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

1. File Number: <b>24690</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD: <b>03</b>
6. Status: ⊠ Approved □ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 1/31/2019
8a. Applicant, Landowner, WUC New to system □  JOHN D BORTH PO BOX 754 MEADE KS 67864	Person ID 38690 Add Seq# 1	8c. WUC New to sy	vstem □	Person ID Add Seq#
8b. Landowner(s) New to system   J D BORTH FARMS LTD PO BOX 754 MEADE KS 67864	Person ID 38691 Add Seq# 1	8d. WUC New to sy	rstem □	Person IDAdd Seq#
9. Documents and Enclosure(s):	Seal	⊠ N & P Form	☑ Water Tube	Oriller Copy  H & E Letter O Comply:
10. Use Made of Water From:				
Remove Completion 1 No.3 (C3)	requirement for	change	Date Prepared: <b>2/13/</b> Date Entered:	<b>2019</b> By: <b>AM</b> By:

File No. <b>2469</b>	0	11. County	y: <b>M</b> E	Ва	sin: CF	ROOK	ED CF	REEK			S	tream			_				Fo	ormation Code: 2	11 Special Use:
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Base Acres: 40 Comments:	0 Year: 19	<b>78</b> Minim	num Rea	asonab	le Qua	ntity:										9 17					

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



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 13, 2019

JOHN D BORTH PO BOX 754 MEADE KS 67864

RE:

Water Right, File No. 24690

Dear Sir:

Enclosed is an order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

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 call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely.

Water Commissioner

MAM: enclosures

pc:

J D BORTH FARMS LTD PO BOX 754 MEADE KS 67864

GROUNDWATER MANAGEMENT DISTRICT NO. 3

#### **CERTIFICATE OF SERVICE**

On this 13<sup>th</sup> day of February, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 24,690, dated 13<sup>th</sup> day of February, 2019 was mailed postage prepaid, first class, US mail to the following:

J D BORTH FARMS LTD PO BOX 754 MEADE KS 67864

With photocopies to:

JOHN D BORTH PO BOX 754 MEADE KS 67864

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Division of Water Resources Staff

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.

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	Phone N Name an																		
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	If the proposed point feet but within 2,640 a topographic map sources, show all we of the proposed poir addresses of the own names and address	of diversion wifeet of the existor aerial phound in the control of	Ill be relocated more that the sting point of diversion, a brograph. For ground domestic) within one-hat and the names and mace water sources, she landowner(s) one-half pstream from your pro	attach 13b.lf the lwater of th lf mile diagr nailing diver ow the above mile diver	proposed point of diversion e existing point of diversion am shown above in resion. (PLEASE NOTE: re represents the presion.)	on will be relocated tion, indicate its lation to the ex The "X" in cen	d within 300 fe location on the kisting point ter of diagra

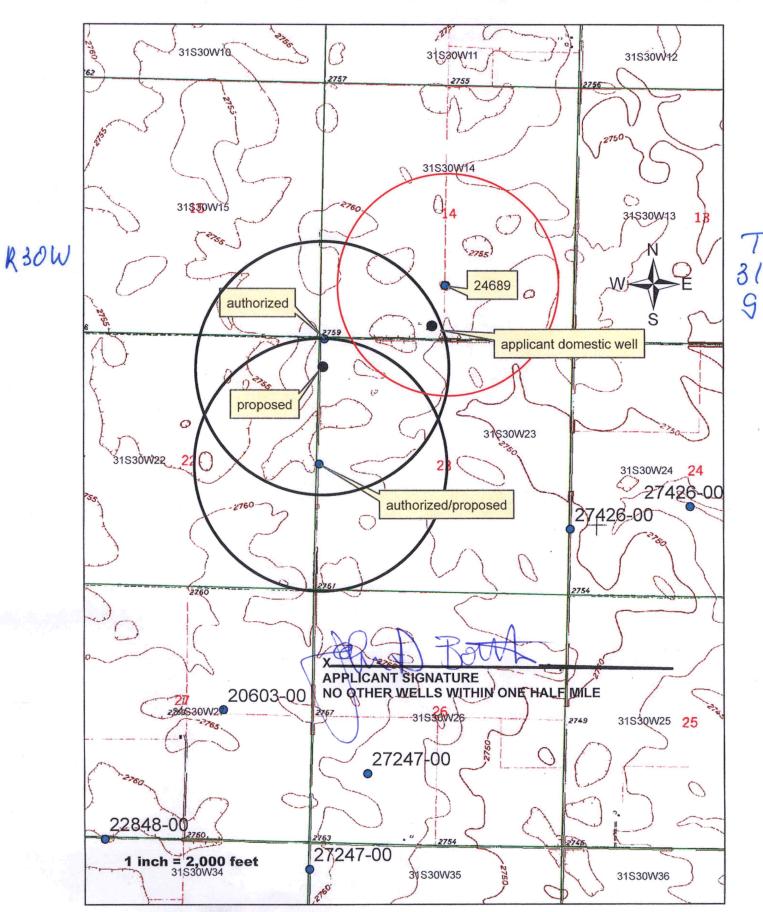
14. If th	ne proposed groundwater point of diversion is 300 or fewer feet fro	m the ex	isting point	of diversion, complet	e the following:
(a)	Does the undersigned represent all owners of the currently authorally Yes No (If no, all owners must sign this application).		ce(s) of use	e identified in this app	lication?
(b)	Will the ownership interest of any owner of the currently author affected if this application is approved as requested?  Yes No (If yes, all owners must sign this appl		e(s) of use	identified in this app	lication be adversely
(c)	If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this applic		amage to p	roperty, public health	or safety?
or a cha	oplication proposes a surface water change in point of diversion, a ange in place of use, the application must be signed by all owners attach notarized statement authorizing representation).				
age an	by verify, being first duly sworn upon my oath or affirm d the owner, the spouse of the owner, or a duly authorie half, in regards to the water right(s) to which this appreced in this application are true, correct and complete.	zed age	nt of the	owner(s) to make	this application on
Dated a	t <u>Meade</u> , Kansas, this	31	day of _	JAN	, 20 19 .
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My Con	nmission Expires 7 - 16 - 202/	A Property		/ Notary Public	
1	OMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all	of the ann	licable portio	ns of the application for	m must be completed wit
accurate	information; maps, if necessary, must be included; signatures of all the appriate fee must be paid.	propriate	owners' mus	t be affixed to the applic	cation and notarized; and
	FEE SCHEDU	JLE			
	oplication to change the place of use or the point of diversion under			e accompanied by th	e application fee set
forth in	the schedule below: Make checks payable to: Kansas Departmeter (1) Application to change a point of diversion 300 feet or less	ent of Ag	riculture		\$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

pro	s 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 visions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and tations of File No. 24690
1.	A change application was received on <u></u>
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
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.
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 \( \mathbb{Y} \) 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, 20 19, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
8.	Installation of the works for diversion of water shall be completed on or before December 31, 20 7, or within any authorized extension of time. By March 1, 20 20 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable Not Applicable
9.	The completed well log shall be submitted with the required notice. Applicable
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 <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> 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 FOR OFFICE USE ONLY
If you Engage Agrifiled adnied adnied Engage	APPLICATION APPROVED AND SUMMARY ORDER ISSUED  APPLICATION APPROVED AND SUMMARY ORDER ISSUED  SUMMARY ORDER ISSUED  By:    Duly Authorized Designee of the Chief Engineer of the Within 30 and a request for administrative review by the Secretary must be filed within 30 are pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. Any request with Kansas Department of Agriculture, and Division, 1320 Research Park Drive, Manhattan, KS 102. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.    APPLICATION APPROVED AND SUMMARY ORDER ISSUED    By:   Duly Authorized Designee of the Chief Engineer
	For Use by Register of Deeds County of
	Acknowledged before me on Jebruary 13, 2019
	by Michael A. Meyer.
	Signature:Notary Public
	My commission expires:  JULIE JONES  PUBLIC (NOWYAPPOINTMENT Expires  December 15, 2022

File No.

# FILE NO. 24690 APPLICATION TO CHANGE THE POINT OF DIVERSION



# 24690

3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389



PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

<b>Customer Name</b>	John Borth			WO#:	14413	Date:	01/09/19
Street Address:	P.O Box 754			Test #:	3	E LOG:	
City, State:	Meade, Ks 67864			Driller:	Dale Guir	nn –	
County: Meade	Quarter NW	Section:	23	Township:	31	Range:	30
Location: From to	est # 1- 325' south		GP	S:37.34209 N	100.56	169	
Rig #:	10002	Elevation:	2748	Static WL:	262	Estimated?	

**Proposed Well Depth** 

		Footage	The part of	1652 × 527								
%	From Pay		To	Description of Strata								
	0		2	Surface								
	2		17	Brown clay								
	17		25	Caiche, lime rock								
- 1	25		47	Brown clay,some lime rock, fine sand mixed								
	47		57	Brown clay								
	57		63	Red clay								
	63		77	Brown sandy clay								
	77		104	Sand, fine to med coarse, small gravel some clay ledges								
	104		129	Sand, fine to med								
	129		140	Brown clay								
	140		154	Sand, fine to med coarse								
<b>184</b>	154		160	Brown clay								
	160		184	Blue clay								
5	184	107	369	Sand, fine to med, coarse, clay ledge 303'- 305'								
0	369	11	380	Sand, fine to med coarse, few clay stringers								
5	380	23	403	Brown sandy clay, some lime rock, caliche, fine sand mixed								
5	403	16	419	Brown sandy clay, fine sand mixed, few lime rock								
	419		440	Brown clay								
0	440	33	473	Fine sand, few clay stringers								
20	473	5	478	Sand, fine to med								
5	478	12	490	Brown Rock, brown clay, little fine sand mixed								
	490		500	Red Bed								
No. 2	500			T.D.								
			•	5-Super Gref 5-Super Gref 5-Super Gref 5-Bowlende Plug 1-Perma Plug								
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## 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 11, 2019

Michael A. Meyer Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RE:

Application for Change in Point of Diversion

Water Right, File Nos. 24690

Dear Mike:

We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of the applicant. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4 ft in cases where saturated thickness is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that in no case did the net effect on neighboring wells exceed the 4.0 ft maximum allowable threshold. Therefore, GMD3 sees this move as reasonable and unlikely to impair neighboring wells. It is therefore recommended that the applications be approved.

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 1 1 2019

# **GMD3** Change Review

DWR office: GC. File No(s).: 24690. App filed to change: PD. Is Landowner(s) correct in WRIS: John Borth. If NO, is documentation included? Is Water Use Correspondent correct in WRIS? Yes. If NO, is documentation included? Regulation(s) Reviewed: KAR5-23-3 Point of diversion ID No(s) 05 being changed. ft. North ft. West **Authorized PD** 5174 Sect. 23-31-30 5253 Proposed PD 4652 5279 Difference 601 s -105 w a2 + b2 = c2361201 11025 610.1033 foot move SW **GPS** for proposed PD: Lat: 37.34209 Long: -100.56169. Is proposed PD stacking on existing WRs? No. Is Proposed PU overlapping existing WRs? No Change. Land Owner(s) notified: \_\_. Name \. Name Address . Address . Zip Zip Neighboring certified well(s) notified: Name . Name Address . Address Zip Zip Domestic well(s) notified: Name Name Address Address Zip Zip Base Acres: \_\_\_. Perfected Acres: . Irr. Return-Flow % WR was recently approved for additional well. The new well was not drilled/constructed properly, so the redrill was needed. Is a waiver needed: No. Final Recommendation: Analysis of the proposed change shows that there will be

minimal effect on neighboring wells. Appears all current area rules are met, staff

therefore recommends approval of the application.

JA

#### Evaluation of proposed move for Water Right Nos 24690 ID 5

Proposed: Move water right number 24690 ID 5 a distance of 610 ft to the southwest.



Wells within 1 mile: 24689, domestic well in section 14-31-30, and domestic well in section 23-31-30.

The saturated thickness at the proposed well location is estimated to be 228 ft, based upon water table elevation from the well driller's log, observed January 9, 2019.

Note that this water right was split in 2018 to create an additional well, but the additional well was not constructed correctly, preventing any water to be pumped from the well. This move is being analyzed as if the well currently authorized under ID 4, with its previous rate and quantity is being split into an additional well at the proposed PD.

50 year Theis Analysis: The following values were used to run the analysis:

S = 0.2624, T = 30,641 ft²/day, tp<sub>current</sub>= 125 days (based upon observed rate and reported quantity), Q<sub>current</sub> = 1143 gpm (based upon observation during 2016 field visit), tp<sub>proposed</sub> = 74 days (at both ID 4 and ID 5), Q<sub>proposed</sub> = 1825 gpm (at both ID 4 and ID 5). Wells were given the following X-Y coordinates:

24690 ID 4:

X = 69,124 ft, Y = 170,148 ft

Proposed PD:

X = 69,115 ft, Y = 170,151 ft

24689:

X = 71,602 ft, Y = 171,921 ft

Domestic 14-31-30: X = 71,993 ft, Y = 171,140 ft

Domestic 23-31-30: X = 71,302 ft, Y = 165,867 ft

RECEIVED

FEB 1 1 2019

Garden City Field Office Division of Water Resources Theis drawdowns were calculated as follows:

24689: Drawdown from current location = 1.62 ft

Drawdown from proposed location = 1.80 ft

Net drawdown = 0.2 ft

Domestic 14-31-30: Drawdown from current location = 1.63 ft

Drawdown from proposed location = 1.81 ft

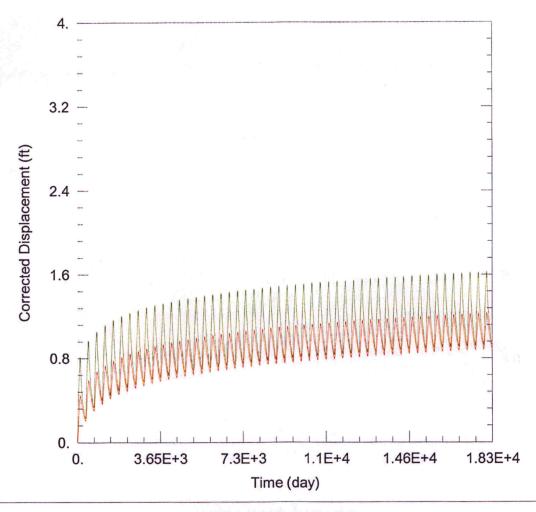
Net drawdown = 0.2 ft

Domestic 23-31-30: Drawdown from current location = 1.23 ft

Drawdown from proposed location = 1.27 ft

Net drawdown = 0.0 ft

None of the net well effects exceed the drawdown allowance of 4.0 ft, therefore none of the neighboring wells are likely to be impaired.



#### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2019\_moves\24690\24690 Current.aqt

Date: 02/11/19 Time: 13:49:12

# PROJECT INFORMATION

Company: GMD 3 Client: John Borth Project: 24690

Location: Meade County

Test Well: 24690

#### **WELL DATA**

P	umping Wells		Observation Wells					
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)			
24690	69124	170148	0	69124	170148			
Andrews Andrews		1 7	- 24689	71602	171921			
			Domestic 14-31-30	71993	171140			
			<ul> <li>Domestic 23-31-30</li> </ul>	71302	165867			

#### SOLUTION

Aquifer Model: Unconfined

 $= 3.064E + 4 \text{ ft}^2/\text{day}$ Kz/Kr = 1.

S b

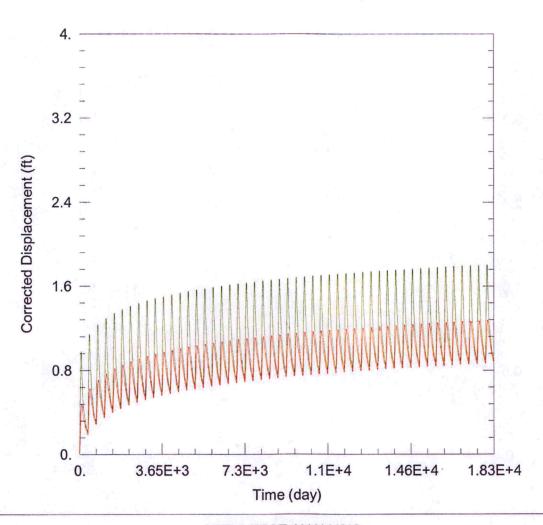
Solution Method: Theis

FEB 1 1 2019

RECEIVED

= 0.2624= 228. ft

Garden City Field Office



#### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2019\_moves\24690\24690 Proposed.aqt

Date: 02/11/19 Time: 13:48:43

#### PROJECT INFORMATION

Company: GMD 3 Client: John Borth Project: 24690

Location: Meade County

Test Well: 24690

#### **WELL DATA**

 Pumping Wells

 Well Name
 X (ft)
 Y (ft)

 69124
 170148

 69115
 170151

Well Name	X (ft)	Y (ft)
0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	69124	170148
	69115	170151
<ul><li>24689</li></ul>	71602	171921
<ul> <li>Domestic 14-31-30</li> </ul>	71993	171140
<ul> <li>Domestic 23-31-30</li> </ul>	71302	165867

**Observation Wells** 

#### SOLUTION

Aquifer Model: Unconfined

 $T = 3.064E + 4 ft^2/day$ 

Kz/Kr = 1.

Solution Method: Theis

S = 0.2624b = 228. ft

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



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 1, 2019

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 409 CAMPUS DRIVE, SUITE 106 GARDEN CITY KS 67846

Re:

Water Right File No. 24690

Dear Mr. Norquest:

This is to advise you that John Borth has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion for the above referenced file.

We are delaying action on the change application to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer

Water Commissioner

MAM **Enclosures**