Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

> Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

# DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



### STATE OF KANSAS

### **WATER METER REQUIRED**

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.

thar	<b>agraph N</b> n 100 feet, iversion a	or if pla	ace of u	use wil	<b>t be c</b> ell be ch	omple anged	ted. ( I, inclu	Compl de a to	ete all pogra	other	applion or o	c <b>able</b> letailed	<b>portio</b> d plat s	<b>ns.</b> If showin	chang g the a	je in po authori	zed ar RE	d prop	
																	2	:49	pm
						F	ile No	. <u>3172</u>									JUN	12	2023
1.																			
□ Place of Use □ Point of Diversion under the water right which is the subject of this application in accordance with the conditions described below.																			
					i trie si				ationii					luition	s ucso	IIDEU L	CIOW.		
The source of supply is:   Groundwater   Surface water																			
2.	Name an	nd addre	ess of	Applica	ant: <u>S</u> e	cott Do	ornbo	s											*
	520 S R	520 S Rock Cliff Rd, Ponca City, OK 74604-7201																	
	Phone N	Phone Number: (580)761-1279 Email address: doornbos@drisco.net																	
	Name ar	Name and address of Water Use Correspondent: Nick McClure (Needs updated in WRIS, see worksheet 4/4/23)																	
		420 Lunger Rd, Augusta, KS 67010																	
	Phone Number: (316)734-5572 Email address: nick@alansexcavating.com																		
3.	The presently authorized place of use is:																		
	Owner of																		
				ESS: 2								67202	<u> </u>						
	(If there is	more th	an one	landow	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
			NE1/4				NW¼			SW¼			SE¼				TOTAL ACRES		
_Se	ec. Twp.	Range	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW¼	SE1/4	
2	5 33S	3E						- N					5	36					41
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: NO CHANGE																		
		,	ADDRI	ESS:	NO CH	HANG!	Ξ												
	(If there is	s more th	ian one	landov	vner, at	tach su	ıppleme	ental sh	eets as	neces	sary.)								
	NE1/4			NW¼				SW¼			SE¼			TOTAL					
S	ec. Twp.	Range	NE¼	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
			,				,												
	For Offi	ce Use	Only:	Code	CLI	Fe	e \$ 10	2000	TR	#		Re	eceipt	Date			Chec	k#_7	1062

5.	Presently authorized point of diversion:		
	One in the SE Quarter of the	SE Quarter of the _	SW Quarter
1	of Section 25 , Township 3	South, Range _	E,
	in Cowley County, Kansas, NA 300 fee	t North <del>12,720 *</del> feet West o	of Southeast corner of section
	A 11 - 1 - 1 - D 1 - O4 A F - A - 11 O	nna (acrost) Donth of wall	10 (foot) The
	(DWR use only: Computer ID No. 8 GPS	feet North	feet West)
	I his point will not be changed \( \times \) i his point will be changed as	follows: 🔲 No change, point bette	described with Gr o as follows.
	Proposed point of diversion: (Complete only if change is		
	One in the SE Quarter of the	SE Quarter of the _	SW Quarter
	of Section, Township	33 South, Range _	E,
	in Cowley County, Kansas, 25 fee	t North <u>2,645</u> feet West	of Southeast corner of section.
	Proposed Rate <u>no change</u> Proposed Quantity <u>no</u>		
	This point is: Additional Well Geo Center List other	water rights that will use this po	int <u>None</u> .
_			
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, fee	t 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		
	Proposed point of diversion: (Complete only if change is		
	One in the Quarter of the	Quarter of the _	Quarter
	of Section, Township	South, Range _	(E/W),
	in County, Kansas, fee	et North feet West	of Southeast corner of section.
١	Proposed Rate Proposed Quantity		
	This point is: ☐ Additional Well ☐ Geo Center List other	water rights that will use this po	int
•			
7.			
	(please be specific) <u>Current well losing production and the</u> applicant would like to redrill at the specified location.	200 200 100	orth 0 100 200 300
	75' east and 275' south of current location.	5mhmhmhmd	±100 200 300
	70 Guot una 270 Guarrio Guinero Guine de Guine d	200 + + + + -	
8.	If a well, is the test hole log attached? 🔲 Yes 🛮 🖂 No	200 - 1 - 1 -	200
9.	The change(s) (was)(will be) completed by?	<b>E</b> /	
	ASAP	100	≣   +   +   100
10	If the point of diversion is a well:	<b>⊭</b> – – -	≣
10.	If the point of diversion is a well:	Wort of Education Line Line Line	= <b>%</b>
	(a) What are you going to do with the old well?	E	= # = = = = = = = = = = = = = = = = = =
	Plug it	<u> </u>	
	(b) When will this be done? ASAP - new well completion	100	三   十   十   / / / / / / / / / /
	(b) When will this be done? ASAP - New Well Completion	E\	틀 /릨
44	One we develop Management District recommendation attached?	300 E 1 1 1 1 1 1	
11.	Groundwater Management District recommendation attached?  Yes No	200 + + + + -	<b>=</b> ' <b>-</b> ' <b>-</b>   <b>-</b>   <b>-</b>   <b>-</b>
	☐ Tes ⊠ NO		
12.	Assisted by TMA SFFO	500 300 100	<u>‡</u> 0 100 200 300
	,		outh Scale: 1 hashmark=10 ft
138	a. 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	13h If the proposed point of diver	sion will be relocated within 300 feet
	a topographic map or aerial photograph. For groundwater	of the existing point of div	ersion, indicate its location on the
	sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing	diagram shown above in	relation to the existing point of E: The "X" in center of diagram
	addresses of the owners. For surface water sources, show the	above represents the	presently authorized point of
	names and addresses of the landowner(s) one-half mile	diversion.) RECEIVE	=D
	downstream and one-half mile upstream from your property lines		
		11 IN 1 9 20	122

14. If t	he proposed groundwater point of diversion is 300 or fewer	feet from	the exis	ting point o	of diversion, complete	the following:						
(a)	<ul> <li>Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?</li> <li>Yes  No (If no, all owners must sign this application.)</li> </ul>											
(b	<ul> <li>Will the ownership interest of any owner of the currently affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☒ No</li> <li>(If yes, all owners must sign the currently affected in the currently affec</li></ul>			(s) of use	identified in this appli	cation be adversely						
(c)	If this application is not approved expeditiously, will there ⊠ Yes ☐ No (If no, all owners must sign this			mage to pi	operty, public health o	or safety?						
or a ch	pplication proposes a surface water change in point of diversange in place of use, the application must be signed by all cattach notarized statement authorizing representation).	rsion, a gi owners of	roundwa the curr	ter change ently author	e in point of diversion or prized place of use, or	greater than 300 feet their duly authorized	ť					
age a	by verify, being first duly sworn upon my oath or nd the owner, the spouse of the owner, or a duly a behalf, in regards to the water right(s) to which th ned in this application are true, correct and comp	authorize nis appli	ed ager	it of the o	owner(s) to make t	his application or	1					
Dated	at PONCA CITY, OK, Kansa	as, this	8	_ day of _	JUNE	, 20 <u>23</u> .						
	Such	_										
	(Owner)				(Spouse)							
Dee	(Please Print)	_			(Please Print)							
	(Owner)	_			(Spouse)	, · · ·						
	(Please Print)	_			(Please Print)	. P						
	(Owner)	_			(Spouse)	* ,						
State of		YOY STO	MINIMARIAN S	AHIN.	(Please Print)							
	proble cortife that the foregoing application was side	ed 160035 EXP. 04/06	oresei	and	sworn to before me	e this $8$ day						
	mmission Expires 4/6/24.	PUBL OF C	KLAHO		Notary Public	<u>u</u>						
accurat	COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete information; maps, if necessary, must be included; signatures of stropriate fee must be paid.	olete, all of all the app	the appli ropriate o	cable portion wners' mus	ns of the application form t be affixed to the applica	nmust be completed wi ation and notarized; and	th J					
Each a	FEE S application to change the place of use or the point of diversion the schedule below: Make checks payable to: Kansas Dec. (1) Application to change a point of diversion 300 feet or	epartmen	– this sect I <b>t of Ag</b> ı	iculture								
	<ul> <li>(2) Application to change a point of diversion more than 3</li> <li>(3) Application to change the place of use</li></ul>	300 feet .				\$200						
				11.1	N 1 9 2022							

JUN 1 2 2023

# 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. 3172 change application was received on <u>June 12, 2023</u> requesting that the place of use diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of A change application was received on 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 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 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 The point(s) of diversion authorized herein shall not actually be located more than 300\* (see 11a) feet from the previously authorized point(s) of diversion. 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 ☐ Not Applicable K.A.R. 5-6-13. 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 file points the conditions of some polarity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. ☐ Not Applicable 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. ☐ Not Applicable ☐ Not Applicable The completed well log shall be submitted with the required notice. 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. 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 thereuse. 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 anterman (Print Name): days pursuant to K.S.A. 77-531. Any request for administrative Division of Water Resources - Kansas Department of Agriculture review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on RECEIVED Signature: **Notary Public** JUN 1 2 2023 My commission expires: Stafford Field Office (No ary Seal) Division of Water Resources **FAITH CURTIS** My Appointment Expires OTARY

DWR 1-121 (Revised 04/5/2018)

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File No. 3172

April 29, 2027



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

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Jeff Lanterman, Water Commissioner Phone: (620) 234-5311 Fax: (620) 234-6900 www.agriculture.ks.gov

Sam Brownback, Governor

DD-CO LLC 200 W Douglas STE 1000 Wichita KS 67202

RE: Approval of Application File No(s). CL-09 & 3172

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). The enclosed orders were approved after a review of available records determined the refenced file numbers to NOT be abandoned and to be in good standing.

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 <u>Certified Water Flowmeters</u> as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <a href="http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters">http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters</a>. 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. 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 the referenced website.

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,

Jeff Lanterman

Water Commissioner

JKL:ekf Enclosures

pc: Scott Doornbos

## **CERTIFICATE OF SERVICE**

On this 21st day of June, 2023, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. CL-09 & 3172, dated June 21st, 2023 was mailed via First Class U.S. mail to the following:

DD-CO LLC 200 W Douglas STE 1000 Wichita, KS 67202

A copy of the letter was sent via electronic mail to the following:

**GMD** 

Faith Curtic

Staff