

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

ADDRESS / NAME CHANGE PER APPLICATION

1. File Number: 14560	2. Status Change Date: 8/1/22	3. Change Num: 1	4. Field Office: 02	5. GMD: 03	
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: 7/29/22	
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8d. WUC New to system <input type="checkbox"/>	
JUDITH YOUNG TRUST C/O LUKE HARRINGTON 2501 CAMPUS DR STE 400 GARDEN CITY KS 67846		MARVIN OR DENNIS HERTEL 11381 101 RD ENSIGN KS 67841			
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/22</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/22</u>					
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> H & E Letter					
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____					
10. Use Made of Water From: --- _____ To: --- _____					
				Date Prepared: 7/29/22 By: TMA	
				Date Entered: _____ By: _____	

File No. **14560** 11. County: **FO** Basin: **ARKANSAS RIVER** Stream: **---** Formation Code: **211** Special Use: **---**

12. Points of Diversion											Rate and Quantity							
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					30168	NC	SE	5	27S	26W	2	1320	1290	885	147	885	147	N
DEL					3288	NC	NE	5	27S	26W	1	3960	1290	940	191	940	191	N
ENT						SE	NW	NE	5	27S	26W	4051	1368	940	191	940	191	N

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	DEL	ENT	PUSE	S	T	R	ID	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	NE ¼	NW ¼	SW ¼	SE ¼						
CHK					33079	5	27S	26W	1	32.5	32.5	32.5	32.5					32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5	390	8B	N	18353		

Base Acres: --- Year: --- Minimum Reasonable Quantity: ---
 Comments:

5. **Presently authorized point of diversion:**
 One in the -- Quarter of the NC Quarter of the NE Quarter
 of Section 5, Township 27 South, Range 26 W,
 in FORD County, Kansas, 3960 feet North 1290 feet West of Southeast corner of section.
 Authorized Rate 940 gpm Authorized Quantity 260 AF Depth of well 160' (feet)
 (DWR use only: Computer ID No. 1 GPS -- feet North -- feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the SE Quarter of the NW Quarter of the NE Quarter
 of Section 5, Township 27 South, Range 26 W,
 in FORD County, Kansas, 4051 feet North 1368 feet West of Southeast corner of section.
 Proposed Rate No change Proposed Quantity No change Proposed well depth (feet) ~160'
 This point is: Additional Well Geo Center List other water rights that will use this point None

-TMA 7/29/22

6. **Presently authorized point of diversion:**
 One in the -- Quarter of the NC Quarter of the SE Quarter
 of Section 5, Township 27 South, Range 26 W,
 in FORD County, Kansas, 1320 feet North 1290 feet West of Southeast corner of section.
 Authorized Rate 885 gpm Authorized Quantity 147 AF Depth of well 170' (feet)
 (DWR use only: Computer ID No. 2 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 None

-TMA 7/29/22

7. The changes herein are desired for the following reasons?
 (please be specific) Applicant would like
a new well at proposed location.

-TMA 7/29/22

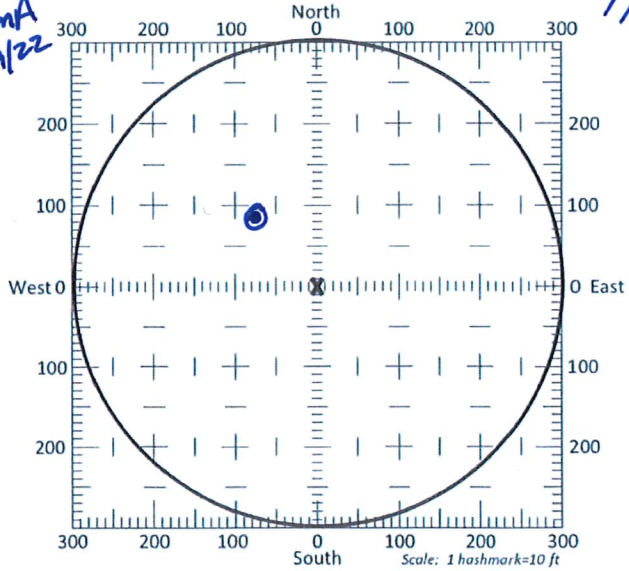
8. If a well, is the test hole log attached? Yes No

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

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? ASAP

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by JG/GCFO _____



13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines

13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

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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 25th day of July, 2022.

By: [Signature]

(Owner)

(Spouse)

Luke Hamilton

(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 25th day of July, 2022.



[Signature]

Notary Public

My Commission Expires

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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Stafford Field Office
Division of Water Resources

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. 14560.

1. A change application was received on 7/29/22 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 50 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 170 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, 2022, 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, 2022, or within any authorized extension of time. By March 1, 2023 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.

- TMA 7/29/22
SFFD

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

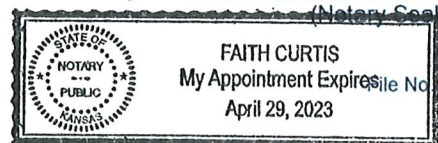
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Stafford Field Office
Division of Water Resources

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

By: Jeff Lantzman
Duly Authorized Designee of the Chief Engineer
(Print Name): Jeff Lantzman
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: 8/2/2022
State of Kansas)
County of Stafford) SS
Acknowledged before me on 8/2/2022
by Faith Curtis
Signature: Faith Curtis
Notary Public
My commission expires: _____ (Notary Seal)



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, Secretary

Laura Kelly, Governor

August 8, 2022

Judith Young Trust
C/O Luke Harrington
2501 Campus Dr STE 400
Garden City, KS 67846

Re: Water Right, File No(s). 14560

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 can be found at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters. Regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation>. This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/change-applications. 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.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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
Groundwater Management District No.3

CERTIFICATE OF SERVICE

On this **2 August 2022**, I hereby certify that the attached Change in Point of Diversion, File No. 14560 dated 8/2/2022 was mailed to the following:

Judith Young Trust
C/O Luke Harrington
2501 Campus Dr STE 400
Garden City, KS 67846

pc: Water Rights Section
GMD #3

Faith Curtis

Staff

Arrowood, Taylor [KDA]

From: Arrowood, Taylor [KDA]
Sent: Friday, July 29, 2022 2:42 PM
To: Meyer, Mike [KDA]
Subject: RE: 14560 Application

Hey Mike,

Thanks for the heads up, I think we can probably just process from this pdf. I will let you know if anything changes on that.

Thanks!
Taylor

From: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Sent: Friday, July 29, 2022 2:36 PM
To: Arrowood, Taylor [KDA] <Taylor.Arrowood@ks.gov>
Cc: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: 14560 Application

Taylor, this application is in docuware that we accepted here in garden city. We spoke of this a week or two. I will let hydro resources know that you have it, not sure of their timeframe. I will also let the farm manger know that you have it to process. If you want us to mail the original to you guys let me know.

Thanks

Mike

From: Jones, Julie [KDA] <Julie.Jones@ks.gov>
Sent: Friday, July 29, 2022 2:32 PM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: 14560 Application