

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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
1:02 pm
AUG 21 2023

File No. FI-214

Garden City Field Office
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

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: J.O. CATTLE COMPANY, INC.
Box 7, Holcomb, KS 67851

Phone Number: (620) 277-2358 Email address: jocattle@wbsnet.com

Name and address of Water Use Correspondent: J.O. CATTLE COMPANY, INC.
Box 7, Holcomb, KS 67851

Phone Number: (620) 277-2358 Email address: jocattle@wbsnet.com

3. The presently authorized place of use is:
 Owner of Land ---- NAME: J.O. CATTLE COMPANY, INC.
 ADDRESS: Box 7, Holcomb, KS 67851

(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	

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: NO CHANGE
 ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

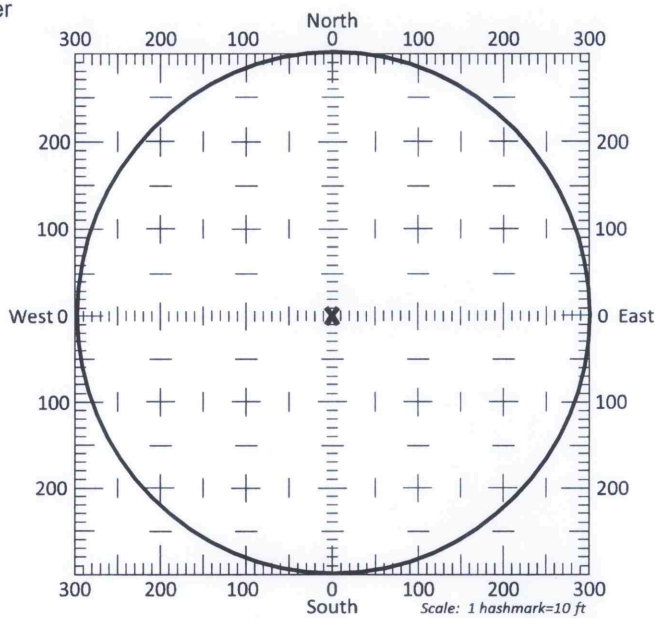
Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 8-21-2023 Check # 11741

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the Center of the Northwest Quarter
 of Section 12, Township 24 South, Range 34W (E/W),
 in FINNEY County, Kansas, 4,000 feet North 4,200 feet West of Southeast corner of section.
 Authorized Rate 5,000 gpm Authorized Quantity 580 AF Depth of well 340 (feet)
(DWR use only: Computer ID No. 03 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 Northeast Quarter of the Northeast Quarter of the Northwest Quarter
 of Section 12, Township 24 South, Range 34W (E/W),
 in FINNEY County, Kansas, 4,520 feet North 2,743 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 348
 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 Section _____, Township _____ South, Range _____ (E/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 Section _____, Township _____ South, Range _____ (E/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) Existing well does not provide sufficient water for irrigation. The test well drilled within 300' shows insufficient water depth for a productive well.
8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?
Hydro Resources
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
It will be plugged.
 (b) When will this be done? end of 2023
11. Groundwater Management District recommendation attached?
 Yes No
12. Assisted by Mike Meyer



- 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 Garden City, Kansas, this 19 day of Aug, 2023.

Larry C. Jones
(Owner)

(Spouse)

Larry C. Jones, President of J.O. Cattle Company, Inc.
(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 14th day of August, 2023.

My Commission Expires October 4, 2025



Michelle A. Hawkins
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

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. F1-214.

1. A change application was received on August 21, 2023 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. 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
3. 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 _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. 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
5. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. 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
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20____, 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
8. **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
11. 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

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, 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 administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative 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

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: _____
 Duly Authorized Designee of the Chief Engineer

(Print Name): _____
 Division of Water Resources - Kansas Department of Agriculture

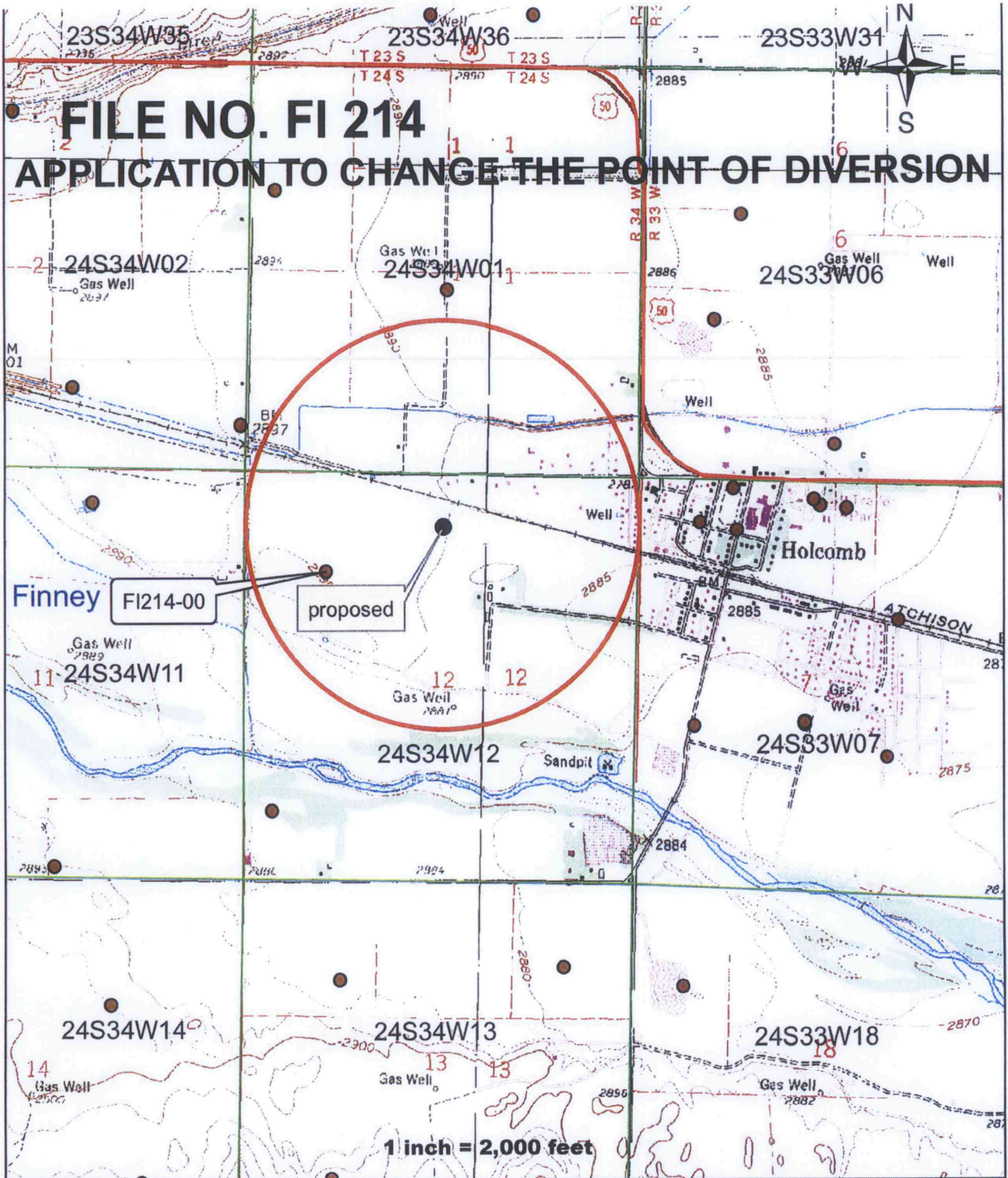
Date of Issuance: _____

State of Kansas)
) SS
 County of _____)

Acknowledged before me on _____
 by _____

Signature: _____
 Notary Public

My commission expires: _____
 (Notary Seal)





Kansas Water Wells inc.

Test# 2 .

Customer	Garden City Coop			Date	8/23/22				
Address				City/State	Garden City, Ks. 67846				
County	Finney	Quarter	NW	Sec.	12	Township	24	Range	34
GPS Format	WGS 84		Lat.	37.987167			Long.	101.002375	
Static Water Level	165' ??			Proposed Well Depth	348'				

	From	Pay	To	Description of Strata
0			3	Top soil
3			14	Tan sandy clay
14			43	Fine to med sand/small gravel
43			65	Med sand w/ clay streaks
65			70	Grey clay mixed with gyp/couple gravel streaks
70			88	Grey sandy clay cemented in spots
88			98	White sandy clay & gyp/couple med sand layers
98			122	Black clay
122			169	Grey clay
169	29		198	Fine to coarse sand (very loose)
198	7		205	Fine sand/couple small clay streaks (little loose)
205	8		213	Fine to coarse sand (very loose)
213	12		225	80% fine to coarse sand/20% clay streaks
225			228	Fine sand clay
228	6		234	70% fine to med sand/30% clay & gyp streaks
234			237	70% sandy clay/ 30% fine to med sand streaks
237	8		245	Fine to coarse sand (loose)
245			252	Sandy clay & gyp (tight)
252	21		273	80% fine to coarse sand/20% clay & gyp streaks (loose)
273	9		282	Fine to coarse sand
282			291	Sandy clay & gyp
291	29		320	Fine to med sand (very loose in places)
320	3		323	60% coarse sand/20% gyp/20% clay
323	7		330	70% fine to coarse sand/ 30% clay streaks
330	3		333	Coarse sand & gyp (tight)
Location From Old Hole		1678' NE		
Bags Of High Yield	6	Bags Of Hole Plug	1	

Signature .

**DWR FIELD OFFICE
APPLICATION FOR APPROVAL
TO CHANGE THE PLACE OF
USE AND/OR THE
POINT OF DIVERSION**

**J.O. Cattle Company, Inc.
FILE NO. 214**

Attached Statement

Question 13a.

There are several domestic water wells within one-half (1/2) mile of the proposed replacement well; however, the Applicant does not have information regarding the current names and mailing addresses of these individuals. Some individuals may also be on city water provided by the City of Holcomb; therefore, the status of their domestic wells is unknown.



DOERING | GRISELL | CUNNINGHAM P.A.
ATTORNEYS AT LAW

MICHAEL C. DOERING
JACOB M. CUNNINGHAM
JAMES R. DUMMERMUTH
JENNIFER V. CUNNINGHAM
RANDALL D. GRISELL (OF COUNSEL)

124 GRANT AVENUE
GARDEN CITY, KANSAS 67846
TEL: (620) 275-8084
FAX: (620) 275-5076

MIKED@DGCPA.LAW
JACOB@DGCPA.LAW
JAMESD@DGCPA.LAW
JENNIFERC@DGCPA.LAW
RANDYG@DGCPA.LAW

August 18, 2023

Mike Meyer
Division of Water Resources
Garden City Field Office
4532 West Jones Avenue, Suite B
Garden City, Kansas 67846

Re: J.O. Cattle Company, Inc.
Water Right File No. 214

Dear Mike:

We are enclosing herewith a completed DWR Field Office Application for Approval to Change the Place of Use and/or the Point of Diversion (DWR 1-121, 09/11/2019 revision) on behalf of J.O. Cattle Company, Inc., together with our firm's check in the amount of \$200.00 for the application fee. The application includes a topographical map, the test log for the proposed well and an attachment regarding water wells within a one-half mile radius of the proposed well.

Please do not hesitate to contact me should you need any additional information. Otherwise, we will wait to receive the Public Notice form from you, which we will publish in the Garden City Telegram, once a week for three consecutive weeks. Upon receipt, we will then send you the Proof of Publication.

As always, we appreciate all of your assistance.

Very truly yours,


Michael C. Doering

MCD:sh
Enclosures
pc: J.O. Cattle Company, Inc. w/ Encls.
W:\MCD\JO Cattle Co\Meyer.ltr(DWR 1-121 App).docx

RECEIVED

AUG 21 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

August 23, 2023

JO CATTLE COMPANY INC
BOX 7
HOLCOMB KS 67851

RE: Field Office Application for Change
Vested Right, File No. FI 214

Dear Sir or Madam:

Enclosed is a copy of a draft public notification of your pending application to change the point of diversion, received in our office August 21, 2023. As required by statute, all well owners within a half mile of your proposed point of diversion location, must be given notice of the proposal. With multiple wells that may be within a half mile, a public notice must be published to fulfil the statute requirement.

This notice enclosed must be published in a local newspaper once a week for three (3) consecutive weeks at your expense. The date in the publication must allow at least 15 days for public comment following the final publication. Copies of the publication are to be submitted to this office within two (2) weeks of final publication.

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 that reads "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael A. Meyer
Water Commissioner

MAM:
Enclosure
pc: Michael Doering, Doering, Grisell, Cunningham, Attorneys at Law/encl

PUBLIC NOTICE

J.O. Cattle Company Inc has filed with the Kansas Department of Agriculture, Division of Water Resources, an application to change the point of diversion authorized for irrigation use under Vested Right, File No. FI 214, to re-locate the point of diversion for the existing water well located in Section 12, Township 24 South, Range 34 West, Finney County, Kansas.

The application is posted at: www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices under the directory of the Garden City Field Office, 2023, and the referenced file number listed above. The application is also available for public inspection in the office of the Chief Engineer, Kansas Department of Agriculture, Division of Water Resources, 4532 W Jones Ave, Ste B, Garden City, Kansas 67846.

Any interested party that may have a water well within one half mile of the proposed water well location, are being notified of the proposed change so that may furnish this office such comments or other information to this office on or before September (15 days after the 3rd week of publication), 2023, written comments regarding the proposed application. Submissions should reference File No. FI 214, and may be made to the Chief Engineer at the mailing address listed above or to the email address of mike.meyer@ks.gov