

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

1. File Number: <b>22194</b>	2. Status Change Date:	3. Change Num: <b>2</b>	4. Field Office: <b>02</b>	5. GMD: <b>03</b>
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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: <b>9/13/19</b>
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8a. Applicant(s) Person ID \_\_\_\_\_  
 New to system  Add Seq# \_\_\_\_\_

8c. Landowner(s) Person ID **41940**  
 New to system  Add Seq# **1**

**ARCH B & MICHELLE FRINK  
 PO BOX 1088  
 CIMARRON, KS 67835-1088**

8b. Landowner(s) Person ID \_\_\_\_\_  
 New to system  Add Seq# **1**

**ARCH FRINK  
 PO BOX 1088  
 CIMARRON KS 67835-1088**

8d. WUC Person ID **41940**  
 New to system  Add Seq# **1**

**ARCH B & MICHELLE FRINK  
 PO BOX 1088  
 CIMARRON, KS 67835-1088**

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/19**     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: **10/22/19**    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **10/22/19**    By: **TJS**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **22194**      11. County: **FORD**    Basin: **Arkansas River**      Stream: ---      Formation Code: ---      Special Use: ---

12. Points of Diversion										Rate and Quantity				
CHK										Authorized		Additional		
MOD	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
MOD	78022	NE NE NE	32	27S	26W	2	4865*	76*		No change to rate or quantity			None	

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		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
DEL	ENT	PUSE	S	T	R	ID	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼				
ENT	78022	32	27S	26W	1	31	31	31	31					31	31	31	31	248	8b & 8c	Yes	22774 & 22777
ENT	26107	33	27S	26W	1					32.3	30	29.7	32					124	8b & 8c	Yes	22774 & 22777
ENT	30151	4	28S	26W	1	Lot 1 31	Lot 2 31	31	31									124	8b & 8c	Yes	22774 & 22777

Base Acres: **190.7**    Year: **1980**    Minimum Reasonable Quantity: **1.34 AF / acre (FO Co)**  
 Comments: **\*only modifying pd to better describe footage distances using GPS values**

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 WATER METER REQUIRED



**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**  
 10:08am  
 SEP 13 2019

File No. 22194

Stafford 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: Arch Frink

PO Box 1088, Cimarron KS 67835-1088

Phone Number: (620)855-3282                      Email address: afrink14@hotmail.com

Name and address of Water Use Correspondent: Arch B & Michelle Frink

PO Box 1088, Cimarron KS 67835-1088

Phone Number: (620)855-3282                      Email address: afrink14@hotmail.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: Arch Frink

ADDRESS: PO Box 1088, Cimarron KS 67835-1088

(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	
32	27S	26W	35	12	29	40													276

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: A.) Arch Frink                      // B.) Arch B and Michelle L Frink

ADDRESS: A.) PO Box 1088, Cimarron KS 67835-1088 // B.) PO Box 1088, Cimarron KS 67835-1088

(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	
A.) 32	27S	26W	31	31	31	31													248
B.) 33	27S	26W																	124
B.) 4	28S	26W	Lot 1 31	Lot 2 31	31	31													124

For Office Use Only: Code _____	Fee \$ <u>200</u> = TR # _____	Receipt Date _____	Check # <u>5786</u>
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5. **Presently authorized point of diversion:**  
 One in the NE Quarter of the NE Quarter of the NE Quarter of Section 32, Township 27 South, Range 26 W, in Ford County, Kansas, 4976 feet North 105 feet West of Southeast corner of section.  
 Authorized Rate 1800 GPM Authorized Quantity 382 AF Depth of well --- (feet)  
**(DWR use only: Computer ID No. 2 GPS 4865 feet North 76 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 NE Quarter of the NE Quarter of the NE Quarter of Section 32, Township 27 South, Range 26 W, in Ford County, Kansas, 4865 feet North 76 feet West of Southeast corner of section.  
 Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) ---  
 This point is:  Additional Well  Geo Center List other water rights that will use this point None

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) Modifying the place of use to include current irrigation systems while creating a complete place of use overlap with File Nos. 22194, 22774, 22777

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

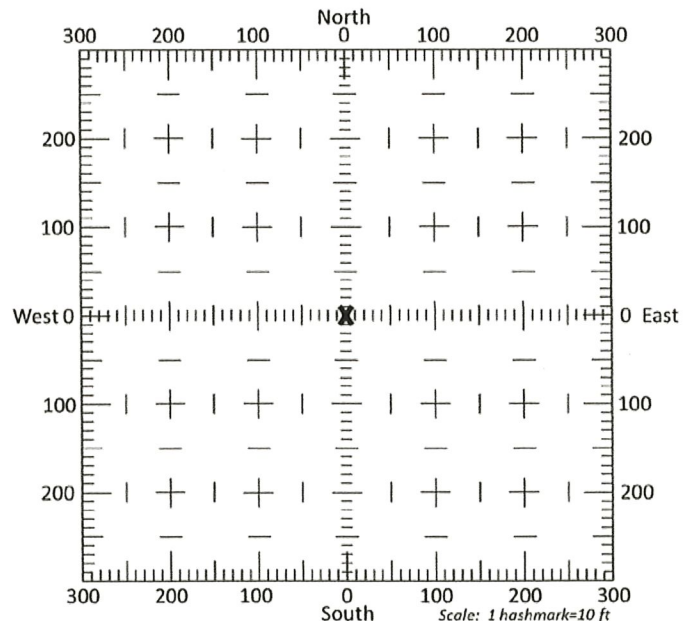
9. The change(s) (was)(will be) completed by?  
Upon approval

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
NA  
 (b) When will this be done? NA

11. Groundwater Management District recommendation attached?  Yes  No 9/19/19 TJS-SFFO

12. Assisted by TJS - SFFO

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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

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SEP 13 2019



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 Dodge City, Kansas, this 23<sup>rd</sup> day of August, 2019.

<u>[Signature]</u> (Owner)	_____ (Spouse)
<u>Arch Frink</u> (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }  
County of Ford } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23<sup>rd</sup> day of August, 2019.

[Signature]  
Notary Public

My Commission Expires December 19, 2022

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

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**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. 22194.

1. A change application was received on September 13, 2019 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, 2019**, 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: Cameron R. Conant  
Duly Authorized Designee of the Chief Engineer

(Print Name): Cameron R. Conant  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: October 22, 2019

State of Kansas \_\_\_\_\_ )

County of Stafford ) SS

Acknowledged before me on 10/22/2019

by Cameron Conant

Signature: Jessica N. Lightbreech

My commission expires: \_\_\_\_\_

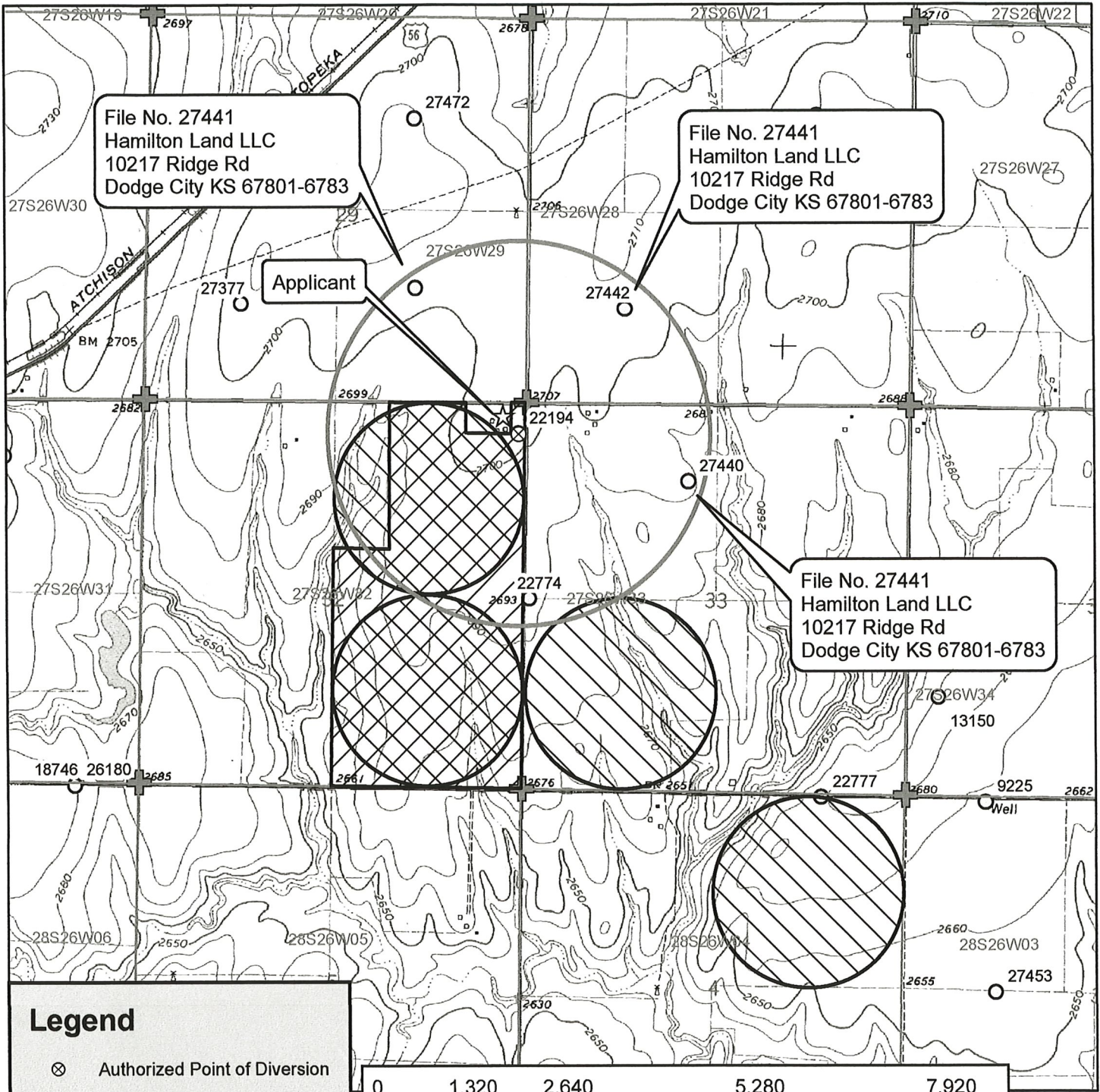


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SEP 13 2019

Stafford Field Office  
Division of Water Resources





File No. 27441  
Hamilton Land LLC  
10217 Ridge Rd  
Dodge City KS 67801-6783

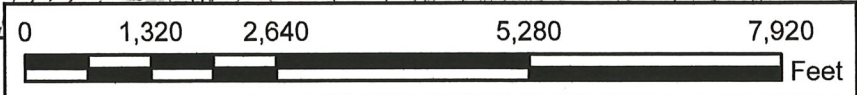
File No. 27441  
Hamilton Land LLC  
10217 Ridge Rd  
Dodge City KS 67801-6783

Applicant

File No. 27441  
Hamilton Land LLC  
10217 Ridge Rd  
Dodge City KS 67801-6783

**Legend**

- ⊗ Authorized Point of Diversion
- Water Appropriations
- 1/2 Mile Buffer
- ☆ Domestic Well
- ▭ Section Line
- ⊕ Section Corner
- Place of Use**
- ▨ Authorized
- ▩ Proposed



**Water Right, File No. 22194**  
Change in Place of Use, Application Map  
32/33-27S-26W, 4-28S-26W Ford County



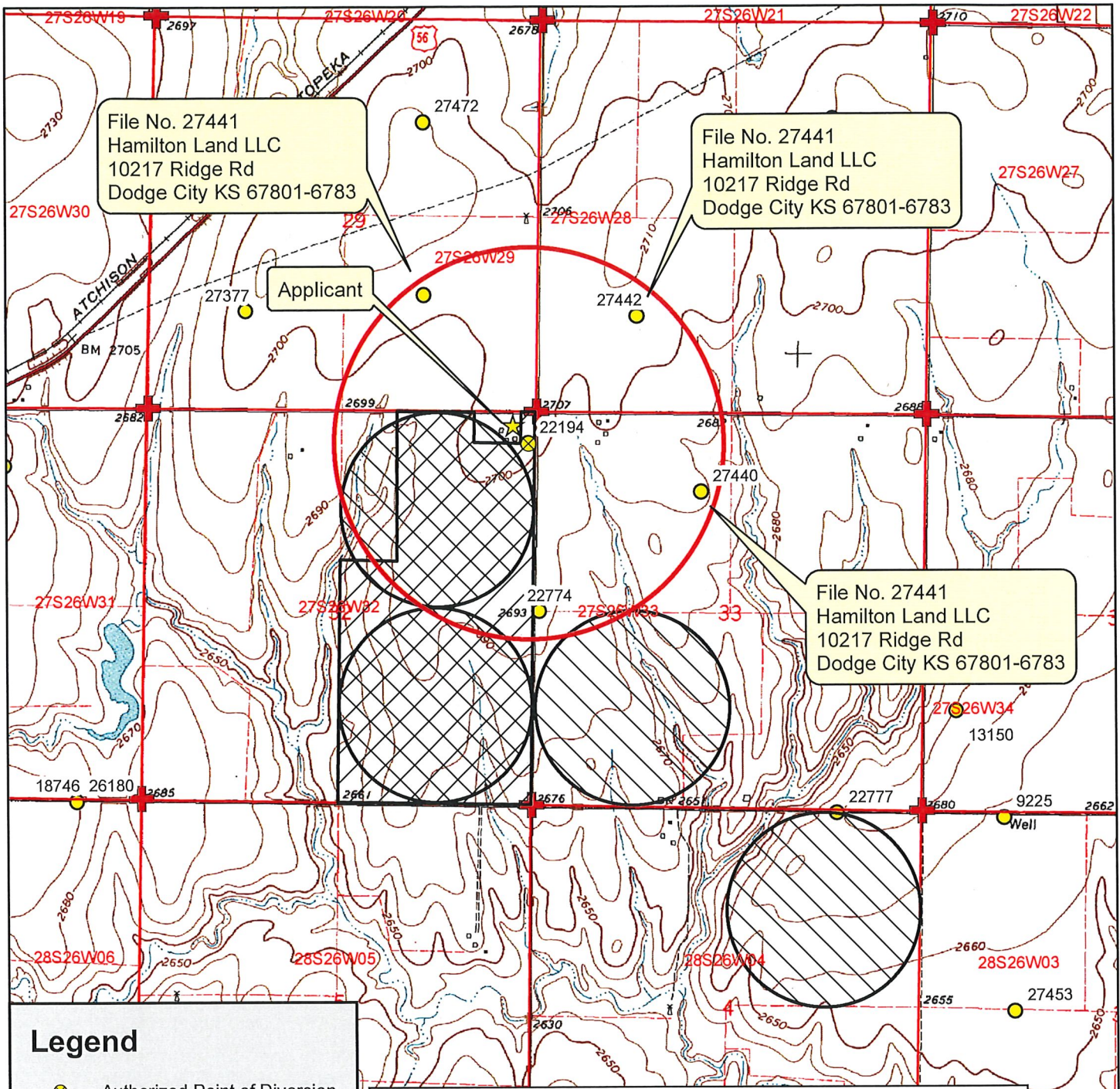
To the best of my knowledge, all water wells including domestic, within 1/2 mile of the authorized point of diversion have been shown.

RECEIVED  
SEP 13 2019

Stafford Field Office  
Division of Water Resources

Signature



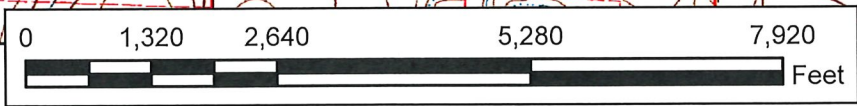


**Legend**

- Authorized Point of Diversion
- Water Appropriations
- 1/2 Mile Buffer
- Domestic Well
- Section Line
- Section Corner

**Place of Use**

- Authorized
- Proposed



**Water Right, File No. 22194**  
 Change in Place of Use, Application Map  
 32/33-27S-26W, 4-28S-26W Ford County



To the best of my knowledge, all water wells including domestic, within 1/2 mile of the authorized point of diversion have been shown.

**COPY**

Signature



Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521



Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

October 23

Arch Frink  
PO Box 1088  
Cimarron KS 67835-1088

Re: Water Right, File No(s). 22194

Dear Water Right Owner:

Enclosed is an order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this 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 to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Groundwater Management District No.3

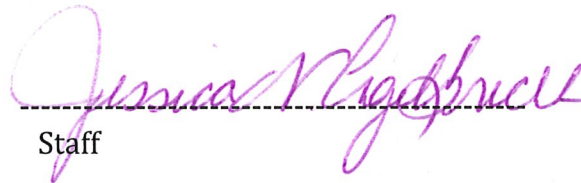
## CERTIFICATE OF SERVICE

On this **23rd** day of **October, 2019**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **22194**, dated **October 22, 2019** was mailed via Certified U.S. mail to the following:

Arch Frink  
PO Box 1088  
Cimarron KS 67835-1088

A copy of the letter was sent to the following:

GMD 03

  
-----  
Staff





# KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

## MEMORANDUM

---

**TO:** File

**DATE:** 9/17/2019

**FROM:** Tyler Saryerwinnie

**RE:** File Nos. 22194, 22774, &  
22777

This is a memorandum regarding surrounding well owner notification on irrigation field office PU changes and pertains to decisions made during the Water Commissioner meeting which took place on 11/16/2016 with directive from Lane Letourneau Program Manager.

This is applicable to field office changes to increase the place of use by 10 acres or 10% (whichever is less) or a change in place of use to create a complete overlap in which no new acres are being irrigated.

During that meeting it was determined that no surrounding well owner notification will be sent under this type of Place of Use change. All well rates and quantities will remain unchanged and the referenced change will not cause impairment or impact surrounding well owners.

The change in place of use applications filed on 9/13/2019 for the above referenced files meet this criteria and surrounding well owners will not be notified.

## Saryerwinnie, Tyler [KDA]

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Tuesday, September 17, 2019 4:13 PM  
**To:** norquest@gmd3.org  
**Cc:** Conant, Cameron [KDA]  
**Subject:** GMD Recommendation Request - File Nos. 22194, 22774, & 22777  
**Attachments:** 22194etal.Cover Letter + base reviews.pdf; 22194.Change App.pdf; 22774.Change App.pdf; 22777.Change App.pdf

Jason,

I have attached a cover letter and copies of three (3) place of use change applications for GMD review and recommendation. I have also included the base acre determinations for your reference. Please provide the GMD recommendation by no later than October 7, 2019.

Please let me know if you have any questions or concerns.

Thank you,  
Tyler

**Tyler Saryerwinnie**, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources  
Stafford Field Office  
Phone: (620)234-5311



Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521



Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

September 17, 2019

Jason Norquest  
Southwest Groundwater Management District No. 3  
2009 E Spruce Street  
Garden City, KS 67846

RE: Place of Use Change Application, File Nos. 22194, 22774, & 22777

Dear Mr. Norquest,

We are enclosing copies of the applications, as referenced above, for your review and recommendation. At this time the applications appear to be in proper form.

This office will delay any further action on this file for a period of 15 business days from the date of this letter to allow you time to submit your recommendations concerning the applications. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please feel free to contact the office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tyler Saryerwinnie".

Tyler Saryerwinnie  
Environmental Scientist  
Stafford Field Office  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

Enclosure

## Saryerwinnie, Tyler [KDA]

---

**From:** Jason Norquest <norquest@gmd3.org>  
**Sent:** Thursday, September 19, 2019 2:14 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** RE: GMD Recommendation Request - File Nos. 22194, 22774, & 22777  
**Attachments:** 2019\_Sept19\_ReviewMat\_PU.pdf

**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.

Here you go Tyler, seemed pretty straight forward. Do you need me to mail the signed cover page to you also?

*Jason Norquest*  
Assistant Manager, GMD3  
Cell: 620-271-1289  
Office: 620-275-7147  
[www.gmd3.org](http://www.gmd3.org)

---

**From:** Saryerwinnie, Tyler [KDA] <Tyler.Saryerwinnie@ks.gov>  
**Sent:** Tuesday, September 17, 2019 4:13 PM  
**To:** Jason Norquest <norquest@gmd3.org>  
**Cc:** Conant, Cameron [KDA] <Cameron.Conant@ks.gov>  
**Subject:** GMD Recommendation Request - File Nos. 22194, 22774, & 22777

Jason,

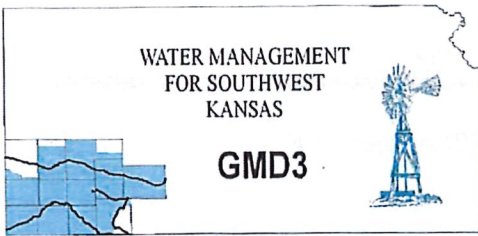
I have attached a cover letter and copies of three (3) place of use change applications for GMD review and recommendation. I have also included the base acre determinations for your reference. Please provide the GMD recommendation by no later than October 7, 2019.

Please let me know if you have any questions or concerns.

Thank you,  
Tyler

**Tyler Saryerwinnie**, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources  
Stafford Field Office  
Phone: (620)234-5311





**Southwest Kansas**  
**Groundwater Management District No. 3**  
2009 E. Spruce Street  
Garden City, Kansas 67846  
(620) 275-7147 phone (620) 275-1431 fax  
www.gmd3.org

September 19, 2019

Tyler Saryerwinnie  
Division of Water Resources  
300 S. Main Street  
Stafford, Kansas 67578-1521

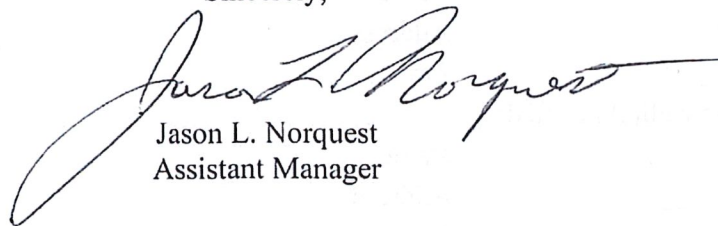
RE: Applications for Change in Place of Use  
Water Right, File Nos. 22194, 22774 & 22777

Dear Tyler:

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). The proposed change in place of use in irrigation acres is within the combined base acres for the water rights and will make a complete overlap, in accordance with K.A.R. 5-5-11. 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

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## GMD3 Change Review

---

File No(s): 22194, 22774 & 22777.

DWR office: SF.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Arch Frink.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? yes.

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			
Difference	0	0	
a2 + b2 = c2	0	0	0

GPS for proposed PD: Lat:    Long:   .

Is proposed PD stacking on existing WRs?   .

Is Proposed PU overlapping existing WRs? Will make a complete overlap with all 3 WRs and match the acres currently being irrigated.

Land Owner(s) notified:   .

Name   . Name   .

Address   . Address   .

Zip   . Zip   .

Neighboring certified well(s) notified:   .

Name   . Name   .

Address   . Address   .

Zip   . Zip   .

Domestic well(s) notified:   .

Name   . Name   .

Address   . Address   .

Zip   . Zip   .

Base Acres: 190.7(22194) + 154.9(22774) + 144.4(22777) = 490 acres total.

Perfected Acres:   .

Irr. Return-Flow   %

**Currently authorized acres:**

**22194: 276**

**22774: 154.9**

**22777: 147.17**

**Total: 578.07 acres**

**Apps propose a total of 496 acres. 6 acres over base, but within the 10 acres or 10% allowed in the rules.**

Is a waiver needed: No, only 6 acres over base.

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## GMD3 Change Review

---

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

A handwritten signature in black ink, consisting of several loops and a long tail, positioned below the recommendation text.

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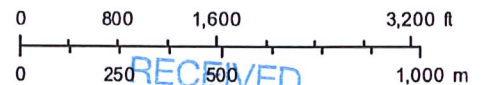
September 18, 2019

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

Legend

<b>Wells</b>	FPR	STK
Other	HYD	THX
IRR	IND	Empty
CON	MUN	Sections
DEW	REC	
DOM		

1:18,056



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SEP 19 2019  
 GMD FSA 2016  
 Stafford Field Office  
 Division of Water Resources



## Saryerwinnie, Tyler [KDA]

---

**From:** Arch Frink <Afrink14@hotmail.com>  
**Sent:** Monday, October 21, 2019 12:29 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** Fwd: DEEDS  
**Attachments:** 201910211132.pdf; ATT00001.htm

**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.

Begin forwarded message:

**From:** Alexis Penick <Alexis@hplt.net>  
**Date:** October 21, 2019 at 11:46:24 AM CDT  
**To:** "afrink14@hotmail.com" <afrink14@hotmail.com>  
**Subject:** re: DEEDS  
**Reply-To:** Alexis@hplt.net

I think this is what you were looking for!

Sorry about that!

Lex

---

**From:** "Alexis Penick" <Alexis@hplt.net>  
**Sent:** Friday, October 18, 2019 4:39 PM  
**To:** afrink14@hotmail.com  
**Subject:** DEEDS

Arch,

Attached are the requested deeds!

Have a good weekend!

Thanks,

Lex

630 WARRANTY DEED

RONALD LYNN FRINK and DORA ELLEN FRINK, husband and wife,

CONVEY AND WARRANT TO

ARCH FRINK

all of the following described REAL ESTATE in the County of Ford and the State of Kansas, to-wit:

The Southeast Quarter (SE<sup>1</sup>/<sub>4</sub>) of Section Thirty-Two (32), Township Twenty-Seven (27) South, Range Twenty-Six (26) West of the 6th P.M.;

The Northeast Quarter (NE<sup>1</sup>/<sub>4</sub>) of Section Thirty-Two (32), Township Twenty-Seven (27) South, Range Twenty-Six (26) West of the 6th P.M.; and

The Northeast Quarter (NE<sup>1</sup>/<sub>4</sub>) of Section Thirty-Four (34), Township Twenty-Seven (27) South, Range Twenty-Six (26) West of the 6th P.M.;

Reserving unto the grantors, Ronald Lynn Frink and Dora Ellen Frink as joint tenants with right of survivorship and not as tenants in common, a life estate in and to all of the above-described real property for the lifetimes of both and the survivor of the two of them, for as long as both and either of them shall live.

for the sum of gift

EXCEPT AND SUBJECT TO: Reservations, restrictions and rights-of way of record.

Pursuant to K.S.A. 79-1437e, a real estate validation questionnaire is not required due to Exception No. 4 (complete if applicable.)

Dated November 20, 2012


STATE OF KANSAS, Gray County, ss

BE IT REMEMBERED, That on this 20<sup>th</sup> day of November, 2012, before me, the undersigned, a notary public in and for the County and State aforesaid, came Ronald Lynn Frink and Dora Ellen Frink, husband and wife, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.


Patricia Ridenour  
Notary Public

Term expires 7-19-16

 PATRICIA RIDENOUR  
Notary Public - State of Kansas  
My Appt. Expires 7-19-16

Ronald L. Frink  
Ronald Lynn Frink

Dora Ellen Frink  
Dora Ellen Frink




State of Kansas, Ford County  
This instrument was filed for  
Record on November 21, 2012 08:30:00 AM  
Recorded in Book D 240 Page 630-630  
Fee: \$8.00 201206478

Brenda Pogue  
Brenda Pogue, Register of Deeds

Deputy.

Fees. \$ \_\_\_\_\_



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OCT 21 2019

Stafford Field Office  
Division of Water Resources

Taxes: 10195 Ridge Rd. Ensign KS 67841

Recorded in Transfer Record in my office this 21<sup>st</sup> day of November, A.D. 2012.  
Patricia Ridenour  
County Clerk



672

**DEED OF ADMINISTRATOR**

David Buchanan, as Administrator of the Estate of Kenneth G. Hink, Deceased, does hereby grant, bargain, sell and convey all of the interest of Kenneth G. Hink, Deceased, discharged from liability from his debts, in and to the following described real estate in Ford County, Kansas:

**All that real estate described as Tract 1 and Tract 2 on the attached Exhibit A, made a part of this deed by reference**

to Arch B. Frink and Michelle L. Frink as joint tenants with the right of survivorship and not as tenants in common,

for the sum of \$1,150,900.00.

EXCEPT and subject to easements and mineral reservations of record, any.

This deed given pursuant to an order approving sale on the \_\_\_ day of May, 2013, in the District Court of Ford County, Kansas, in a proceeding captioned "In the Matter of the Estate of Kenneth G. Hink, Deceased", Case No: 12 PR 20.

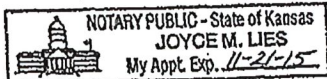
Dated this 10 day of May, 2013.

David Buchanan  
David Buchanan

**ACKNOWLEDGMENT**

STATE OF KANSAS,  
COUNTY OF FORD, SS:

The foregoing Administrator's Deed was acknowledged before me, a notary public, on the 10 day of May, 2013, by David Buchanan, as Administrator of the Kenneth G. Hink Estate.



Joyce M. Lies  
Notary Public

My appointment expires : \_\_\_\_\_



State of Kansas, Ford County  
This instrument was filed for  
Record on May 14, 2013 08:30:00 AM  
Recorded in Book D 241 Page 672-673  
Fee: \$12.00 201302783

Brenda Pogue  
Brenda Pogue, Register of Deeds



Entered in transfer record in my office  
this 14<sup>th</sup> day of May, A.D.  
2013 Stewart Seibel  
County Clerk

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Division of Water Resources

## LEGAL DESCRIPTION

### TRACT 1

The South Half (S/2) of Section Thirty-three (33), Township Twenty-seven (27) South, Range Twenty-six (26) West of the 6<sup>th</sup> P.M., Ford County, Kansas, according to the Government Survey thereof.

### TRACT 2

Lots Numbered One (1) and Two (2) and the South Half of the Northeast Quarter (S/2 of NE/4) of Section Four (4), Township Twenty-eight (28) South, Range Twenty-six (26) West of the 6<sup>th</sup> P.M., Ford County, Kansas, according to the Government Survey thereof.

Lot Number Three (3) and Four (4) and the South Half of the Northwest Quarter (S/2 of NW/4) of Section Four (4), Township Twenty-eight (28) South, Range Twenty-six (26) West of the 6<sup>th</sup> P.M., Ford County, Kansas, according to the Government Survey thereof.

A tract of land in the Southwest Quarter (SW/4) of Section Four (4), Township Twenty-eight (28) South, Range Twenty-six (26) West bounded as follows: Beginning at the Southeast corner of said Southwest Quarter (SW/4) running thence West on the Section line 54 rods; thence North 152 rods; thence West 106 rods to the West line of the Quarter Section; thence North along the Section line 8 rods to the Northwest corner of said Quarter Section; thence East along the North line of said Quarter Section to the Northeast corner thereof; thence South along the East line of said Quarter Section to the Southeast corner thereof to the Place of Beginning

EXCEPT the following Tract of land previously Deceded to Michael Giardine and Diane Giardine, Recorded in Book 240 at Page 462, more fully described as follows, to-wit:

The Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE/4 NE/4 NW/4) and the East Half of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (E/2 NW/4 NE/4 NW/4) all in Section Four (4), Township Twenty-eight (28) South, Range Twenty-six (26) West of the 6<sup>th</sup> P.M., Ford County, Kansas.

EXHIBIT A

6 7 3

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Division of Water Resources



BK 00246 PG 00849



Entered in transfer record in my office

this 3rd day of June A.D.

2016 [Signature]  
County Clerk

STATE OF KANSAS, FORD COUNTY  
This instrument was filed for  
Record on 06/03/2016 12:24 PM

BOOK D: B: 246 P: 848

201601508

HERITAGE TRUST FEE: 2.00

RECORDING FEE: 18.00

TECHNOLOGY FEE: 6.00

PAGES: 2

BRENDA POGUE, REGISTER OF DEEDS

Taxes:

Arch B. Frink

Michelle L. Frink

P.O. Box 1088

Cimarron, KS 67835

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OCT 21 2019

Stafford Field Office  
Division of Water Resources

6/3/2016 12:24:00 PM



**WARRANTY DEED**


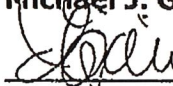
This 3rd day of <sup>June</sup> ~~May~~, 2016, **Michael Giardine and Diane Giardine, Husband and Wife**, Grantors, conveys and warrants unto **Arch B. Frink and Michelle L. Frink, Husband and Wife, Grantees**, the following described real estate in the County of Ford, and the State of Kansas, to-wit:

The Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE/4 NE/4 NW/4, and, the East Half of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (E/2 NW/4 NE/4 NW/4), of Section 4, Township 28, Range 26 West of the 6<sup>th</sup> P.M.

together with all oil, gas, and other minerals.

for the sum of \$1.00 and other good and valuable consideration

**EXCEPT AND SUBJECT TO** oil and gas leases, easements, restrictions, and right-of-ways of record, if any.

  
\_\_\_\_\_  
Michael J. Giardine  
  
\_\_\_\_\_  
Diane K. Giardine

STATE OF KANSAS            )  
                                          ) ss:  
COUNTY OF GRAY         )

**BE IT REMEMBERED**, that on this 3 day of June, 2016, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Michael Giardine and Diane Giardine, a married couple, who is personally known to me to be the same persons who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official seal, the day and year last above written.

  
\_\_\_\_\_  
Notary Public

My Appointment Expires:  
**LISA CHALKLEY**  
Notary Public - State of Kansas  
My Appt. Expires **11-13-2017**

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**OCT 21 2019**  
Stafford Field Office  
Division of Water Resources



## Saryerwinnie, Tyler [KDA]

---

**From:** Conant, Cameron [KDA]  
**Sent:** Wednesday, July 31, 2019 2:45 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** Arch Frink (22194, 22774, 22777)

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Arch said he'd be ok with all 4 pivots being called 122-123 acres. I rubbed my eyes right before he answered...I at a dang hot pepper on my sandwich during lunch and hadn't washed my hands well enough. Bad news. I was considering hanging up but we had such trouble connecting I stayed on, couldn't see and was crying, but I saw the call to the end!

He will call back today...if he doesn't we need to call him and chase down the ownership. He owns the east 2 pivots now and the west pivots need to be changed to a trust. I told him he can tell us what it is and we'll fill it out with the correct ownership and he can submit title/deed showing it correct when he sends back the apps.

Cam