

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

NAME AND ADDRESS CHANGE

| | | | | | |
|---|---|--|-------------------------------|--|--|
| 1. File Number: 15747 | 2. Status Change Date: 2/3/23 | 3. Change Num: C2 | 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: 1/19/23 | |
| 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 65001 Add Seq# 1 | | 8d. WUC New to system <input type="checkbox"/> | |
| CONDON HEUP FARMS LLC ATTN: PATRICIA CONDON HEUP MANAGER HANOVER SOUTHAMPTON 5122 MORNINGSIDE DRIVE APT 1101 HOUSTON TX 77005 | | FARMERS NATIONAL COMPANY ATTN COLE OWENS PO BOX 1834 GARDEN CITY KS 67846 | | | |
| 9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/23 <input type="checkbox"/> N & P Date to Comply: _____ | | | | | |
| <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input 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: 2/1/23 By: TMA | |
| | | | | Date Entered: By: | |

File No. **15747** 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 |
| MOD | 68788 | | | | NE NW SE | 12 | 28S | 24W | 3 | 2558 | 1523 | | 1060 | 320 | 1060 | 320 | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |

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 | | | | | |
| MOD | 20012 | | | | 12 | 28S | 24W | 1 | | 40 | 40 | 40 | 40 | | | | | | | | | 40 | 40 | 40 | 40 | 320 | 8B | NO | 30350 | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Base Acres: **260** Year: **1971** Minimum Reasonable Quantity: **1.34**
 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
<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
 8:30 am
 JAN 19 2023

File No. 15747

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

Place of Use Point of Diversion

Stafford Field Office
 Division of Water Resources

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: Farmers National Company; Attn: Cole Owens

PO BOX 1834, Garden City, KS 67846

Phone Number: (620)521-1450 Email address: cowens@farmersnational.com

Name and address of Water Use Correspondent: Farmers National Company; Attn: Cole Owens

PO BOX 1834, Garden City, KS 67846

Phone Number: (620)521-1450 Email address: cowens@farmersnational.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: CONDON HEUP FARMS LLC ATTN: HANOVER SOUTHAMPTON

ADDRESS: 5122 MORNINGSIDE DR APT# 1101, HOUSTON, TX 77005

(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 | |
| 12 | 28S | 24W | | | | | | | | | | | | | 40 | 40 | 40 | 40 | 160 |
| | | | | | | | | | | | | | | | | | | | |

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: CONDON HEUP FARMS LLC ATTN: HANOVER SOUTHAMPTON

ADDRESS: 5122 MORNINGSIDE DR APT# 1101, HOUSTON, TX 77005

(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 | |
| 12 | 28S | 24W | 40 | 40 | 40 | 40 | | | | | | | | | 40 | 40 | 40 | 40 | 320 |
| | | | | | | | | | | | | | | | | | | | |

For Office Use Only: Code CPU Fee \$ 200⁰⁰ TR # _____ Receipt Date _____ Check # 759949

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the NW Quarter of the SE Quarter
 of Section 12, Township 28 South, Range 24 W,
 in Ford County, Kansas, 2,630 feet North 1,635 feet West of Southeast corner of section.
 Authorized Rate 1,060 gpm Authorized Quantity 320 AF Depth of well 385 (feet)
(DWR use only: Computer ID No. 3 GPS 2,558 feet North 1,523 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 NW Quarter of the SE Quarter
 of Section 12, Township 28 South, Range 24 W,
 in Ford County, Kansas, 2,558 feet North 1,523 feet West of Southeast corner of section.
 Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) no change
 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 _____

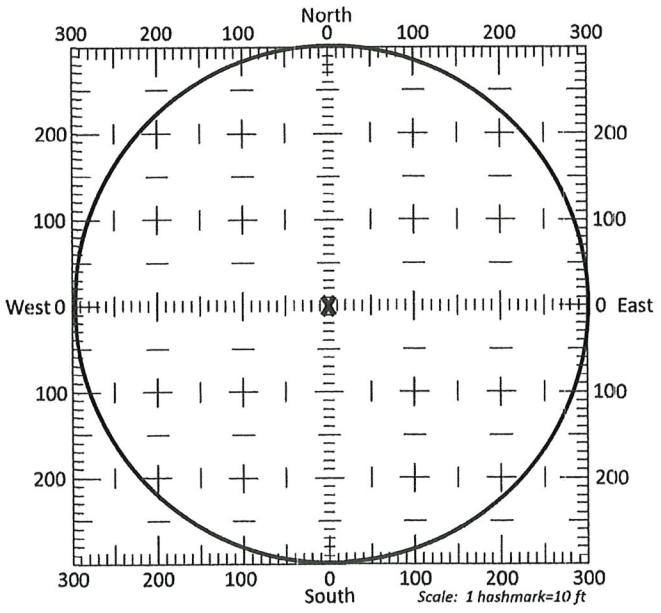
7. The changes herein are desired for the following reasons?
 (please be specific) Applicant desires to create a place of
use overlap (complete overlap) between file nos. 15747
and 30350.

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?
N/A
 (b) When will this be done? N/A

11. Groundwater Management District recommendation attached?
 Yes No
2/3/23 cre
 12. Assisted by TMA 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 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 Houston, Texas, ~~Kansas~~, this 5th day of JANUARY, 2023.

Patricia Condon Heap
 (Owner)

 (Spouse)

PATRICIA CONDON HEAP
 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

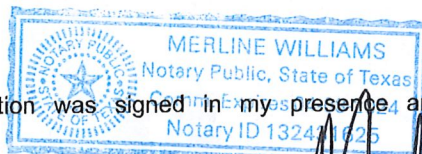
 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas TX }
 County of HARRIS- } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5 day of JAN, 2023.

[Signature]
 Notary Public

My Commission Expires 04/08/2024.

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

RECEIVED

JAN 19 2023

File No. 15747

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. 15747.

1. A change application was received on January 19, 2023 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2023**, 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, 2023**, or within any authorized extension of time. By March 1, 2024 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

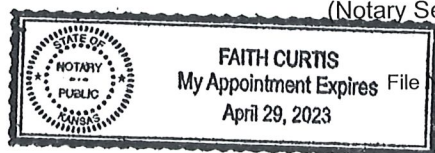
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and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

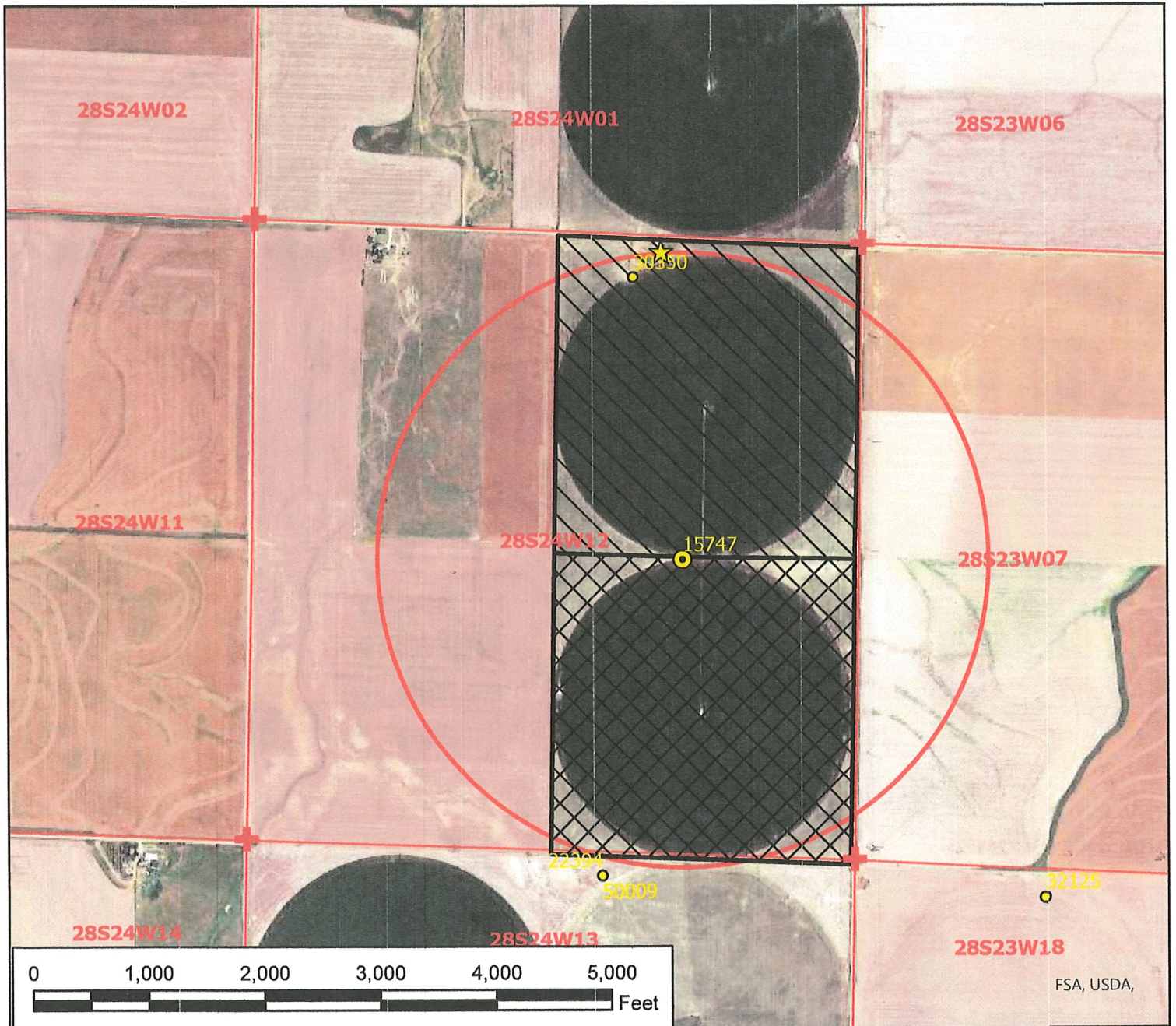
For Use by Register of Deeds

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

By: Cameron R. Covant
Duly Authorized Designee of the Chief Engineer
(Print Name): Cameron R. Covant
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: February 3, 2023
State of Kansas)
County of Stafford) SS
Acknowledged before me on 2/3/2023
by Faith Curtis
Signature: Faith Curtis
Notary Public

My commission expires: _____ (Notary Seal)





Legend

- ⊗ Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ★ Domestic Well
- Groundwater
- Surfacewater
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle
- ▨ Authorized Place of Use
- ▨ Proposed Place of Use

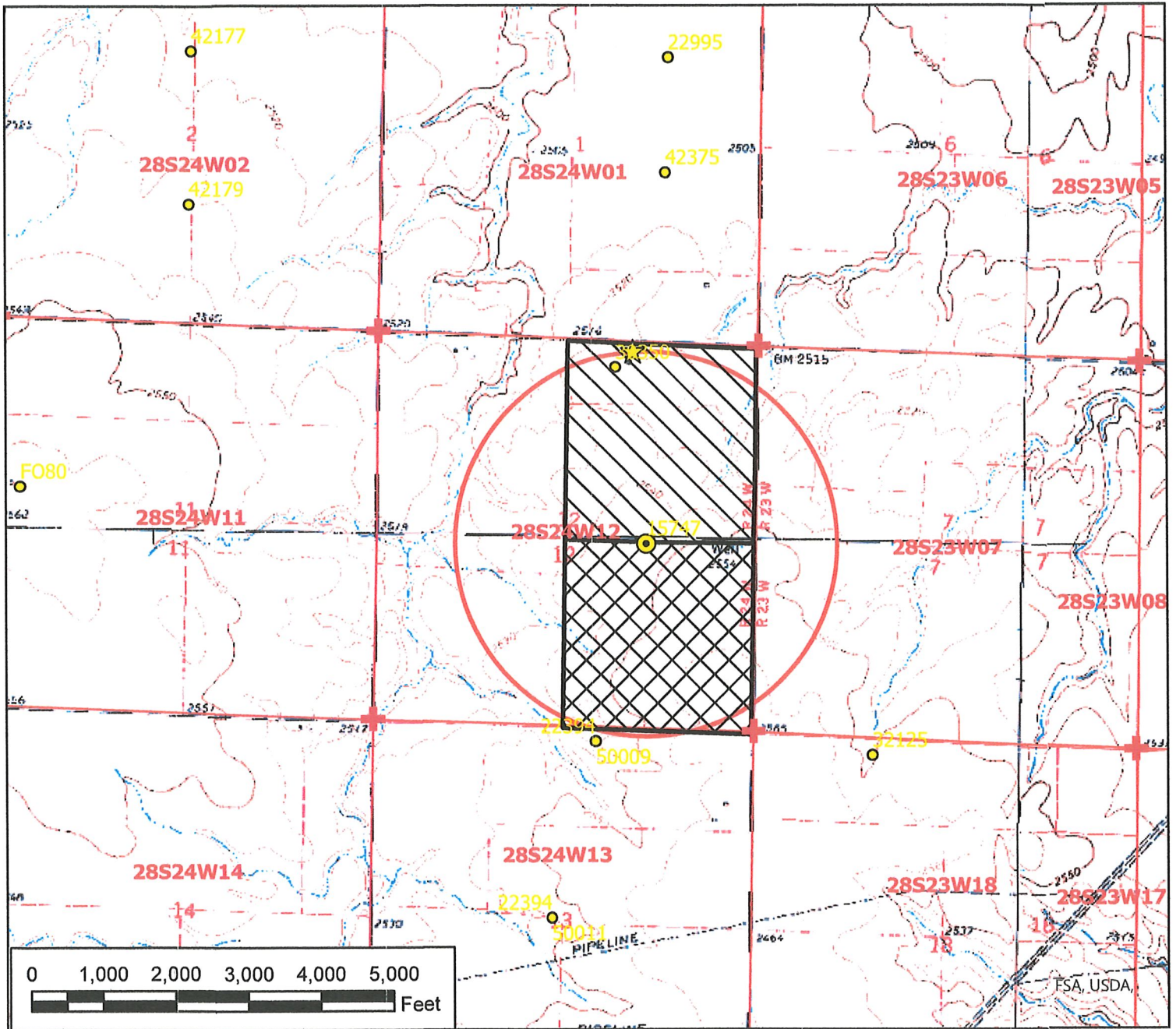
Water Right, File No. 15747

Change in Place of Use Map 12-28-24W // Ford County

RECEIVED
 JAN 26 2023
 Stafford Field Office
 DIVISION OF WATER RESOURCES

To the best of my knowledge, all known wells within one-half mile of the proposed point(s) of diversion have been shown.

Patricia Gordon Kemp 01/20/2023
 Signature / Date 12/7/2022 TMA/SFFO 1:15,000 scale



Legend

- ⊗ Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ★ Domestic Well
- Groundwater
- Surfacewater
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle
- ▨ Authorized Place of Use
- ▧ Proposed Place of Use

Water Right, File No. 15747

Change in Place of Use Map 12-28-24W // Ford County

RECEIVED
 JAN 20 2023
 Stafford Field Office
 DIVISION OF WATER RESOURCES

To the best of my knowledge, all known wells within one-half mile of the proposed point(s) of diversion have been shown.

Dorena Gordon Sep 01/20/2023
 Signature / Date 12/7/2022 TMA/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, Secretary

Laura Kelly, Governor

February 3, 2023

Farmers National Company
ATTN Cole Owens
PO Box 1834
Garden City, KS 67846

Re: Water Right, File No(s). 15747 & 30350

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 <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/new-applications-and-permits>. 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
Groundwater Management District No. 3

CERTIFICATE OF SERVICE

On this **3rd** day of **February, 2023**, I hereby certify that the attached DWR Field Office Application for Change in Place of Use for Water Right, File No. **15747 & 30350**, dated **February 3rd, 2023** was mailed via First Class U.S. mail to the following:

Farmers National Company
ATTN Cole Owens
PO Box 1834
Garden City, KS 67846

A copy of the letter was sent via First Class U.S. Mail to the following:

PC: Water Rights Section 3

Faith Curtis

Staff

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: 2/1/2023

FROM: Taylor Arrowood

RE: Water Right, File No. 15747, 30350
Place of Use Change Applications

Discussions regarding the proposed changes began in the beginning of December of 2022. Cole Owens reached out to the Stafford Field Office to request a place of use change to be able to water 320 acres from two quarters authorized by two separate files. This would be a complete place of use overlap.

The referenced files are in compliance with 82a-732. A review of the application finds that it complies with K.A.R. 5-5-1, *Filing an application for change*. The referenced file does not appear abandoned as per K.S.A 82a-718.

As mentioned before, this change is ultimately desired to change the place of use such that the place of use for both files is authorized the same acres. The base acres for the files are 265 total acres, but base acres are not utilized in these changes because these changes are for no new acres. The place of use will be 320 acres and will be covered by both water rights: 15747 and 30350. The previous places of use are detailed on change maps and the application for change. The place of use remains in Section 12, Township 28 South, 24 West and will be the east half of the Section.

These approvals will comply with K.A.R. 5-5-3, *Change in consumptive use*, as the total quantity will shift from 320 AF/160 acres (2.00 AF/acre) and 195 AF/160 acres (1.219 AF/acre) to a total quantity for the entire place of use to 515 AF / 320 acres = 1.609 AF/acre which remains reasonable for Ford County pre-1999 irrigation files minimum and maximum AF/acre of 1.34 and 2, respectively.

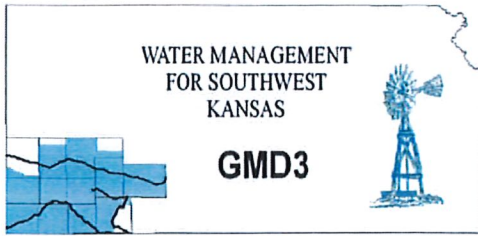
The change application was received at the Stafford Field office on January 19, 2023 along with the proper fee and signatures from all landowners.

Because this is a field office place of use change, nearby well owners, as stated in a previous memo, were not notified of this change. A GMD 3 recommendation request was sent out on January 24, 2023 and received at the Stafford Field office on February 1, 2023 with recommendation for the change to be approved.

A water flow meter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion that the change is reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended that the applications be approved.

Taylor Arrowood
Environmental Scientist - SFFO



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

February 1, 2023

Taylor M. Arrowood
Division of Water Resources
300 S Main Street
Stafford, Kansas 67578-1521

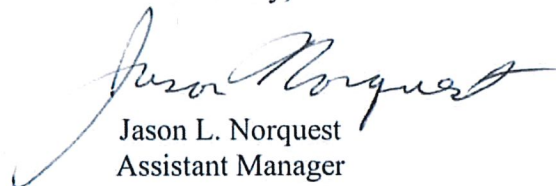
RE: Applications for Change in Place of Use
Water Right, File Nos. 15747 & 30350

Dear Taylor:

We have reviewed 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 changes in place of use will make a complete overlap in currently authorized place of use, in accordance with K.A.R. 5-5-11(b). No new acres are proposed that are not currently authorized by one of the water rights. It is therefore recommended that the application 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

RECEIVED
FEB 01 2023
Stafford Field Office
Division of Water Resources

RECEIVED
FEB 01 2023
Stafford Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 15747 & 30350.

DWR office: Stafford.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Farmers National Company %Cole Owens.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

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? No Change.

Is Proposed PU overlapping existing WRs? Make a complete overlap.

Neighboring certified well(s) notified: .

Name .

Address .

Zip .

Email: Phone: .

Domestic well(s) notified: .

Name .

Address .

Zip .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Ford County

15747 authorized: 320AF @ 1060gpm

160 acres in SE 12-28-24

30350 authorized: 195AF @ 720gpm

160 acres in NE of 12-28-24

Proposed making a complete overlap between the 2 WRs on same acreage.

Is a waiver needed: No. Request for a complete overlap, no new acres being proposed.

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

RECEIVED

FEB 01 2023

Stafford Field Office
Division of Water Resources



Arrowood, Taylor [KDA]

From: Jason Norquest <norquest@gmd3.org>
Sent: Wednesday, February 1, 2023 10:14 AM
To: Arrowood, Taylor [KDA]
Subject: RE: Change in Place of Use Application(s) File Nos. 15747, 30350
Attachments: 2023-02-01_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.

Good morning Taylor, hope you were staying warm the last few days. Here is our review for these change apps. Didn't see any problems. Let me know if you have any questions.

Have a good rest of your day.

Jason Norquest
Assistant Manager, GMD3
Cell: 620-271-1289
Office: 620-275-7147
www.gmd3.org

From: Arrowood, Taylor [KDA] <Taylor.Arrowood@ks.gov>
Sent: Tuesday, January 24, 2023 1:25 PM
To: Jason Norquest <norquest@gmd3.org>
Subject: Change in Place of Use Application(s) File Nos. 15747, 30350

Hello Jason,

I have been processing two change applications (attached) that propose to change the place of use under the two referenced water rights. The place of use change will involve simply overlapping two separate 160 acre tracts into a complete place of use overlap for a total of 320 acres. The maps attached with the applications detail the exact overlap. We did not review base acres since this is a complete overlap in the place of use and no new acres are being irrigated.

File No. 15747: Currently authorized 160 acres in the SE ¼ of 12-28S-24W
File No. 30350: Currently authorized 160 acres in the NE ¼ of 12-28S-24W
The place of use will become the entire east half of Section 12.

Please provide a GMD recommendation on both of these changes and let me know if you have any questions, need more information, or need an extension of the 15 business days as stated in the cover letter. The official deadline for this recommendation would be **February 14, 2023**.

Thank you,

Taylor M. Arrowood
Environmental Scientist
Kansas Department of Agriculture

Division of Water Resources
Stafford Field Office
(620) 234-5311
taylor.arrowood@ks.gov

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

January 24, 2023

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

RE: Point of Diversion Change Application, File Nos. 15747, 30350

Dear Mr. Norquest,

We are enclosing a copy of the application, as referenced above, for your review and recommendation. At this time the application appears to be in proper form. There were no nearby well owners within the ½ mile circle around the proposed point of diversion, which before the approval of change application for no. 27,470, is the current well under that water right. Further details of this change application are described in my email.

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 application. 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,

Taylor M Arrowood
Environmental Scientist
Stafford Field Office
taylor.arrowood@ks.gov

Enclosure

Arrowood, Taylor [KDA]

From: Arrowood, Taylor [KDA]
Sent: Tuesday, January 24, 2023 1:25 PM
To: Jason Norquest
Subject: Change in Place of Use Application(s) File Nos. 15747, 30350
Attachments: 15747,30350_CoverLetter.pdf; 15747_PUchange_Application_scanned.pdf; 30350_PUchange_Application_scanned.pdf

Hello Jason,

I have been processing two change applications (attached) that propose to change the place of use under the two referenced water rights. The place of use change will involve simply overlapping two separate 160 acre tracts into a complete place of use overlap for a total of 320 acres. The maps attached with the applications detail the exact overlap. We did not review base acres since this is a complete overlap in the place of use and no new acres are being irrigated.

File No. 15747: Currently authorized 160 acres in the SE $\frac{1}{4}$ of 12-28S-24W

File No. 30350: Currently authorized 160 acres in the NE $\frac{1}{4}$ of 12-28S-24W

The place of use will become the entire east half of Section 12.

Please provide a GMD recommendation on both of these changes and let me know if you have any questions, need more information, or need an extension of the 15 business days as stated in the cover letter. The official deadline for this recommendation would be **February 14, 2023**.

Thank you,

Taylor M. Arrowood
Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311
taylor.arrowood@ks.gov



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File

DATE: 1/23/2023

FROM: Taylor M Arrowood

RE: File Nos. 15747, 30350

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 filed on 1/19/23 for the above referenced file meets this criteria and surrounding well owners will not be notified.

Arrowood, Taylor [KDA]

From: Arrowood, Taylor [KDA]
Sent: Wednesday, December 7, 2022 1:31 PM
To: COwens@farmersnational.com
Cc: Conant, Cameron [KDA]
Subject: Change in Place of Use Applications File Nos. 15747, 30350
Attachments: 15747_PUchange_Application.pdf; 30350_PUchange_Application.pdf

Hello Cole,

I have been working on your change applications to create a complete place of use overlap between water right file nos. 15747 and 30350 located in the SE and NE ¼ of 12-28-24W, respectively. The proposed change in the place of use will overlap the place of use for each file number so that water can be pumped to each circle from each point of diversion. The total acres on both files right now is 160 acres, as they each authorize an individual quarter. After this change, both files will be authorized both quarters (overlapped 320 acres total).

If everything in the application looks good, please do the following:

- print the application in color
- review the application for any inaccuracies
- all landowners and their spouse(s) (if applicable), will need to sign
- Each application comes with two maps, totaling 4 maps. Please have the owner sign and date each map at the bottom.
- The filing fee for a place of use change is \$200 per file number, so \$200 for 15747 and \$200 for 30350, totaling \$400 fee for these changes
 - The check for this fee can be made out to Kansas Department of Agriculture
- Please mail the applications back to us with the check for \$400 to the following mailing address:
Kansas Department of Agriculture
Division of Water Resources
300 South Main Street
Stafford, KS 67578

If you have any questions or concerns, please let us know. We will process the changes when we receive them back in our office.

Thank you,

Taylor M. Arrowood
Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311
taylor.arrowood@ks.gov

Property Details for PID: 0292111200000001000

Shareable link to Property Information : <https://www.kansasgis.org/orka/permalinkprop.cfm?parcelid=0292111200000001000>

Shareable link to Map: <https://www.kansasgis.org/orka/permalink.cfm?parcelid=0292111200000001000>

QuickRef ID : R13283

Owner Name : CONDON HEUP FARMS LLC

Location: 11767 TILMAN RD, Dodge City, KS 67801

Abbreviated Boundary Description: S12, T28, R24, ACRES 319, E2; LESS ROW

Owner Information:

Owner CONDON HEUP FARMS LLC

Mailing Address Attn: HANOVER SOUTHAMPTON 5122 MORNINGSIDE DR #APT 1101 HOUSTON, TX 77005

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 100-ENTERPRISE-USD 443

Neighborhood Code 420

No Secondary Address Details found