

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

1. File Number: 36333	2. Status Change Date: 9-27-2023	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 9/21/2023
8a. Landowner, applicant New to system <input checked="" type="checkbox"/> DESERET TRUST #2-50899 Attn: FARMLAND RESERVE INC 521 50TH ROAD SATANTA, KS 67870		Person ID <u>40999</u> Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/>	Person ID <u>59951</u> Add Seq# _____	8d. WUC New to system <input type="checkbox"/> 8a	Person ID <u>40999</u> Add Seq# _____	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2023 <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter				
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 9/27/2023 By: MAM Date Entered: _____ By: _____				

File No. **36333** 11. County: FL Basin: ARKANSAS RIVER Stream: Formation Code: Special Use:

12. Points of Diversion
 CHK
 MOD
 DEL PDIV
 ENT
 Qualifier S T R ID 'N 'W Comment (AKA Line) Rate gpm/cfs Quantity af/mgy Additional Rate gpm/cfs Quantity af/mgy Overlap PD Files

CHK 13587

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 CHK MOD DEL ENT PUSE S T R ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
	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						
ENT 8603	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544	8a	N	36324, 36330, 36370
DEL 3070																						

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

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,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
Enclosures
pc: GMD3

CERTIFICATE OF SERVICE

On this 27th 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 27th 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.

RECEIVED
 10:35 am
 SEP 21 2023

File No. 36333

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office
Division of Water Resources
 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

2. Name and address of Applicant: DESERET TRUST COMPANY

521 50TH ROAD, SATANTA, KS 67870

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: _____

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: SAME AS ABOVE

ADDRESS: SAME AS ABOVE

(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	
27	26	34					34	34	34	34									136

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: SAME AS ABOVE

ADDRESS: SAME AS ABOVE

(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	
27	26	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 9-21-23 Check # 21579

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ 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. 1 _____ 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 the _____ Quarter of Section _____, Township _____ South, Range _____ 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 _____.

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ 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 or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ 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?

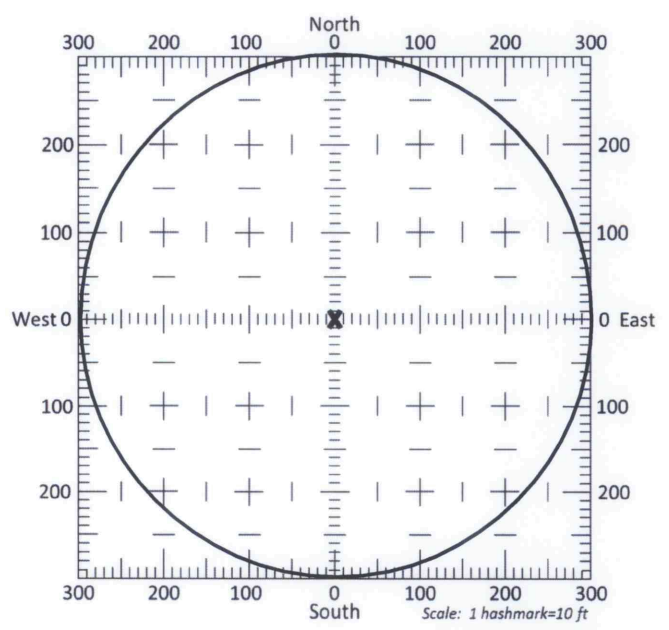
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by JG/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.)**

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.

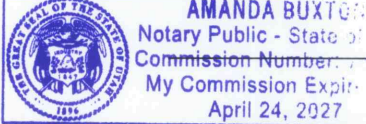
Dated at Salt Lake City, ^{Utah}~~Kansas~~, this 19 day of September, 2023.

<u>Karin Hardy</u> (Owner)	
<u>Karin Hardy</u> (Please Print)	
<u>Matthew Lawrence</u> (Owner)	
<u>Matthew Lawrence</u> (Please Print)	

State of ^{Utah}~~Kansas~~
 County of Salt Lake City } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19 day of September, 2023.

My Commission Expires April 24, 2027.



Amanda Buxton
Notary Public

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.

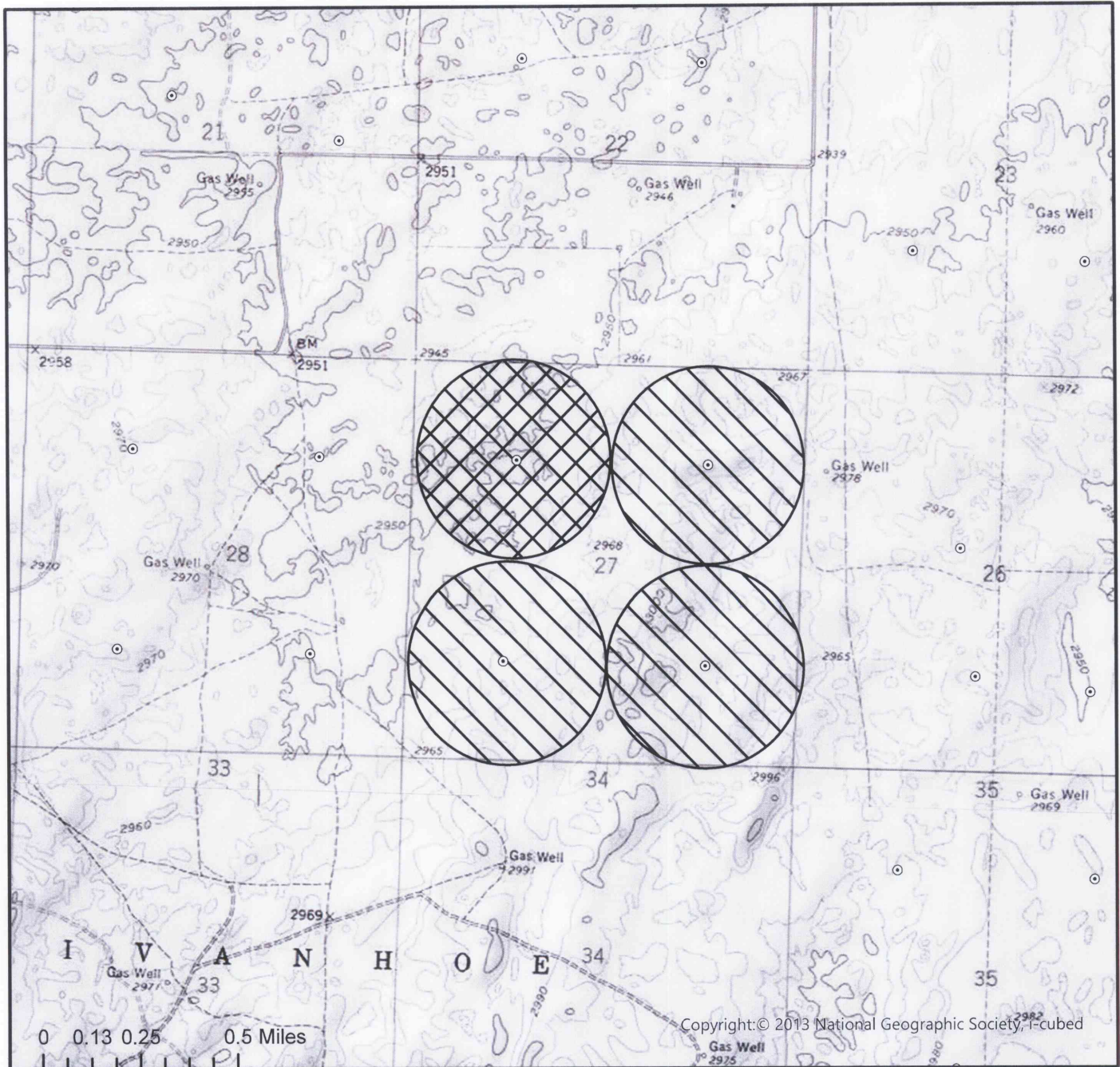
FEE SCHEDULE

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

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 36333

NW 1/4 of Section 27 Township 26 South Range 34 West FINNEY County



	Authorized Point of Diversion
	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.

Karin Hauke
(Signature)

9/19/2023
Date

Walter Bauer



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

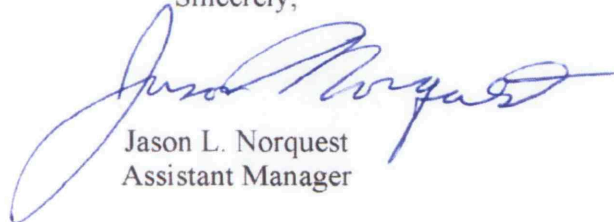
RE: Applications for Change in Place of Use
Water Right, File Nos. 22578 D1, 27106 & 30820
36324, 36330, 36333 & 36370

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 27 2023

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 22578D1, 27106, 30820.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Deseret Trust Company.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11

Point of diversion ID No(s) being changed.

	ft. North	ft. West
Authorized PD		
Proposed PD		
<hr/>		
Difference	0	0
$a^2 + b^2 = c^2$	0	0
		0

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? No Change.

Is Proposed PU overlapping 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 %

Haskell County

These water rights are part of a recently approved WCA

22578 D1: 4 wells in 35-26-34

ID02, 272AF

ID05, 272AF

ID07, 272AF

ID08, 272AF

Authorized acres: 136acres/quarter, 544acres total, 35-26-34

27106: 260AF, 3960N 3980W, 2-27-34

Authorized 159.8 acres NW of 2-27-34

30820: 266AF, 4180N 1430W, 2-27-34

GMD3 Change Review

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.



RECEIVED

SEP 27 2023

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 36324, 36330, 36333, 36370.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Deseret Trust Company.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11

Point of diversion ID No(s) being changed.

	ft. North	ft. West
Authorized PD		
Proposed PD		
<hr/>		
Difference	0	0
a2 + b2 = c2	0	0
		0

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? No Change.

Is Proposed PU overlapping 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 approved WCA

36324: 260AF, 1350N 1320W, 27-26-34

Authorized 136acres, SE 27-26-34

36330: 260AF, 3940N 1320W, 27-26-34

Authorized 136 acres, NE 27-26-34

36333: 260AF, 3960N 3930W, 27-26-34

Authorized 136 acres NW of 27-26-34

36370: 260AF, 1290N 3960W, 27-26-34

Authorized 136acres SW of 27-26-34

Proposed acres:

GMD3 Change Review

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.



RECEIVED

SEP 27 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

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,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures



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 23rd 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
Christina Cheney
Lucas R. Deppermann
Douglas H. Martin
Gregory N. Tarbet

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the said corporation this 30th day of March 2023.

(SEAL)

DESERET TRUST COMPANY

RECEIVED

SEP 21 2023

Garden City Field Office
Division of Water Resources

By Karin S. Hardy
Karin S. Hardy, Assistant Secretary



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 23rd 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 30th day of March 2023.

DESERET TRUST COMPANY

(SEAL)

By Karin S. Hardy
Karin S. Hardy, Assistant Secretary

RECEIVED
SEP 21 2023
Garden City Field Office
Division of Water Resources