

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

1. File Number: 26822	2. Status Change Date: 3-12-2024	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
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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: 3/05/2024
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8a. Landowner, applicant, Person ID 65590
 New to system Add Seq# _____

**RUNDELL LAND & CATTLE LLC
 PO BOX 486
 GARDEN CITY, KS 67846**

8c. Person ID _____
 New to system Add Seq# _____

8b. Landowner(s) Person ID _____
 New to system Add Seq# _____

8d. WUC Person ID 65590
 New to system Add Seq# _____

8a

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2024 N & P Date to Comply: _____

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **3/11/2024** By: **MAM**
 Date Entered: By:

File No. **26822** 11. County: FI Basin: ARKANSAS RIVER Stream: Formation Code: Special Use:

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm af gpm af Overlap PD Files

CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
CHK	37208																

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							
MOD	22506	34	24S	31W	01	40	33	21	40	1										39	5		28	207	8a	N	3524, 6614, 14333	
ENT	9614	26	24S	31W	01									40	40	40	40							160	8a	N	3524, 6614, 14333	

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

March 12, 2024

RUNDELL LAND & CATTLE LLC
PO BOX 486
GARDEN CITY, KS 67846

RE: Field Office Application for Change
Water Right, File Nos. 3524, 6614, 14333, 25963, 26822

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 these approvals for change. A condition of this approval 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, 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,

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

Michael A. Meyer
Water Commissioner

MAM:
Enclosures
pc: GMD3

CERTIFICATE OF SERVICE

On this 12th day of March 2024, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 3,524, 6,614, 14,333, 25,963, 26,822 dated 12th day of March 2024 was mailed postage prepaid, first class, US mail to the following:

RUNDELL LAND & CATTLE LLC
PO BOX 486
GARDEN CITY, KS 67846

pc:

GMD3

A handwritten signature in blue ink that reads "Aaron Halsted". The signature is written in a cursive style and is positioned above a horizontal line.

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.

File No. 26822

RECEIVED
 10:04 AM
MAR 05 2024
 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: Rundell Land & Cattle LLC

PO Box 486, Garden City, KS 67846

Phone Number: () _____ Email address: _____

Name and address of Water Use Correspondent: SAME

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Rundell Land & Cattle LLC

ADDRESS: PO Box 486, Garden City, KS 67846

(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	
34	24s	31w	40.0	40.0	32.0	40.0	9.0												255.0

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: Rundell Land & Cattle LLC

ADDRESS: PO Box 486, Garden City, KS 67846

(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	
26	24s	31w																	160.0
34	24s	31w	40.0	40.0	37.0	40.0	10.0												263.0
				33	21		1												207

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 3-5-24 Check # 003296

5. **Presently authorized point of diversion:**
 One in the CE Quarter of the NE Quarter of the SE Quarter
 of Section 34, Township 24 South, Range 31 (W),
 in Finney County, Kansas, 1980 feet North 50 feet West of Southeast corner of section.
 Authorized Rate 980gpm Authorized Quantity 190AF 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 _____ (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 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 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) 3524, 6614, 14333, 26822
Make a complete PU overlap in current acres

8. If a well, is the test hole log attached? Yes No

9. The change(s) (was)(will be) completed by?
As soon as approved

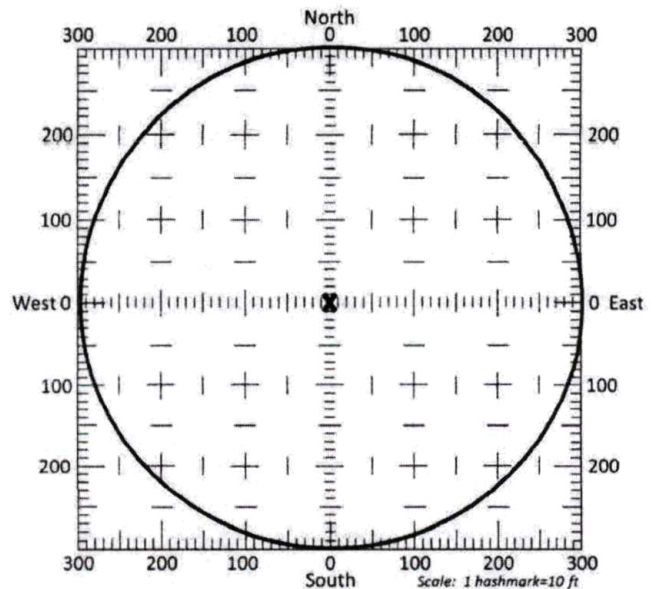
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by XGMD3/JLN

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 4th day of March, 2024.

<u>Gregory K. Russell</u> (Owner)	_____	(Spouse)
<u>Gregory K. Russell</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of Gray } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4th day of March, 2024.

Victoria Trevino
Notary Public

My Commission Expires 07/22/2027

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. 26822.

1. A change application was received on March 5, 2024 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, 2024, 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, 2024, 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

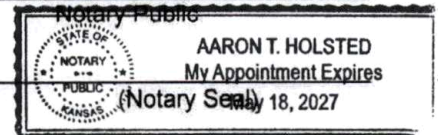
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and 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

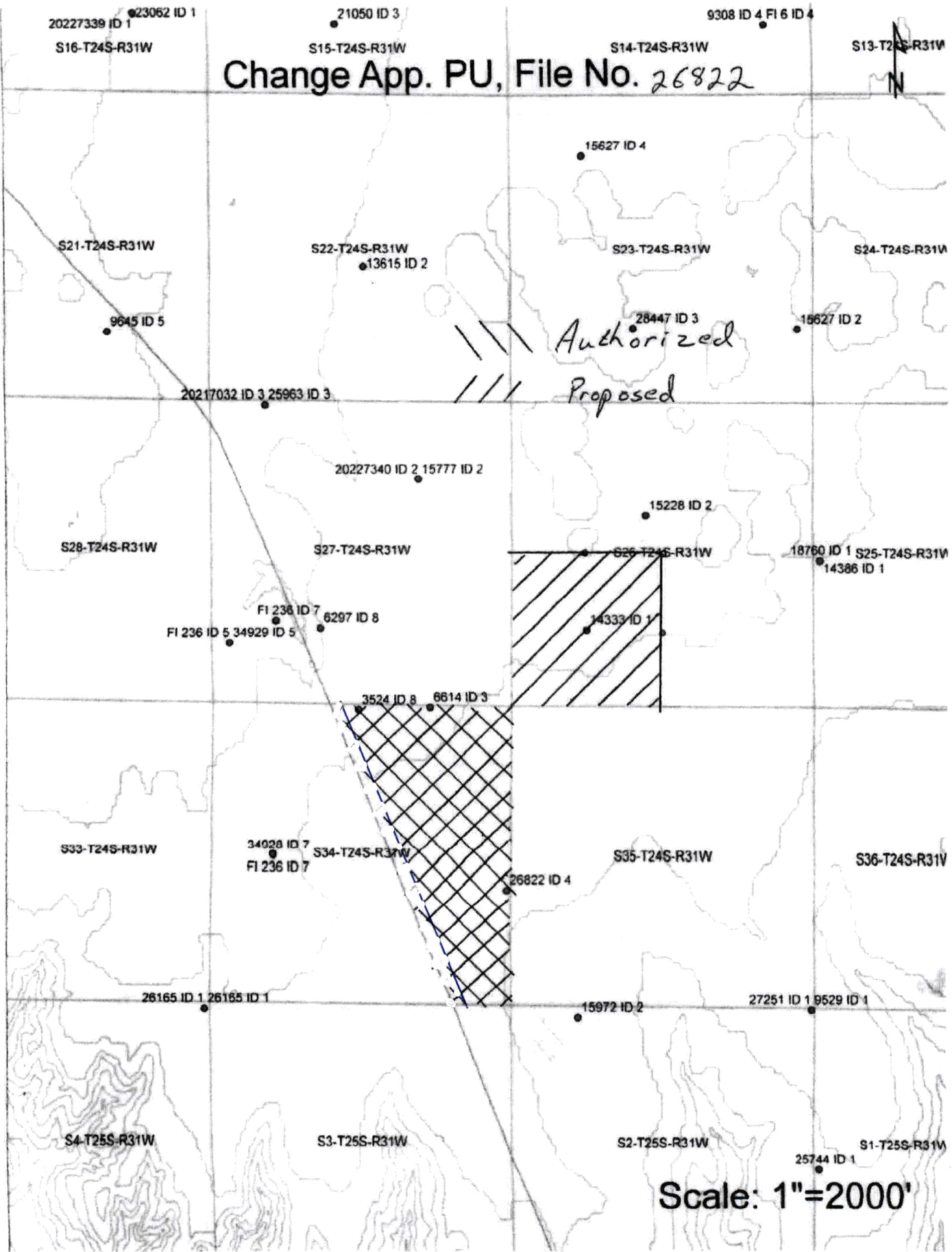
FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Michael A Meyer
Duly Authorized Designee of the Chief Engineer
(Print Name): MICHAEL A MEYER
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: March 12, 2024
State of Kansas)
County of Linn) SS
Acknowledged before me on March 12, 2024
by Michael A Meyer
Signature: Aaron Holsted

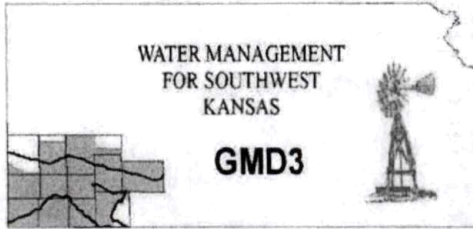
My commission expires: _____



Change App. PU, File No. 26822



Scale: 1"=2000'



**Southwest Kansas
Groundwater Management District No. 3**
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone
www.gmd3.org

February 23, 2024

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

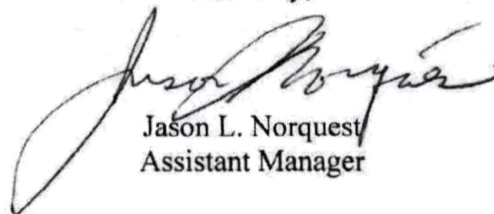
RE: Applications for Change in Place of Use
Water Right, File Nos. 3524, 6614, 14333 & 26822

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 a complete overlap in authorized place of use in accordance with K.A.R. 5-5-11(b). At the same time it will correct an incomplete overlap of several of the water rights. 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

Meyer, Mike [KDA]

From: Jason Norquest <norquest@gmd3.org>
Sent: Friday, March 8, 2024 2:00 PM
To: Meyer, Mike [KDA]
Subject: RE: averhoff

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.

Kyle said they are good with the cleanup for the records.

Jason Norquest
Assistant Manager, GMD3
Cell: 620-271-1289
Office: 620-275-7147
<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.gmd3.org%2F&data=05%7C02%7CMike.Meyer%40ks.gov%7C8b6c4cf69a47453b6f9108dc3faa5fb4%7Cdcae8101c92d480cbc43c6761cccc5a%7C0%7C0%7C638455248192594527%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=zCP4tCVZxkhQ5Mzh%2BL849EbtoD5aRsiVeVbko%2FEBCIU%3D&reserved=0>

-----Original Message-----
From: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Sent: Friday, March 8, 2024 8:46 AM
To: Jason Norquest <norquest@gmd3.org>
Subject: averhoff

If they agree to these changes. This is based on finney county appraisal. Removing right aways.

-----Original Message-----
From: Jason Norquest <norquest@gmd3.org>
Sent: Friday, March 8, 2024 8:01 AM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: RE: request for recommendation, File Nos. HS 003, 8157

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.

What do you need for that so I know what to tell them? Just a verbal confirmation or redo the acres, initial the current app edited?

Jason Norquest
Assistant Manager, GMD3
Cell: 620-271-1289
Office: 620-275-7147
<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.gmd3.org%2F&data=05%7C02%7CMike.Meyer%40ks.gov%7C8b6c4cf69a47453b6f9108dc3faa5fb4%7Cdcae8101c92d480cbc43c6761cccc5a%7C0%7C0%7C6384552>

48192601927%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=PbS1o7TzinbWazgHj6FAOpOJG0J3XTv4u9zM6AN4PzM%3D&reserved=0

-----Original Message-----

From: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Sent: Friday, March 8, 2024 7:54 AM
To: Jason Norquest <norquest@gmd3.org>
Subject: RE: request for recommendation, File Nos. HS 003, 8157

Good morning and thanks!!

Have a good day, try to call kyle or I can

See you next week

-----Original Message-----

From: Jason Norquest <norquest@gmd3.org>
Sent: Friday, March 8, 2024 7:52 AM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: RE: request for recommendation, File Nos. HS 003, 8157

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.

Morning sunshine. How are things back there?
Didn't have an issue here.

Jason Norquest
Assistant Manager, GMD3
Cell: 620-271-1289
Office: 620-275-7147

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.gmd3.org%2F&data=05%7C02%7CMike.Meyer%40ks.gov%7C8b6c4cf69a47453b6f9108dc3faa5fb4%7Cdcae8101c92d480cbc43c6761cccc5a%7C0%7C0%7C638455248192607593%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=YF7t7i0%2BLKnlmtf4sVVv9TKuUqFeN%2BFrDfvFSv99qeE%3D&reserved=0>

-----Original Message-----

From: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Sent: Wednesday, March 6, 2024 4:40 PM
To: Jason Norquest <norquest@gmd3.org>
Subject: request for recommendation, File Nos. HS 003, 8157

Good afternoon, please see the attached changes in place of use to rearrange base +10. Base is 503 acres total combined.

Please review and provide a recommendation within 15 days

Thanks

Mike

-----Original Message-----