks.gov>

Subject: Miller

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Afternoon gentlemen (and I say that with a straight face).

Got thrown some possible change apps for Monte Miller. Wanting to add a small pivot on a quarter he just bought. When you get a chance, could you get me the base acres for:

6609 - 307

7362 - 312

21<mark>2</mark>39 - **275**

23453 - 520

26249 – 315 but only 260 acres additional to File No. 21239 when combined.

27703 – 152 but 0 additional, same acres under File No. 7362

Total base = 1674 total base combined acres.

He had change apps approved on these in 2020, but that was just for a complete overlap at the time.

Thank you much.

Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289