

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

1. File Number: 36647	2. Status Change Date:	3. Change Num: 2	4. Field Office: 02	5. GMD:
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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: 5/6/19
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8a. Applicant(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____	8c. Landowner(s) Person ID _____ New to system <input checked="" type="checkbox"/> Add Seq# 1 <p style="text-align: center;">GWENDOLYN C SALMANS PO BOX 128 HANSTON KS 67849-0128</p>
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8b. Landowner(s) Person ID 6257 New to system <input type="checkbox"/> Add Seq# 1 <p style="text-align: center;">GOOD EARTH RANCH INC WALT SALMANS PO BOX 128 HANSTON KS 67849-0128</p>	8d. WUC Person ID 6257 New to system <input type="checkbox"/> Add Seq# 1 <p style="text-align: center;">GOOD EARTH RANCH INC WALT SALMANS PO BOX 128 HANSTON KS 67849-0128</p>
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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: **5/14/19** Date to Comply: _____

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

Date Prepared: **5/8/19** By: **TJS**
 Date Entered: _____ By: _____

File No. **36647** | 11. County: **HODGEMAN** | Basin: **Buckner Creek** | Stream: --- | Formation Code: **113** | Special Use: ---

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

CHK 66402 6 38764, 20177052-MF

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	31019	31	22S	22W	3									17.5	Lot 3 13.5	Lot 4 31	20.5					82.5			8b. No, HG 65, 8407, 19130, 28176, 36641, 38764, 20177052-MF
MOD	35362	36	22S	23W	1											Lot 4 12	20	14.5	15	17.5	19.5	98.5			8b. No, HG 65, 8407, 19130, 28176, 36641, 38764, 20177052-MF
MOD	10365	6	23S	22W	1	Lot 1 30.5	Lot 2 25	17	13	Lot 3 4.5	Lot 4 3.5										93.5			8b. No, HG 65, 8407, 19130, 28176, 36641, 38764, 20177052-MF	
MOD	58076	1	23S	23W	2	Lot 1 8	Lot 2 10	3.5	2.5									30	30	31	31	146			8c. Yes, HG 65, 8407, 19130, 28176, 36641, 38764, 20177052-MF

Base Acres: **80 (zero add')** Year: **Multiple** Minimum Reasonable Quantity: **1.32 AF/acre**
 Comments:

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

**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.

File No. 36647

RECEIVED
 9:42am
 MAY 06 2019
 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: Walt Salmans
PO Box 128, Hanston, Kansas 67849

Phone Number: (620)623-0105 Email address: _____

Name and address of Water Use Correspondent: Good Earth Ranch Inc, Walt Salmans

PO Box 128, Hanston Kansas 87849-0128

Phone Number: (620)623-0105 Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: A.) Good Earth Ranch Inc, Walt Salmans B.) Gwendolyn C Salmans

ADDRESS: A.) PO Box 128, Hanston Kansas 87849-0128 B.) PO Box 128, Hanston Kansas 67849-0128

(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.) 31	22S	22W										17	Lot 3 14	Lot 4 30	24					85
A.) 36	22S	23W										1		Lot 4 11	20	22	18	17	21	110
A.) 6	23S	22W	Lot 1 30	Lot 2 26	16	12	Lot 3 3	Lot 4 4												91
B.) 1	23S	23W														30	30	31	31	122

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.) Good Earth Ranch Inc, Walt Salmans B.) Gwendolyn C Salmans

ADDRESS: A.) PO Box 128, Hanston Kansas 87849-0128 B.) PO Box 128, Hanston Kansas 67849-0128

(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.) 31	22S	22W										17.5	Lot 3 13.5	Lot 4 31	20.5					82.5
A.) 36	22S	23W												Lot 4 12	20	14.5	15	17.5	19.5	98.5
A.) 6	23S	22W	Lot 1 30.5	Lot 2 25	17	13	Lot 3 4.5	Lot 4 3.5												93.5
B.) 1	23S	23W	Lot 1 8	Lot 2 10	3.5	2.5										30	30	31	31	146

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date _____ Check # 5998

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the SE Quarter of the SE Quarter of Section 36, Township 22 South, Range 23 W, in Hodgeman County, Kansas, 280 feet North 796 feet West of Southeast corner of section. Authorized Rate 400 GPM Authorized Quantity 40 AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 6 GPS 280 feet North 796 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 _____, 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 38764, 20177052-MF

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____, South, Range _____, 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 None

7. The changes herein are desired for the following reasons?
 (please be specific) Modifying the place of use to include a new small pivot in the NE of 1-23-23W and create a complete overlap between File Nos. HG 65, 8407, 19130, 28176, 36641, 36647, & 38764.

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

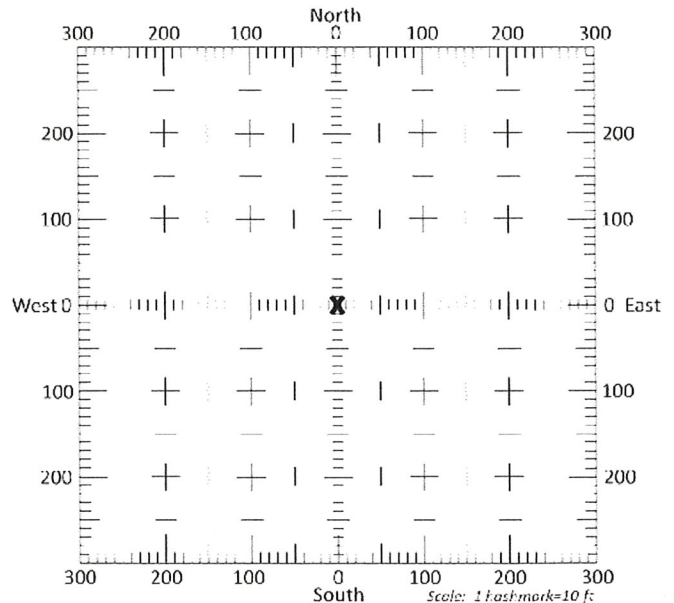
9. The change(s) (was)(will be) completed by?
Upon Approval

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

12. Assisted by TJS/EKF - 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.)**

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. 36647.

1. A change application was received on May 6, 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

*TJS-5FF0

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

By: Cameron P. Conant
Duly Authorized Designee of the Chief Engineer

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

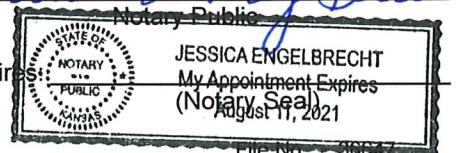
Date of Issuance: May 14, 2019

State of Kansas _____)
County of Stafford) SS

Acknowledged before me on 05/14/19
by Cameron Conant

Signature: Jessica Engelbrecht
Notary Public

My commission expires: _____
JESSICA ENGELBRECHT
My Appointment Expires
(Notary Seal)
August 11, 2021

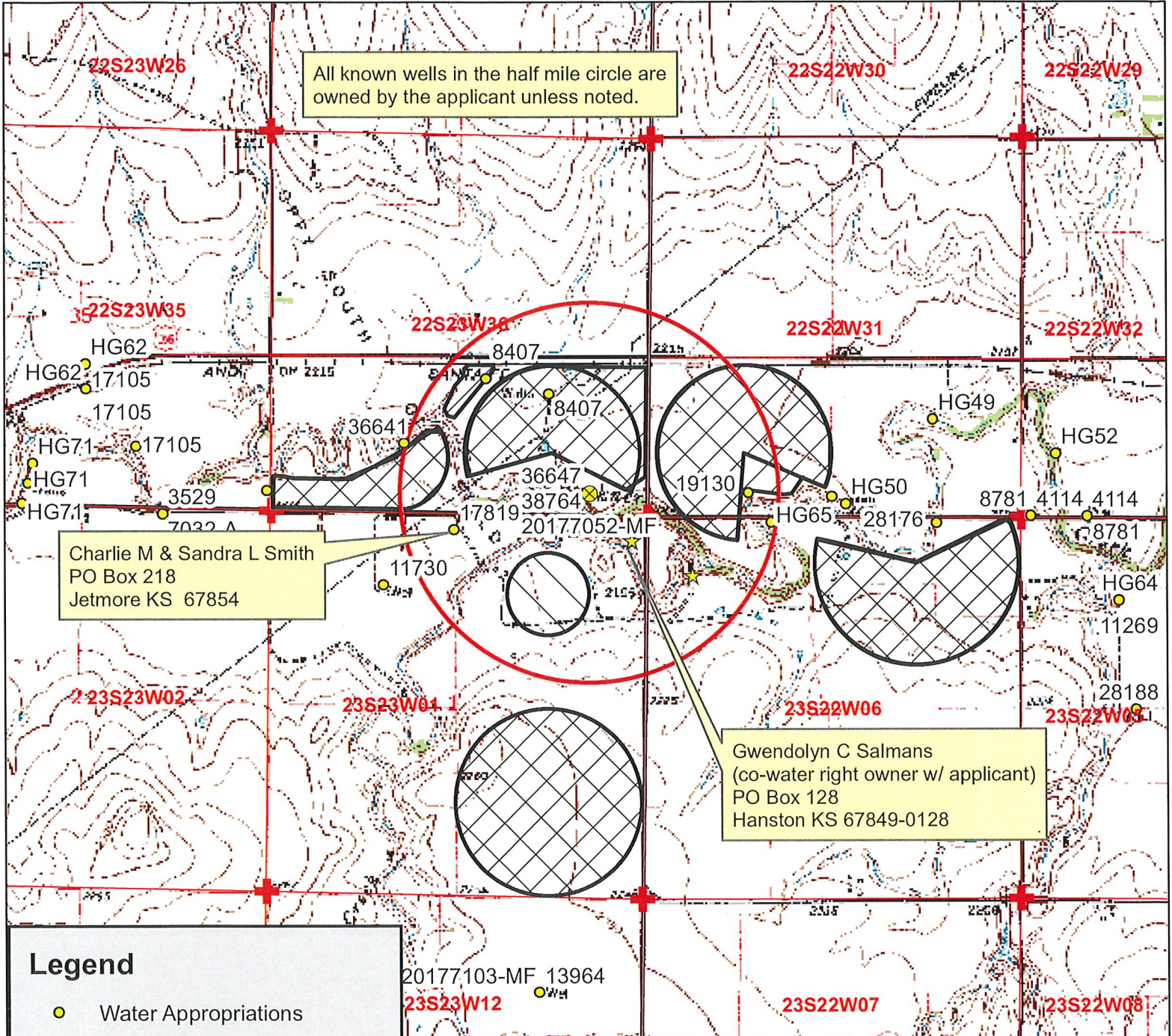


**ADDITIONAL CONDITIONS TO SUMMARY ORDER APPROVING
APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which Water Right, File No. 36647 shall be subject to the following conditions:

- 11a. If the water flowmeter is replaced with a new flowmeter then the owner of the authorized place(s) of use shall properly install an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer

- 11b. A seal shall be placed on the water flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right.



All known wells in the half mile circle are owned by the applicant unless noted.

Charlie M & Sandra L Smith
PO Box 218
Jetmore KS 67854

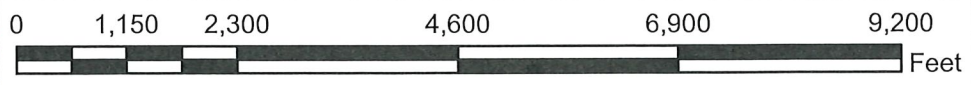
Gwendolyn C Salmans
(co-water right owner w/ applicant)
PO Box 128
Hanston KS 67849-0128

Legend

- Water Appropriations
- ⊗ Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- ▭ Township Line
- ▭ Half Mile Circle

Place of Use

- ▨ Authorized
- ▨ Proposed



Water Right, File No. 36647, 38764 & 20177052-MF

Change in Place of Use Application Map
31-22-22W, 36-22-23W, 1-23-23W & 6-23-22W // Hodgeman County

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

COPY

Signature

4/16/19 EKF-SFFO 1:24,000 scale



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



Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

May 14, 2019

Walt Salmans
PO Box 128
Hanston KS 67849

Re: Water Right, File No(s). 36647

Dear Water Right Owner:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above 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 the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <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,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

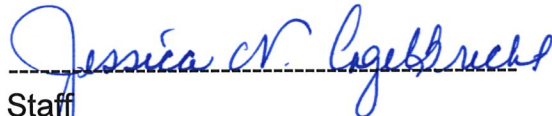
Jeff Lanterman
Water Commissioner

Enclosures
pc: Water Rights Section

CERTIFICATE OF SERVICE

On this **14th** day of **May, 2019**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **36647**, dated **May 14, 2019** was mailed via Certified U.S. mail to the following:

Walt Salmans
PO Box 128
Hanston KS 67849



Staff



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File

DATE: 5/8/2019

FROM: Tyler Saryerwinnie

RE: File No. HG-65, 8407, 19130, 28176,
36641, 36647, & 38764

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 **5/6/2019** for the above referenced files meet this criteria and surrounding well owners will not be notified.