

Kansas
Department of Agriculture
Division of Water Resources

Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804

Jackie McCluskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

March 30, 2017

CIRCLE N FARMS LLC
415 BAY BUSH ROAD
VANCEBORO, NC 28586

RE: Change in Point of Diversion Water Right, File No 31007

Dear Mr. & Mrs. Boese:

Enclosed you will find a *Summary Order Approving Application for Change in Point of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by **December 31, 2017**. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,



Thomas P. Makens
Assistant Water Commissioner

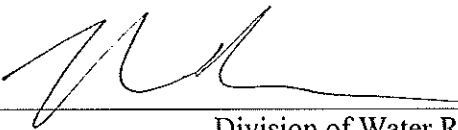
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this day of March 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 31007 dated March 30, 2017 was mailed postage prepaid, first class, US mail to the following:

CIRCLE N FARMS LLC
415 BAY BUSH ROAD
VANCEBORO, NC 28586

Copy provided to GMD#3



Division of Water Resources

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

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
 3:32 pm
 FEB 16 2017

File No. 31007

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

Place of Use Point of Diversion

Garden City 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: CIRCLE N FARMS LLC

1105 E 7TH ST DOUGLASS KS 67039

Phone Number: () _____ Email address: _____

Name and address of Water Use Correspondent: DON L & JEWEL NIGHTINGALE

1105 E 7TH ST DOUGLASS KS 67039

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: EMERY F JOSSERAND LLC, & CIRCLE N FARMS LLC

ADDRESS: _____

(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			

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 to acres

ADDRESS: _____

(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				

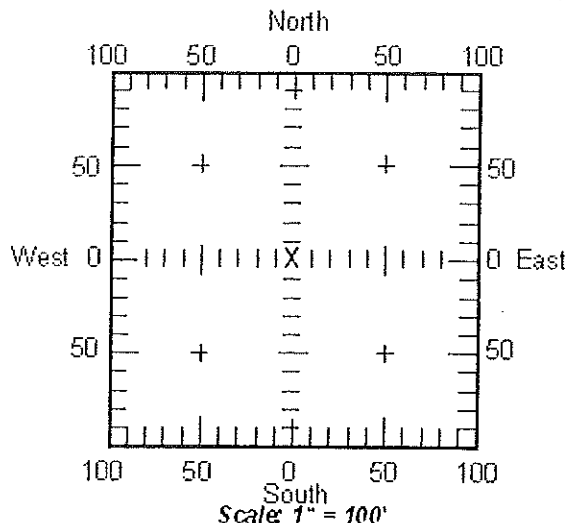
For Office Use Only: Code _____ Fee \$ 200 TR # _____ Receipt Date 2/16/17 Check # 1386

5. **Presently authorized point of diversion:**
 One in the nc Quarter of the s2 Quarter of the se Quarter of Section 1, Township 28 South, Range 31 W, in Haskell County, Kansas, 658 feet North 1322 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. 3 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the sw Quarter of the sw Quarter of the se Quarter of Section 1, Township 28 South, Range 31 W, in Haskell County, Kansas, 179 feet North 2597 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 _____

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:
Proposed point of diversion: (Complete only if change is requested)
 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. Why do you need a new point of diversion? _____
 old well needs to be replaced _____

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



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

9. When do you propose to complete the new point of diversion?
March 1, 2017

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug
 (b) When will this be done? 2017

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by tpm

13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

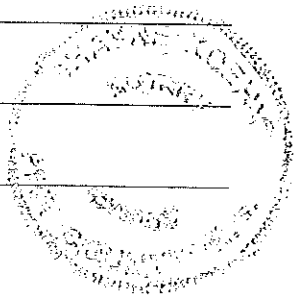
14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (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 regard 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 2-10-17 NC, Kansas, this 10 day of Feb., 20 17.

<p>X. <u>Tim Booe</u> _____ (Owner)</p> <p><u>CIRCLE N FARMS LLC</u> _____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
---	---



North Carolina
 State of ~~Kansas~~ } SS
 County of Crawen

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10th day of February, 20 17.

Shayne Noel

 Notary Public

My Commission Expires Oct. 10, 2020

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

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 Wichita, Kansas, this 21 day of February, 2017.

[Signature]
(Owner)

(Spouse)

EMERY F. JOSSERAND LLC
(Please Print)

(Please Print)

RECEIVED

(Owner)

(Spouse)

FEB 23 2017

(Please Print)

(Please Print)

Wichita Field Office
Division of Water Resources

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Sedgewick } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 21st day of February, 2017.

My Commission Expires 05.22.2017
CHRISTINE ROYSE
Notary Public - State of Kansas
My Appl. Expires 05.22.2017

[Signature]
Notary Public

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.

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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

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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law*, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et. seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 31007.

- 1. A change application was received on February 16, 2017 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 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. 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
- 5. 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
- 6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 2017**, 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
- 7. Installation of the works for diversion of water shall be completed on or before **December 31, 2017**, or within any authorized extension of time. By March 1, 2018 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
- 8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
- 9. 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
- 10. Additional Conditions are attached. Yes No
- 11. 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

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

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

By: [Signature]
Duly Authorized Designee of the Chief Engineer

(Print Name): Thomas P Makens
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: MARCH 30, 2017

State of Kansas)
County of Jiminy) SS

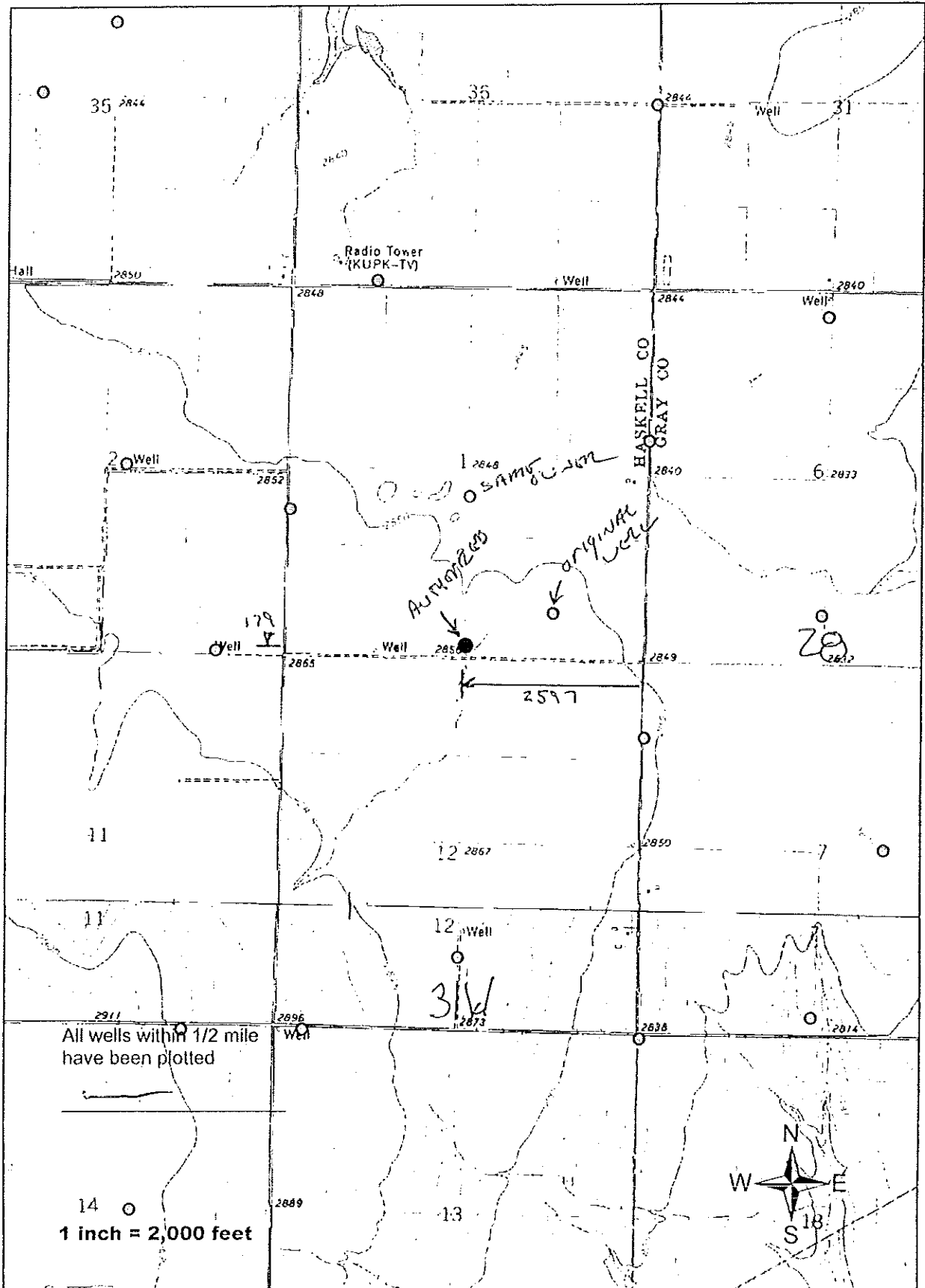
Acknowledged before me on March 30, 2017
by Thomas P. Makens

Signature: [Signature]
Notary Public



My commission expires: _____
(Notary Seal)

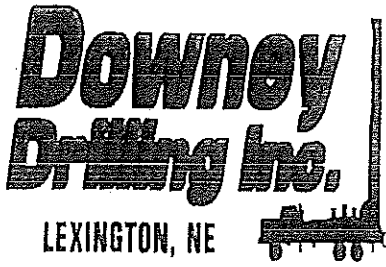
31007



WELL LOG

31997

DATE: 12/15/2016



CUSTOMER NAME: CIRCLE N FARMS, LLC

LEGAL: SW/SE 1-28S-31W

COUNTY: HASKELL

GPS: 37 38' 06.9036" N 37.63523

-100 39' 41.1984" W 100.6614

DRILLER: NORMAN

WO: 16-899

T W	FROM	TO	TYPE	HARDNESS	COLOR	OTHER / DRILLING ACTION
	0	2	TOP SOIL	SOFT	DARK	
	2	40	SANDY CLAY	SOFT	BROWN	
	40	60	FINE SAND WITH SANDY CLAY	SOFT	BROWN	
	60	180	SANDY CLAY WITH FINE SAND LENSES	SOFT	BROWN	
	180	195	MEDIUM-COARSE-VERY COARSE SAND AND FINE-MEDIUM GRAVEL	SOFT	RED	
	195	200	SANDY CLAY	SOFT	BROWN	
	200	211	MEDIUM-COARSE-VERY COARSE SAND AND A TRACE OF FINE GRAVEL	SOFT	RED / BROWN	
	211	220	SANDY CLAY	SOFT	BROWN	
	220	250	COARSE-VERY COARSE SAND AND FINE-TRACE OF MEDIUM GRAVEL	SOFT	RED	
	250	260	SANDY CLAY	SOFT	BROWN	
	260	309	COARSE-VERY COARSE SAND AND FINE-TRACE OF MEDIUM GRAVEL	SOFT	RED	GOOD CHATTER
	309	325	SANDY CLAY WITH MEDIUM SAND LENSES		BROWN	
X	325	366	COARSE-VERY COARSE SAND AND FINE GRAVEL			CHATTER
	366	370	SANDY CLAY			
	370	394	MEDIUM SAND WITH SANDY CLAY LENSES			SLIGHT CHATTER
	394	409	SANDY CLAY			SMOOTHER
X	409	432	MEDIUM SAND			CHATTER
	432	464	SANDY CLAY			SMOOTHER
X	464	479	MEDIUM-COARSE-VERY COARSE SAND			CHATTER
	479	482	SANDY CLAY			SMOOTHER
X	482	524	VERY COARSE SAND AND FINE-MEDIUM GRAVEL WITH BROWN ROCK			GOOD CHATTER
	524	535	SANDY CLAY AND CLAY			SMOOTH
X	535	563	MEDIUM-COARSE-VERY COARSE SAND AND FINE GRAVEL WITH BROWN ROCK			CHATTER / CHOPPY ROUGH / GRINDING - PD @ 750
	563	564	IRON PYRITE?			SMOOTH
	564	566	CLAY SHALE			SMOOTH
	566	567	IRON PYRITE?			ROUGH - PD @ 750
	567	638	SHALE AND CLAY			SMOOTH
	638	653	FINE SAND LENSES WITH A TRACE OF SHALE			FASTER
	653	692	SHALE AND CLAY			SMOOTH
	692	700	SHALE WITH A TRACE OF RED CLAY SILTSTONE @ 698			



Well Design & Construction

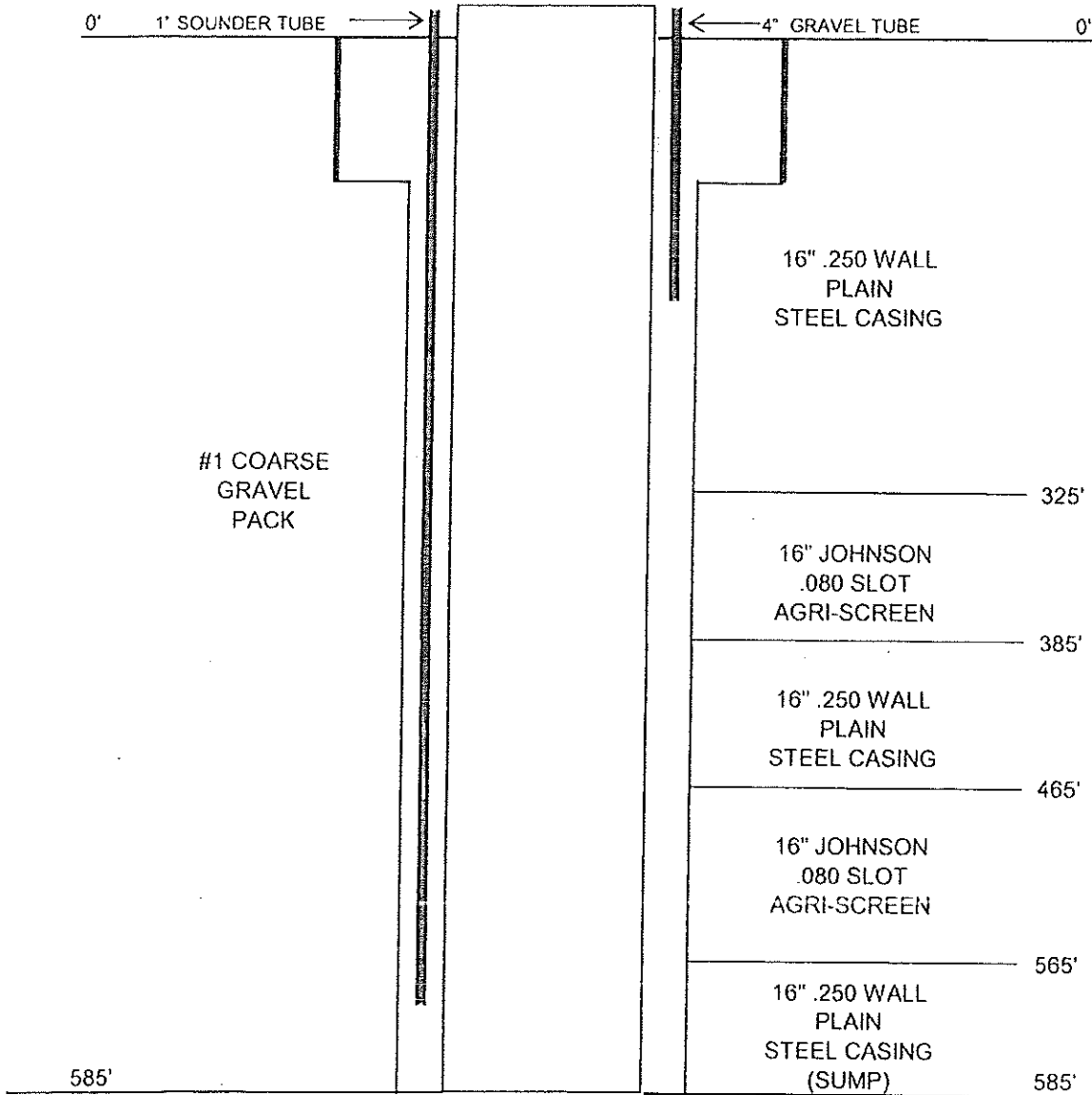
Customer Name: CIRCLE N FARMS, LLC

Legal: <u>SW/SE 1-28S-31W</u>	County: <u>HASKELL</u>
G.P.S.: <u>37 38' 06.9036" N</u>	Date: _____
<u>-100 39' 41.1984" W</u>	WO #: _____

DRILLER: _____	WATER SUPPLY: <u>IRRIGATION WELL</u>
HELPER(S): _____	DRILLING RIG: <u>M-100</u>
BOREHOLE DIAMETER: <u>30"</u>	DRILLING METHOD: <u>REVERSE CIRCULATION</u>
CASING DIAMETER: <u>16"</u>	QUIKGEL: <u>TBD</u> HOLE PLUG: <u>20' +</u>
TOTAL WELL DEPTH: <u>585'</u>	GRAVEL: <u>125 TONS OF #1 COARSE</u>
DRILLING FLUID: <u>TBD</u>	GRAVEL SUPPLIER: <u>HUBER</u>
ADDITIONAL INFO: _____	

GROUT
AND
GRAVEL

SCREEN AND
CASING





Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

February 20, 2017

Southwest Kansas Groundwater
Management District No 3
409 Campus Drive, Suite 106
Garden City KS 67846

Re: Water Right file number 31007

Dear Mr. Norquest;

Circle N Farms has applied to relocate the well authorized by the above water right number. There is one neighboring well within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

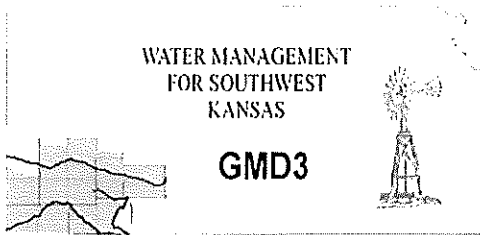
Thank you and as always feel free to call or write us at any time.

Sincerely;

A handwritten signature in black ink, appearing to read "T. Makens".

Thomas P Makens

TPM:tpm
enc



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

February 23, 2017

Thomas P. Makens
Division of Water Resources
2508 N Johns Street
Garden City, Kansas 67846

RECEIVED

FEB 23 2017

Garden City Field Office
Division of Water Resources

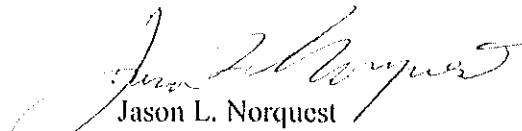
RE: Application for Change in Point of Diversion
Water Right, File No. 31007

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). Spacing is not met to Water Right 17546, however the proposed move does improve current spacing in accordance with K.A.R. 5-23-3(c)(2). It is therefore recommended that the application be approved at this time.

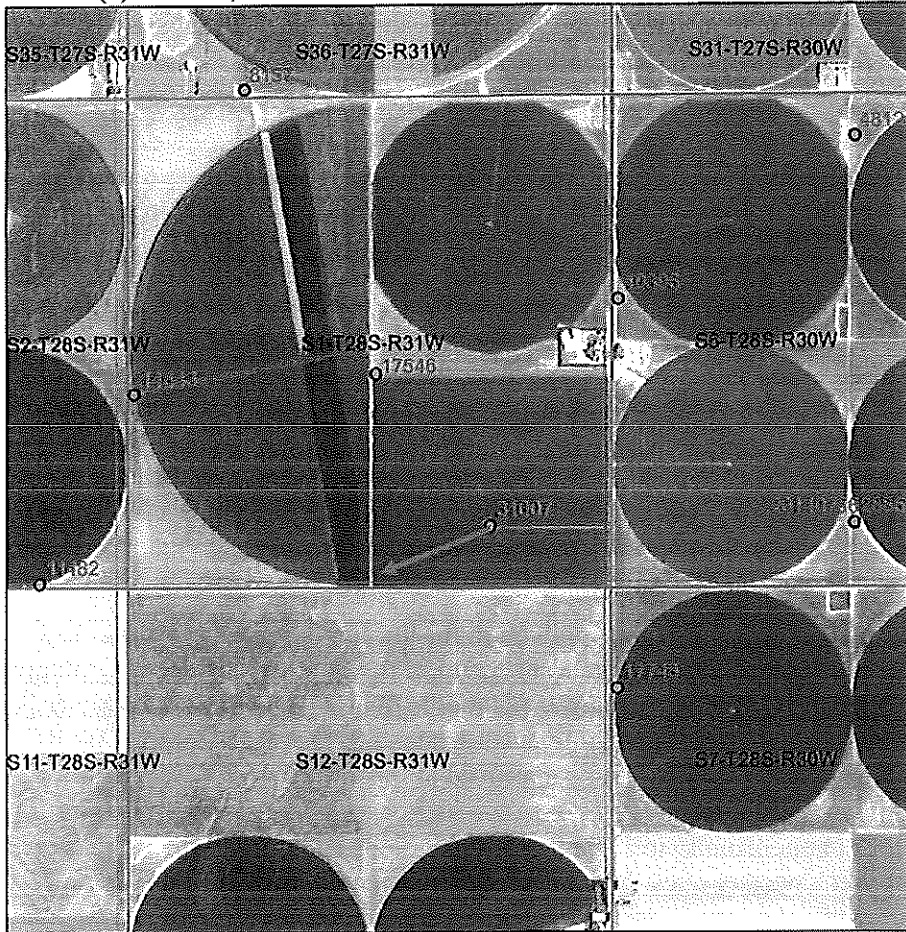
Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,


Jason L. Norquest
Assistant Manager

GMD3 Change Review

Change Application(s); PD
 File No(s). 31007, Circle N Farms



RECEIVED
 FEB 23 2017
 Garden City Field Office
 Division of Water Resources

	ft. North	ft. West	
Authorized PD	658	1322	Sect. 1-28-31
Proposed PD	179	2597	
Difference	479 S	-1275 W	
$a^2 + b^2 = c^2$	229441	1625625	1362.008 foot move SW

Neighboring wells: Spacing to WRI7546 is NOT met (short 179'), however it does improve current spacing by 52'. All other spacing is met.

Domestic wells: None found in area of concern

Regulation(s) Reviewed: KAR 5-23-3(c)(2)

Board Review Date: NA

Board Recommendation: NA

Waiver Reason: NA

Final Recommendation: After review of all available information, the area rules and the exemption for improving spacing is met. Staff therefore recommends approval of the application.

Water Rights and Points of Diversion Within 1.00 miles of point defined as:
179 ft N and 2597 ft W of the SE Corner of Section 1, T 28S, R 31W
Located at: 100.661008 West Longitude and 37.635227 North Latitude
GROUNDWATER ONLY

Proposed

2300' or all

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 8211	00	IRR	NK	G	4405	--	NW	SW	SE	1080	2600	12	28	31W	4	640.00	640.00	AF
A__ 10396	00	IRR	NK	G	3972	--	SW	SW	NW	3126	5181	6	28	30W	6	320.00	320.00	AF
A__ 10563	00	IRR	NK	G	4405	--	NW	SW	SE	1080	2600	12	28	31W	4	924.00	434.00	AF
A__ 11482	00	IRR	NK	G	3654	--	SW	SE	SE	50	1000	2	28	31W	4	320.00	320.00	AF
A__ 14643	00	IRR	NK	G*	3214	--	NW	NW	SW	2000	5245	1	28	31W	4	695.00	399.80	AF
A__ 17546	00	IRR	NK	G	2121	--	NW	NW	SE	2300	2580	1	28	31W	5	640.00	640.00	AF*
A__ 17743	00	IRR	NK	G	2978	--	SW	NW	NW	4240	5179	7	28	30W	3	394.00	394.00	AF
A__ 31007	00	IRR	NK	G*	1362	--	NC	S2	SE	658	1322	1	28	31W	3	633.00	.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	3147.80	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3147.80	.00

All other spacing MET!!

An * after the source of supply indicates a pending application for change for the file number.
An * after the ID indicates a 15 AF exemption was granted for the file number.
A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.00 miles of point defined as:
100.661008 West Longitude and 37.635227 North Latitude
GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

- File Number Use ST SR
- A__ 8211 00 IRR NK G
- > LESTER D UNRUH
- >
- > 873 YY RD
- > COPELAND KS 67837
- >-----
- A__ 10396 00 IRR NK G
- > DON L & JEWEL NIGHTINGALE
- >
- > 1105 E 7TH ST
- > DOUGLASS KS 67039
- >-----
- A__ 10563 00 IRR NK G
- > LESTER D UNRUH
- >
- > 873 YY RD
- > COPELAND KS 67837
- >-----

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Garden City Field Office
Division of Water Resources

A__ 11482 00 IRR NK G
> LINCOLN L & MARJORIE KOEHN TRUST
> LINCOLN & MARJORIE KOEHN
> 12705 CC RD
> MONTEZUMA KS 67867

A__ 14643 00 IRR NK G
> JAMES R GARETSON TRUST
> MARTHA GARETSON
> 2394 120TH RD
> COPELAND KS 67837

A__ 17546 00 IRR NK G
> DON L & JEWEL NIGHTINGALE
>
> 1105 E 7TH ST
> DOUGLASS KS 67039

X Change will improve spacing
by 52'.

A__ 17743 00 IRR NK G
> DON L & JEWEL NIGHTINGALE
>
> 1105 E 7TH ST
> DOUGLASS KS 67039

A__ 31007 00 IRR NK G
> DON L & JEWEL NIGHTINGALE
>
> 1105 E 7TH ST
> DOUGLASS KS 67039

=====

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Garden City Field Office
Division of Water Resources

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 31007 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 31007 00 IRR

Water Right and Points of Diversion Within 1.00 miles of point defined as:

658 Feet North and 1322 Feet West of the Southeast Corner of Section 1 T 28S R 31W

GROUNDWATER ONLY

*Current
Specifying*

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 8211 00	IRR	NK	G	5043	--	NW	SW	SE	1080	2600	12	28	31W	4		640.00	640.00	AF
A__ 10396 00	IRR	NK	G	2824	--	SW	SW	NW	3126	5181	6	28	30W	6		320.00	320.00	AF
A__ 10563 00	IRR	NK	G	5043	--	NW	SW	SE	1080	2600	12	28	31W	4		924.00	434.00	AF
A__ 11482 00	IRR	NK	G	4963	--	SW	SE	SE	50	1000	2	28	31W	4		320.00	320.00	AF
A__ 14643 00	IRR	NK	G*	4146	--	NW	NW	SW	2000	5245	1	28	31W	4		695.00	399.80	AF
A__ 17546 00	IRR	NK	G	2069	--	NW	NW	SE	2300	2580	1	28	31W	5		640.00	640.00	AF
A__ 17743 00	IRR	NK	G	2232	--	SW	NW	NW	4240	5179	7	28	30W	3		394.00	394.00	AF
A__ 28858 00	IRR	NK	G	3989	--	CW	SW	SE	700	2600	6	28	30W	3		320.00	320.00	AF
A__ 31007 00	IRR	NK	G*	0	--	NC	S2	SE	658	1322	1	28	31W	3		633.00	.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	3467.80	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3467.80	.00

RECEIVED

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Garden City Field Office
Division of Water Resources

An * after the source of supply indicates a pending application for change under the file number.

An * after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.00 miles of point defined as:

658 Feet North and 1322 Feet West of the Southeast Corner of Section 1 T 28S R 31W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR

A__ 8211 00 IRR NK G

> LESTER D UNRUH

>

> 873 YY RD

> COPELAND KS 67837

A__ 10396 00 IRR NK G

> DON L & JEWEL NIGHTINGALE

>

> 1105 E 7TH ST

> DOUGLASS KS 67039

A__ 10563 00 IRR NK G

> LESTER D UNRUH

>

> 873 YY RD
> COPELAND KS 67837

A__ 11482 00 IRR NK G
> LINCOLN L & MARJORIE KOEHN TRUST
> LINCOLN & MARJORIE KOEHN
> 12705 CC RD
> MONTEZUMA KS 67867

A__ 14643 00 IRR NK G
> JAMES R GARETSON TRUST
> MARTHA GARETSON
> 2394 120TH RD
> COPELAND KS 67837

A__ 17546 00 IRR NK G
> DON L & JEWEL NIGHTINGALE
>
> 1105 E 7TH ST
> DOUGLASS KS 67039

A__ 17743 00 IRR NK G
> DON L & JEWEL NIGHTINGALE
>
> 1105 E 7TH ST
> DOUGLASS KS 67039

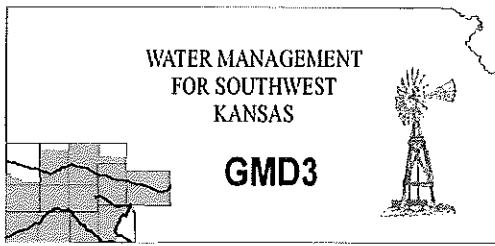
A__ 28858 00 IRR NK G
> DON L & JEWEL NIGHTINGALE
>
> 1105 E 7TH ST
> DOUGLASS KS 67039

A__ 31007 00 IRR NK G
> DON L & JEWEL NIGHTINGALE
>
> 1105 E 7TH ST
> DOUGLASS KS 67039

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Garden City Field Office
Division of Water Resources



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

February 23, 2017

Thomas P. Makens
Division of Water Resources
2508 N Johns Street
Garden City, Kansas 67846

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MAR 16 2017

RE: Application for Change in Point of Diversion
Water Right, File No. 31007

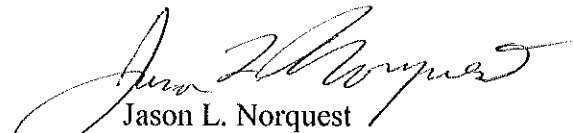
Garden City Field Office
Division of Water Resources

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). Spacing is not met to Water Right 17546, however the proposed move does improve current spacing in accordance with K.A.R. 5-23-3(c)(2). 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

