

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

1. File Number: <b>30473</b>	2. Status Change Date: <b>8-6-19</b>	3. Change Num: <b>C3</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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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: <b>7/10/19</b>
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8a. LANDOWNER New to system <input type="checkbox"/> Person ID <b>61038</b> Add Seq# <b>1</b>  <b>DDD FARMS LLC</b> <b>301 W CARTHAGE</b> <b>PO BOX 489</b> <b>MEADE KS 67864</b>	8c. APPLICANT, WUC New to system <input type="checkbox"/> Person ID <b>3990</b> Add Seq# _____  <b>FRANK P DEVINE</b> <b>PO BOX 489</b> <b>MEADE KS 67864-0489</b>
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8b. Landowner(s), correspondent New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	8d. LANDOWNER New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/19</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>12/31/20</b>	
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input 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: <b>8/6/19</b>	By: <b>MAM</b>
Date Entered: _____	By: _____

File No. **30473**      11. County: **ME**      Basin: **CROOKED CREEK**      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)	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	
<b>ENT</b>		<b>SWS-ENW</b>	<b>31</b>	<b>30</b>	<b>27W</b>		<b>2812'</b>	<b>3607'</b>		<b>1500</b>	<b>480</b>	<b>1500</b>	<b>480</b>	<b>NONE</b>

**DEL 74119**

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 CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						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				
<b>NO CHG</b>																									

**Base Acres:**      **Year:**      **Minimum Reasonable Quantity:**

Comments:

Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

August 6, 2019

FRANK P DEVINE  
PO BOX 489  
MEADE KS 67864-0489

RE: Water Right, File No. 30473

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 flowmeter must be installed on the diversion works authorized under the referenced file number and meet current specifications.

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.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM:  
enclosures  
pc:

DDD FARMS LLC  
301 W CARTHAGE  
PO BOX 489  
MEADE KS 67864

GMD3

## CERTIFICATE OF SERVICE


On this 6<sup>th</sup> day of August, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 30,473 dated 6<sup>th</sup> day of August, 2019 was mailed postage prepaid, first class, US mail to the following:

FRANK P DEVINE  
PO BOX 489  
MEADE KS 67864-0489

Pc:

DDD FARMS LLC  
301 W CARTHAGE  
PO BOX 489  
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.

**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.

File No. ~~30743~~ 30473

**RECEIVED**  
 2:18 pm  
 JUL 10 2019

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: FRANK P DEVINE

PO BOX 489, MEADE KS 67864-0489

Phone Number: (620)873-2765

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Same

Phone Number: (     ) \_\_\_\_\_

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: \_\_\_\_\_

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: \_\_\_\_\_

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<sup>00</sup> TR # \_\_\_\_\_ Receipt Date 7-10-19 Check # 4796

5. **Presently authorized point of diversion:**

One in the NE Quarter of the NE Quarter of the SE Quarter of Section 36, Township 30 South, Range 28 (W), in ME County, Kansas, 2400 feet North 400 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:  No change, point better described with GPS as follows:

**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**

One in the SE SW Quarter of the SW SE Quarter of the NW Quarter of Section 31, Township 30 South, Range 27 (W), in ME County, Kansas, 2812 feet North 3607 feet West of Southeast corner of section. Proposed Rate          Proposed Quantity          Proposed well depth (feet) 380. 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:  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)         

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

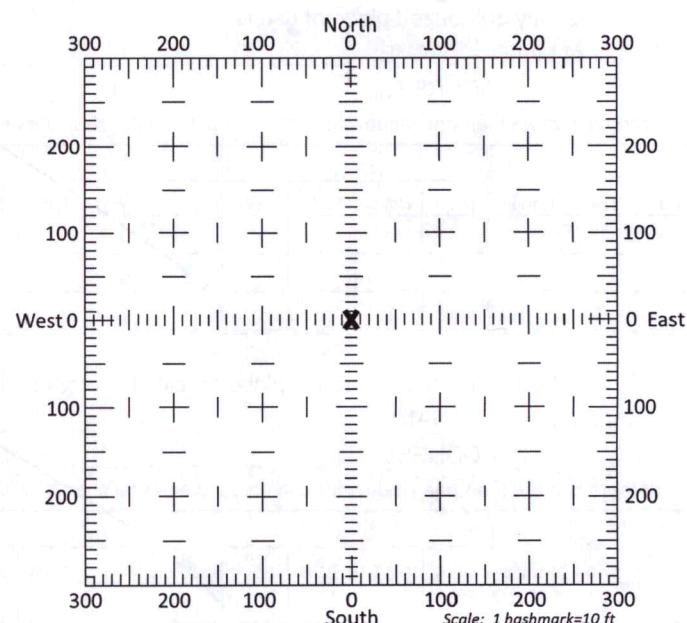
9. The change(s) (was)(will be) completed by?         

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

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by mf/GCFO         

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



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (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 Garden City, Kansas, this 10<sup>th</sup> day of July, 2019.

X F. R. Devine  
 (Owner)

X No Dorothy Devine  
 (Spouse)

(Please Print)  
KNO Farms LLC by No Dorothy Devine Member / Sec.  
 (Owner)

(Please Print)  
 (Spouse)

(Please Print)  
 (Owner)

(Please Print)  
 (Spouse)

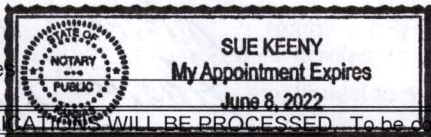
(Please Print)

(Please Print)

State of Kansas }  
 County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10<sup>th</sup> day of July, 2019.

My Commission Expires \_\_\_\_\_



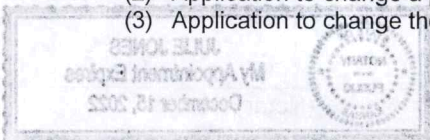
Sue Keeny  
 Notary Public

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.

**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



30473

**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. 30473

1. A change application was received on July 10, 2019 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ 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, 2019**, 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, 2019**, or within any authorized extension of time. By March 1, 2020 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: Michael A. Meyer  
Duly Authorized Designee of the Chief Engineer

(Print Name): MICHAEL A. MEYER  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: August 6, 2019

State of Kansas \_\_\_\_\_ )

County of Stimney ) SS

Acknowledged before me on August 6, 2019

by Michael A. Meyer

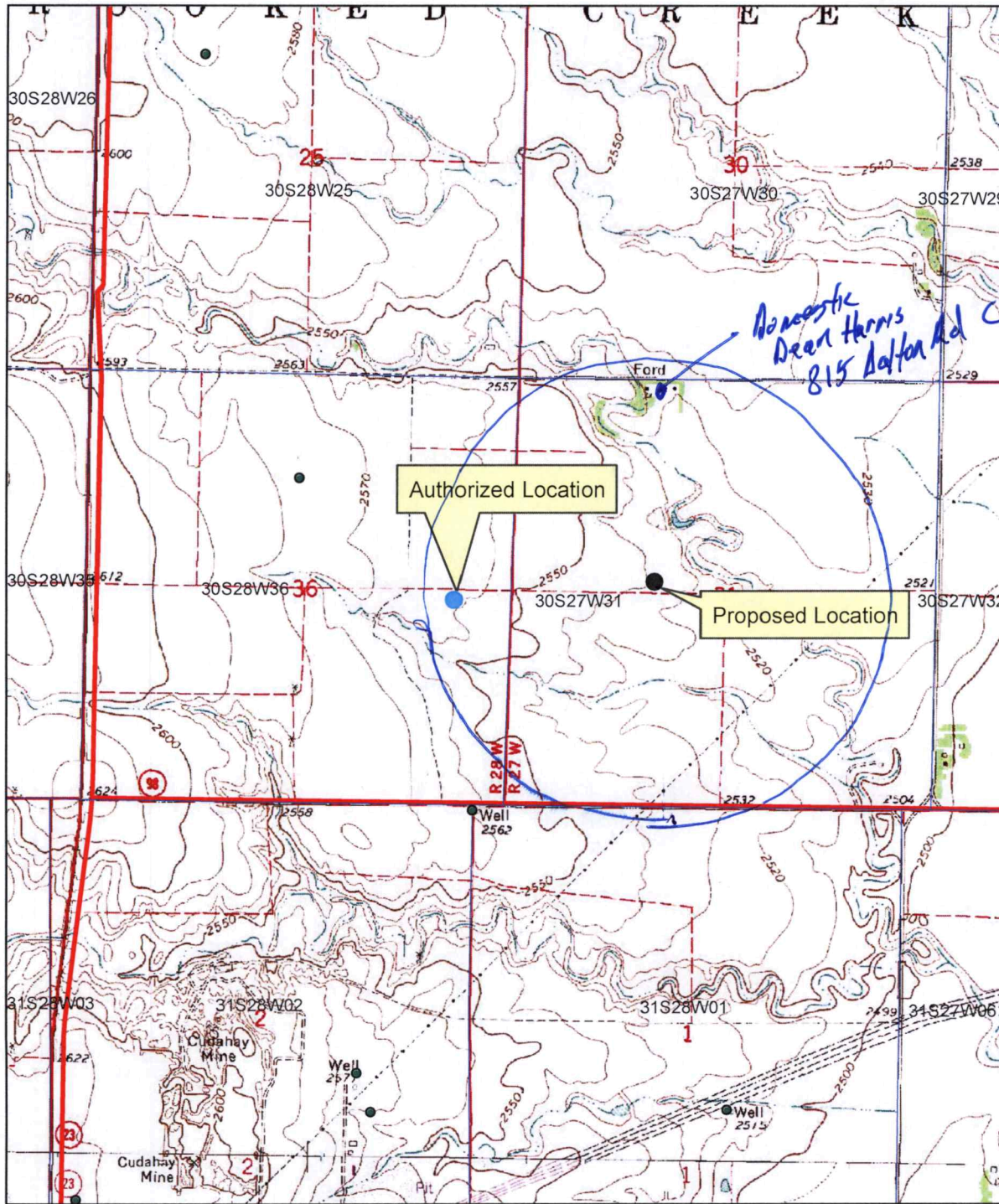
Signature: Julie Jones

My commission expires: \_\_\_\_\_



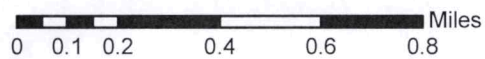


Change in Point of Diversion for Water Right ~~30743~~ <sup>30473</sup>



*Nonpoint Drain Horns  
815 Dalton Rd  
Cedar Valley KS  
67024*

- Authorized Point of Diversion
- Proposed Point of Diversion



All wells within 1/2 miles are on this map.

X FP

ones Ave.  
City, KS 67846  
0-277-2389



WR: ~~30473~~ 30473  
**Hydro**  
resources

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

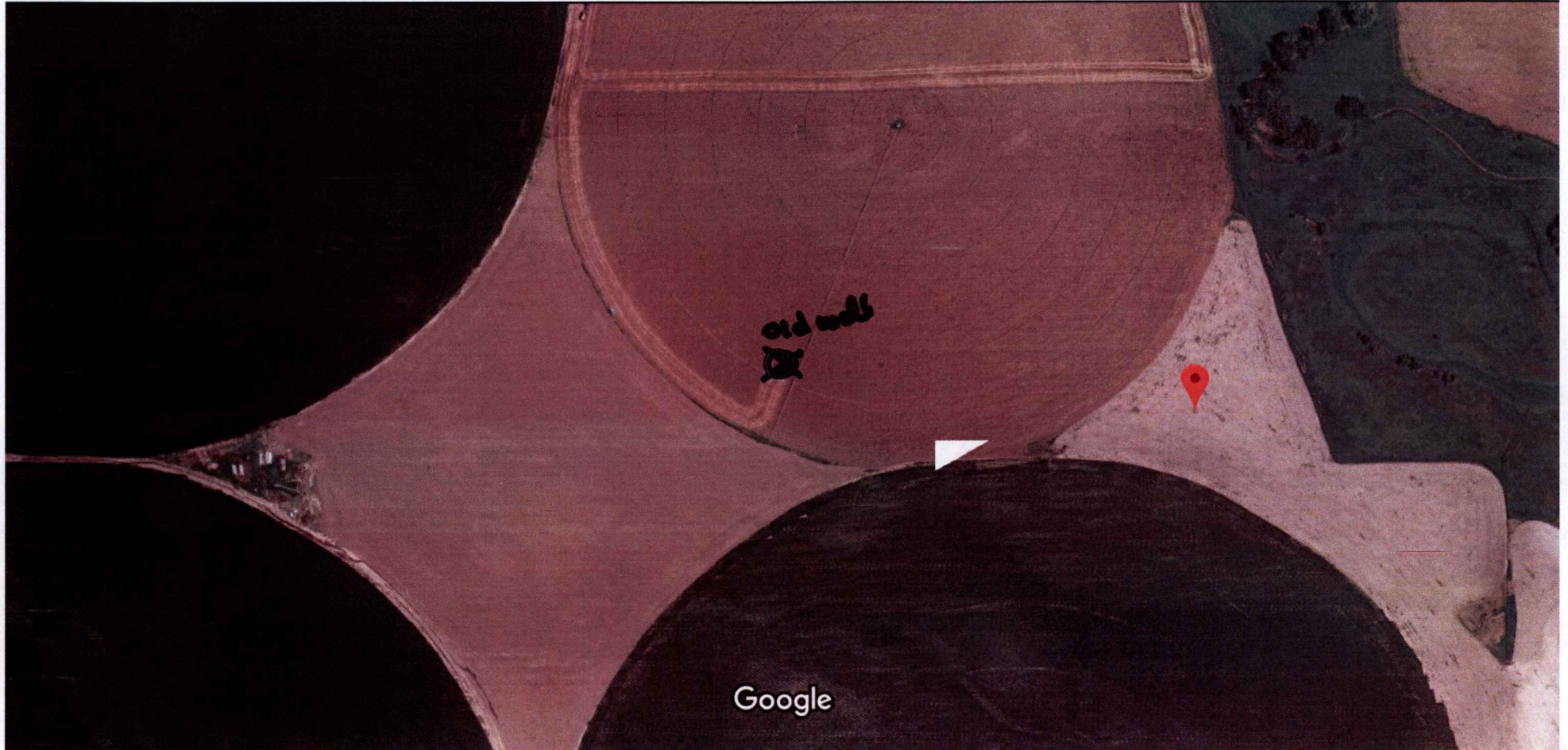
APR 24 2019

Customer Name: Frank Devine  
Street Address: \_\_\_\_\_  
City, State: \_\_\_\_\_  
County: Meade Quarter: NW Section: 31  
Location: Farndale well 1140 E#109'S  
Rig #: 10002

WO#: 15289 Date: 4-23-19  
Test #: 2 E LOG: Yes  
Driller: Dale Guinn  
Township: 30 Range: 38  
GPS: N37.39490 W100.31921  
Static WL: 139' Estimated? \_\_\_\_\_  
Proposed Well Depth \_\_\_\_\_

%	Footage			Description of Strata
	From	Pay	To	
	0		3	Top Soil
	3		12	Brown Sandy clay w/ Caliche & lime rock
	12		18	Caliche & Lime Rock
	18		34	Brown Clay w/ couple lime rock strips
	34		38	Fine Sand
	38		47	Gray & light Green Clay
	47		49	Brown Clay
	49		51	Caliche & Lime Rock
	51		73	Light Green Clay w/ Lime Rock Strips
	73		98	Blue Clay
	98		117	Gray & Light Blue Clay
	117		135	White & Brown Clay w/ Lime rock
	135		152	Blue Clay
30	152	28	180	Sand fine to med course small gravel
10	180	22	202	Fine Sand w/ Many Clay ledges
	202		220	Brown Clay
	220	21	241	Brown Clay w/ few fine sand strips
5	241	18	259	Brown Clay w/ fine sand & some lime rock strips
30	259	11	270	Sand fine to med course w/ some brown rock
	270		284	Brown Clay
25	284	26	310	Sand fine to med course
5	310	10	320	Lime Rock w/ some fine sand & clay mixed
5	320	17	337	Cemented sand fairly loose in places w/ some clay mixed
5	337	7	344	Yellow & Brown Rock w/ some yellow soapstone mixed
	344		367	Yellow Soapstone
	367		380	Shale
				Super Gel X - 1
				Grout - 5
				Best. Plug 3/4 - 4
				Perma Plug - 1

37°23'41.6"N 100°19'09.2"W



Imagery ©2019 Google, Map data ©2019 200 ft

37.395293°N  
-100.323120°W

Garden City Field Office  
4532 W. Jones, Suite A  
Garden City, KS 67846



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

July 18, 2019

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

Re: Water Right File No. 30473

Dear Mr. Norquest:

This is to advise you that DDD Farms LLC 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

**Meyer, Mike [KDA]**

---

**From:** Meyer, Mike [KDA]  
**Sent:** Thursday, July 18, 2019 11:55 AM  
**To:** 'Norquest, Jason (Norquest@gmd3.org)'  
**Subject:** request for recommendation, File No. 30473  
**Attachments:** 20190718113950345.pdf

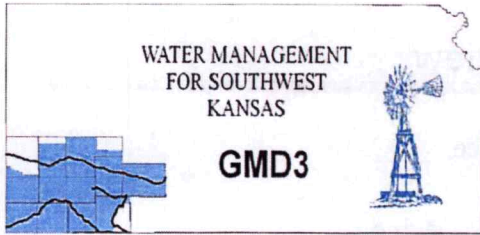
Good morning

Attached is a request to review the attached application to change the point of diversion for File No. 30473. Please note that I have attached a telephone conversation with the only known well within one half mile of the proposal. Typical concerns of the overall decline in the aquifer, but no issues of potential effects to his well. he just wanted to let me know he didn't like the proposal or irrigation.

Please provide a recommendation after your review within 15 days.

thanks

*Mike*



**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

August 6, 2019

Michael A. Meyer  
Division of Water Resources  
4532 W Jones Ave., Suite B  
Garden City, Kansas 67846

RE: Application for Change in Point of Diversion  
Water Right, File No. 30473

Dear Mike:

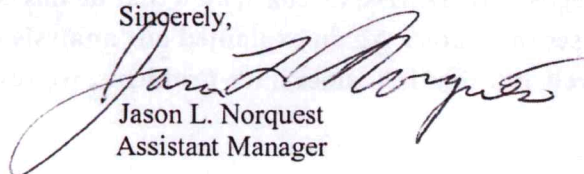
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

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 our membership. 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 one domestic well did exceed the 4.0 ft maximum allowable threshold. Further calculations, determined that the effect did not exceed the critical well criteria though. The results were based on the proposed well pumping at full authority. We did have a phone conversation with the domestic well owner to explain our results. He discussed the applicants farming practices more than stating he wished to make a formal complaint. We also discussed his option if he had concerns in the future. Therefore, GMD3 sees this move as reasonable and unlikely to impair neighboring wells. It is therefore recommended that the application 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

AUG 06 2019

## GMD3 Change Review

---

File No(s): 30473.

DWR office: GC.

App filed to change: PD

Is Landowner(s) correct in WRIS: DDD Farms, Frank Devine.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Yes.

If NO, is documentation included?

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

Point of diversion ID No(s) 03 being changed.

	ft. North	ft. West	
Authorized PD	2490	400	Sect 36-30-28
Proposed PD	2812	3607	Sect 31-30-27
Difference	-322 n	2473 e	
$a^2 + b^2 = c^2$	103684	6115729	2493.875 foot move NE

GPS for proposed PD: Lat: 37.39490 Long: -100.31921.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No change in PU.

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    %

**All certified wells within a mile are the applicant's well.**

**DWR sent notice to one domestic within a half mile and did not want to report a concern about the new well, more of how the water is used and how the area used to be.**

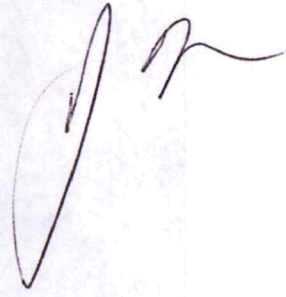
**Office contacted Mr. Harris, he confirmed that he has concerns about how the applicant uses the water. Again explained our analysis shows that his well is not a "critical" well, but that if he does have problems, we reviewed the process to follow.**

## GMD3 Change Review

---

Is a waiver needed: The move meets current area rules: move <half mile and spacing to neighboring wells, Analysis shows the possible effects would be within our guidelines, with no wells being critical.

Recommendation: After review of all information, it appears that current area rules are met. Concerns from neighbor was more about the use of the water from the applicant. Our analysis shows the wells not to be critical at this time. Staff recommends approval of the application.

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by a smaller, more fluid signature.

RECEIVED

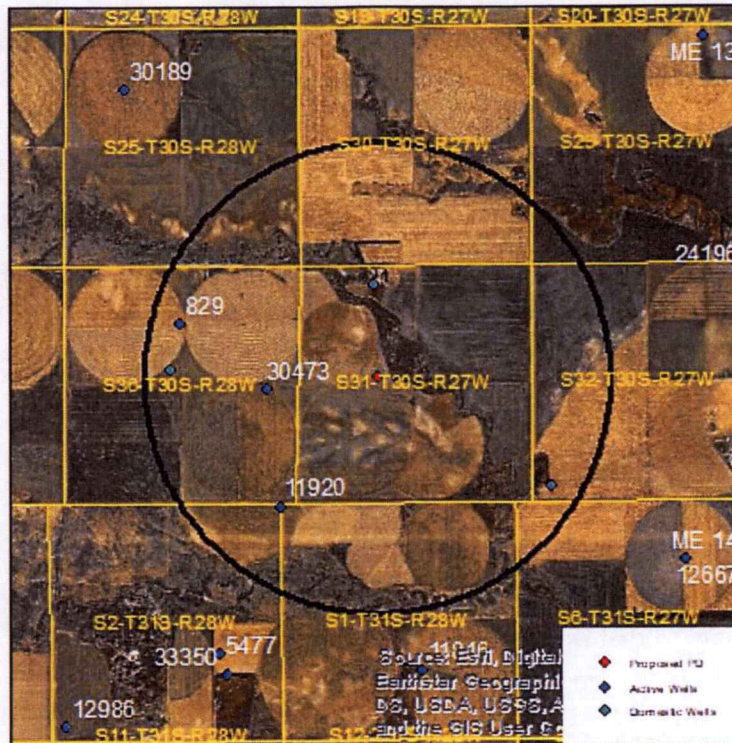
AUG 06 2019

Garden City Field Office  
Division of Water Resources



## Evaluation of proposed move for Water Right No 30473

Proposed: Move water right no. 30473 a distance of 2507 ft to the east.



Wells within 1 mile: 829, 11920, a domestic well in section 36-30-28, a domestic well in section 32-30-27, and a domestic well in section 31-30-27.

The saturated thickness at the proposed well location is estimated to be 238 ft, based upon an observation well in section 2-34-28 and the driller's log at the proposed location. For saturated thicknesses greater than 200 ft, the maximum allowable Theis drawdown to neighboring critical wells is 4.0 ft.

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

$S = 0.04727$ ,  $T = 6542 \text{ ft}^2/\text{day}$ ,  $tp_{\text{current}} = 100 \text{ days}$  (no rate data available, so 100 day pumping period was assumed),  $Q_{\text{current}} = 372 \text{ gpm}$  (based upon reported quantity and assumed rate),  $tp_{\text{proposed}} = 72 \text{ days}$ ,  $Q_{\text{proposed}} = 1500 \text{ gpm}$

Theis drawdowns were calculated as follows:

829:                      Drawdown from current location = 2.54 ft  
                                 Drawdown from proposed location = 5.03 ft  
                                 Net drawdown = 2.5 ft

11920: Drawdown from current location = 2.42 ft  
Drawdown from proposed location = 6.02 ft  
Net drawdown = **3.6 ft**

Domestic 36-30-28: Drawdown from current location = 2.71 ft  
Drawdown from proposed location = 4.98 ft  
Net drawdown = **2.3 ft**

Domestic 32-30-27: Drawdown from current location = 1.29 ft  
Drawdown from proposed location = 4.99 ft  
Net drawdown = **3.7 ft**

Domestic 31-30-27: Drawdown from current location = 2.04 ft  
Drawdown from proposed location = 9.13 ft  
Net drawdown = **7.1 ft**

Net drawdown exceeds the drawdown allowance on the domestic well in section 31-30-27, so critical well analysis is necessary on that well.

#### **Critical Well Analysis**

Domestic 31-30-27:

Water Column = 257 ft (from driller's log)

Drawdown due to proposal = 7.1 ft (based upon 50 year Theis calculation)

Drawdown due to existing wells = 41 ft (based upon water table declines from the GMD3 model over 25 years)

**Total Drawdown = 48.1 ft**

Economic Drawdown Constraint =  $257 \text{ ft} * 0.4 = 102.8 \text{ ft}$

Physical Drawdown Constraint =  $257 \text{ ft} - 20 \text{ ft} = 237 \text{ ft}$

The economic drawdown constraint is more conservative, so it governs.

Total drawdown (48.1 ft) is less than the EDC, so this well is **not critical**.

#### **Conclusion:**

Given the current saturated thickness, this proposed change is unlikely to create noticeable effects on most neighboring wells. If the proposed well is pumped at its proposed rate and quantity, Theis calculations show that an effect greater than 7 ft will be noticed on the domestic well in section 31-30-27. However, critical well analysis shows that this well is not critical and is unlikely to be impaired

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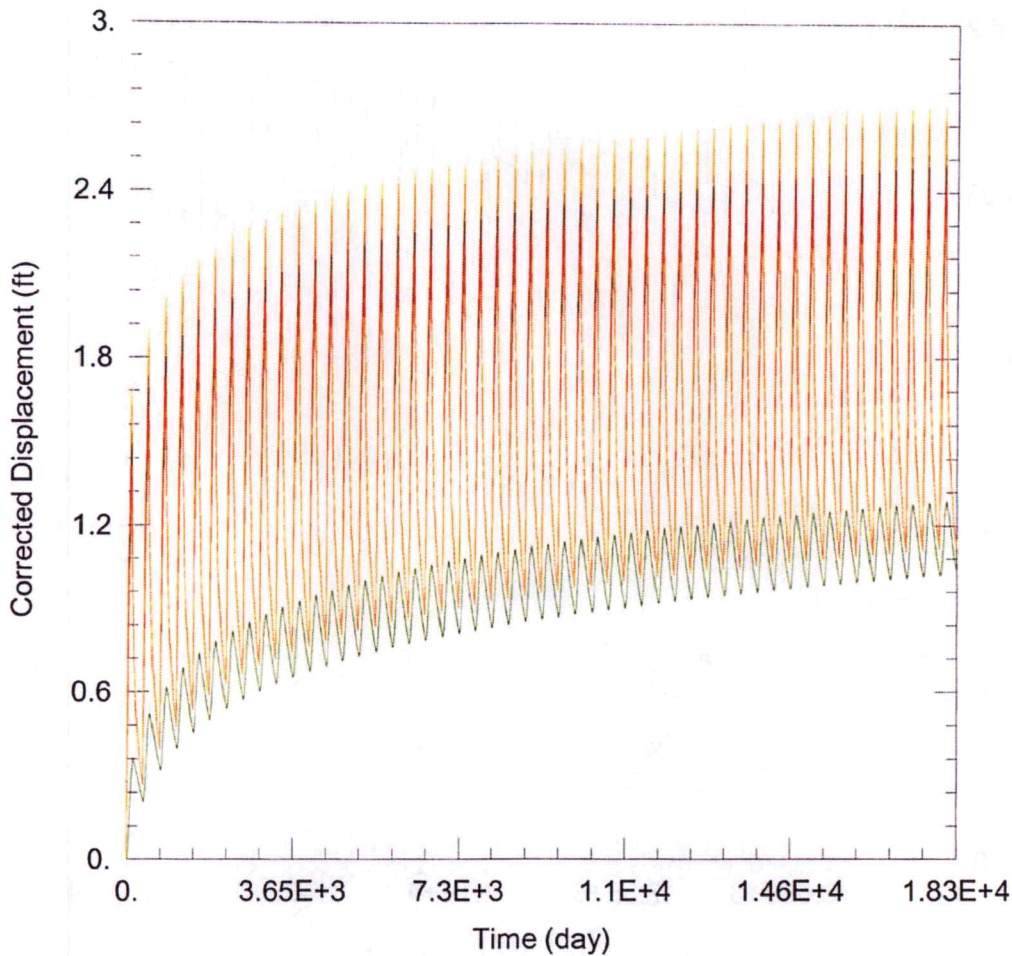
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Garden City Field Office  
Division of Water Resources

Analysis also does not account for the surface water feature between the proposed well and the domestic well in section 31-30-27. This stream may create a hydrologic barrier, lessening the well-to-well interaction effect. GMD3 staff recommends approval of this application.

Page 2 of 2

City of Denver  
Department of Public Works  
Water Resources Division



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2019\_moves\30473\30473 Current.aqt

Date: 07/26/19

Time: 14:15:03

PROJECT INFORMATION

Company: GMD 3

Project: 30473

Location: Meade County

Test Well: 30473

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
30473	137022	189382

Observation Wells

Well Name	X (ft)	Y (ft)
□	137022	189382
□ 829	135074	190858
□ 11920	137301	186761
□ Domestic 36-30-28	134866	189818
□ Domestic 32-30-27	143456	187201

SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

T = 6542. ft<sup>2</sup>/day

S = 0.04727

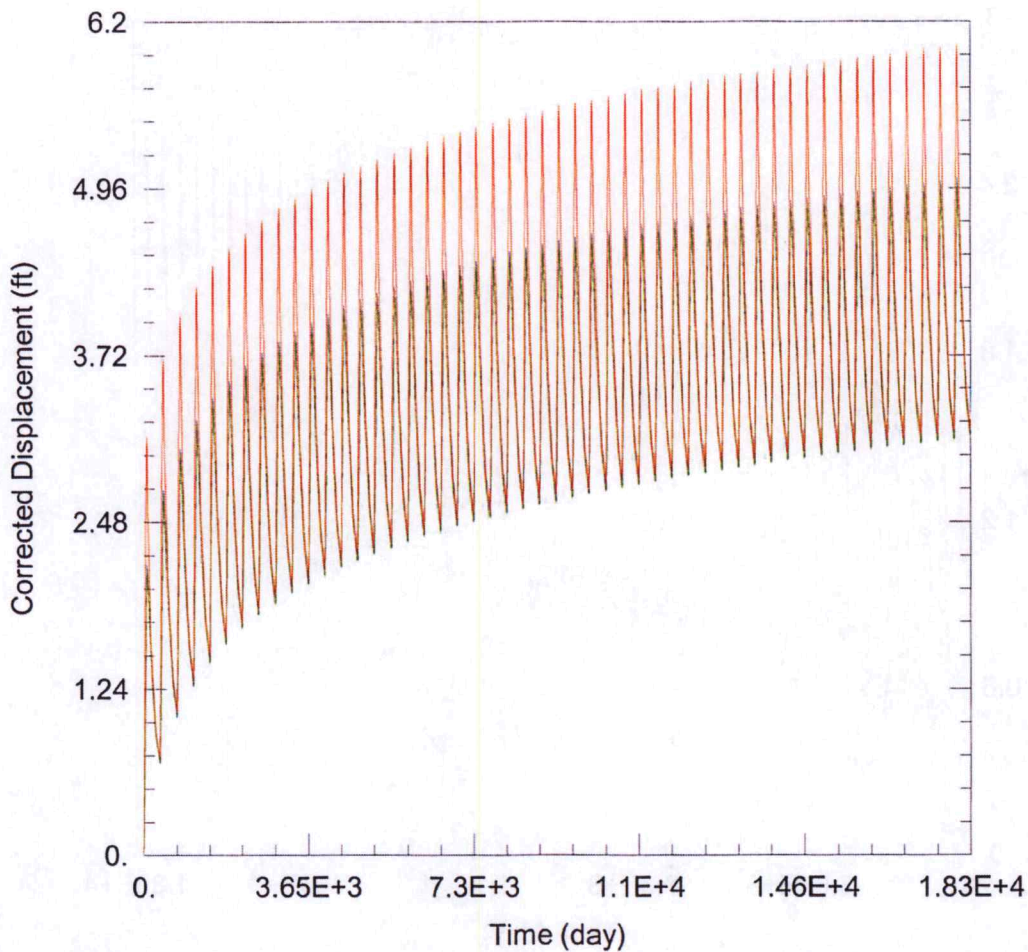
Kz/Kr = 1.

b = 238. ft

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Garden City Field Office  
Division of Water Resources



### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2019\_moves\30473\30473 Proposed.aqt

Date: 07/26/19

Time: 14:14:10

### PROJECT INFORMATION

Company: GMD 3

Project: 30473

Location: Meade County

Test Well: 30473

### WELL DATA

#### Pumping Wells

Well Name	X (ft)	Y (ft)
30473	139514	189652

#### Observation Wells

Well Name	X (ft)	Y (ft)
□	139514	189652
□ 829	135074	190858
□ <b>11920</b>	137301	186761
□ <b>Domestic 36-30-28</b>	134866	189818
□ <b>Domestic 32-30-27</b>	143456	187201

### SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

T = 6542. ft<sup>2</sup>/day

S = 0.04727

Kz/Kr = 1.

b = 238. ft

INPUTS	
Target Section Definition	
Section	31
Township	30
Range	27
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-100.319210
Target Latitude	37.394900

Load Data and Compute

#### Instructions

1. Enter values for section, township, range and range direction.
2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

Loaded Section Data From LEOBASE using <b>NAD83</b>		
Corner	Corner Latitudes	Corner Longitudes
SW	37.38718457	-100.32557320
NW	37.40180244	-100.32519115
NE	37.40186346	-100.30713955
SE	37.38720066	-100.30721549
Degrees Longitude per Foot		3.44205096E-06
Degrees Latitude per Foot		2.74638028E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	2809	-1849
NW	-2513	-1738
NE	-2536	3507
SE	2803	3485

Target point is In Section

Loaded Section Data From LEOBASE using <b>NAD27</b>		
Corner	Corner Latitudes	Corner Longitudes
SW	37.38716100	-100.32515000
NW	37.40177900	-100.32476800
NE	37.40184000	-100.30671700
SE	37.38717700	-100.30679300
Degrees Longitude per Foot		3.44204988E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	2818	-1726
NW	-2505	-1615
NE	-2527	3630
SE	2812	3607

Target point is In Section

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00002357	-0.00042320
NW	0.00002344	-0.00042315
NE	0.00002346	-0.00042255
SE	0.00002366	-0.00042249
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-8.98729926	-122.94941253
NW	-8.17479296	-122.93492100

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

2812 ft N and 3607 ft W of the SE Corner of Section 31, T 30S, R 27W

Located at: 100.319208 West Longitude and 37.394900 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 829	00	IRR	NK	G	4462	---	CW	NE	-----	-----	36	30	28W	1		381.00	381.00	AF 2100
A_ 11920	00	IRR	NK	G	3574	---	---	---	5280	60	2	31	28W	2		530.00	530.00	AF 2300
A_ 30473	00	IRR	NK	G*	2156	---	NE	NE	SE	2460	400	36	30	28W	3	480.00	480.00	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) =	1391.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1391.00	.00

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:

100.319208 West Longitude and 37.394900 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

File Number      Use ST SR
A_ 829 00 IRR NK G
> FRANK P DEVINE
>
> PO BOX 489
> MEADE KS 67864
-----
A_ 11920 00 IRR NK G
> FRANK P DEVINE
>
> PO BOX 489
> MEADE KS 67864
-----
A_ 30473 00 IRR NK G
> FRANK P DEVINE
>
> PO BOX 489
> MEADE KS 67864
-----

```

*Spacing is MET.*  
*All wells are Applicant's*

## Meyer, Mike [KDA]

---

**From:** Jason Norquest <norquest@gmd3.org>  
**Sent:** Tuesday, August 6, 2019 9:37 AM  
**To:** Meyer, Mike [KDA]  
**Subject:** RE: request for recommendation, File No. 30473  
**Attachments:** 2019\_Aug6\_ReviewMat\_PD.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.

Here you go Mike. Had a conversation this morning to try and explain the analysis results. He seemed more interested in talking about his neighbors farming practices. It didn't sound like he was going to send you a letter now. Let me know if you have questions or comments.

*Jason Norquest*

Assistant Manager, GMD3  
Cell: 620-271-1289  
Office: 620-275-7147  
[www.gmd3.org](http://www.gmd3.org)

---

**From:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Sent:** Thursday, July 18, 2019 11:55 AM  
**To:** Jason Norquest <norquest@gmd3.org>  
**Subject:** request for recommendation, File No. 30473

Good morning

Attached is a request to review the attached application to change the point of diversion for File No. 30473. Please note that I have attached a telephone conversation with the only known well within one half mile of the proposal. Typical concerns of the overall decline in the aquifer, but no issues of potential effects to his well. he just wanted to let me know he didn't like the proposal or irrigation.

Please provide a recommendation after your review within 15 days.

thanks

*Mike*

RECEIVED

AUG 06 2019

Garden City Field Office  
Division of Water Resources



Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846

  
**Kansas**  
Department of Agriculture  
*Division of Water Resources*

Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

July 10, 2019

DEAN HARRIS  
815 DALTON RD  
CEDAR VALE KS 67024

RE: Water Right, File No. 30473

Dear Sir:

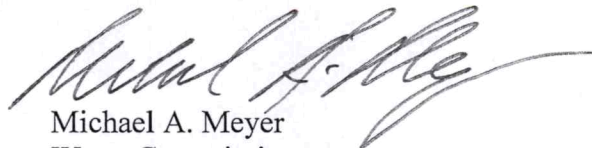
This is to advise you that DDD Farms LLC has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to point of diversion under the above referenced application. An irrigation well is proposed to be relocated.

You can find the complete application posted by water right file number as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,



Michael A. Meyer  
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3

SCANNED

**Meyer, Mike [KDA]**

---

GW Harris called (July 18, 2019) (620-646-5580), domestic well owner in NENENW of 31-30-27W. he domestic well is drilled to 320' (as deep as it will go). he does not like wells moving closer to the artesian valley as his well used to be very shallows water table, now over 90' deep. Irrigation wells have caused the decline in water levels over time especially in the artesian valley.

He does not like that this proposed well is moving next to his south edge of his property. (noise, location, closer to valley)

He said that mr. Devine has redrilled all of his well (this one will be the second redrill) and pumps as much water as he can. (one well for multiple pivots usually). He does not understand why anyone would want to put in all the extra underground line etc.

I stated that since he is at the bottom of the aquifer, and at that current location, that existing wells cannot be impaired with a proposal of a new well. the current proposal meets all spacing rules, appears to be sufficient water for domestic use (approx. 200' of saturated thickness etc). He stated he does not have any water well concerns or water supply concerns at this time. I stated to make sure he keeps an eye on things in the future if the new well is approved and if it would injure or impair his ability to access the water that he needs. He had no comments for the future concerns.

He stated that we can call any time with any questions etc. I stated that please call me in the future of any questions or concerns.

*Mike*

Brenda Harris  
19075 F Road  
Fowler, KS 67844

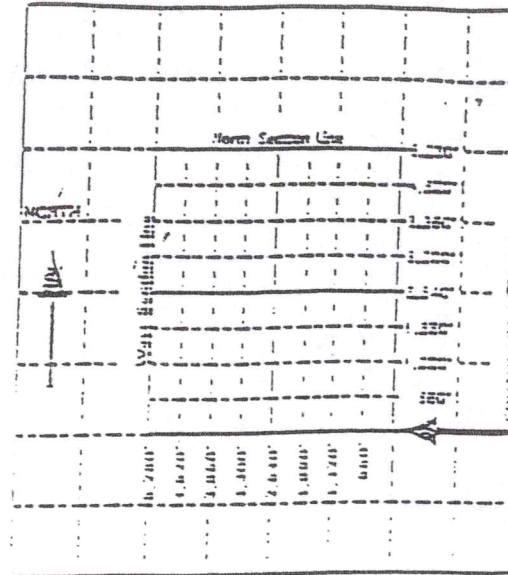
Nearby domestic well

N2N2 3130-27W

HOWARD DRILLING CO.

WELL LOG

MILEAGE—BEGINNING	<u>236390</u>	EXEMPT	_____
ENDING	<u>236771</u>	OKLA.	<u>40</u>
		KAN.	<u>341</u>
TOTAL	<u>381</u>	TEX.	_____
		TOTAL	_____



DATE: 12 Sept 01

OPERATOR: BILLING COMPANY Bill Harris  
19077 F Rd.

CONTRACTOR: Fowler, KS 67844

DIRECTIONS TO LOCATION: North of Meade

WELL NAME: \_\_\_\_\_

SURFACE OWNER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: SEC. 31 TWP 30N RANGE 27W BLOCK \_\_\_\_\_ SURVEY \_\_\_\_\_

COUNTY: Meade TX. CK. (KS)

FOOTAGES: \_\_\_\_\_

STATIC WATER LEVEL: \_\_\_\_\_

PERFORATIONS FROM 320 FT. TO 360 FT.

WEO DUG PIT \_\_\_\_\_

GRAVEL PACKED FROM 260 FT. TO 360 FT.

HOLE PLUG 4

GRAVEL USES: 3 YARDS

CEMENT \_\_\_\_\_

CASING SIZE: 5 INCH (6) INCH 8 INCH

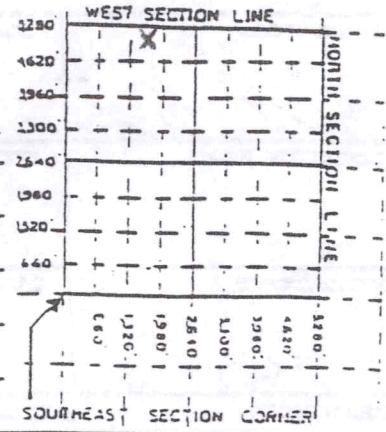
FORMATION LOG: \_\_\_\_\_

WATER 1

<u>0-6 Top soil</u>	<u>230-235 fine sand</u>
<u>6-30 clay/sandy clay</u>	<u>235-264 tan clay/coarse sand</u>
<u>30-132 Blue clay/sand with</u>	<u>264-272 pink clay</u>
<u>132-142 fine sand</u>	<u>272-287 coarse sand/gravel</u>
<u>142-150 blue clay</u>	<u>287-290 pink + tan clay</u>
<u>150-190 fine sand</u>	<u>290-326 sand/clay</u>
<u>190-205 black clay</u>	<u>326-365 gravel/sand</u>
<u>205-223 sand/clay</u>	<u>365-367 yellow + blue shale</u>
<u>223-230 black clay</u>	

9-12-01

**HOWARD DRILLING COMPANY**  
 Beaver, OK • Perryton, TX • Liberal, KS



OPERATOR Bill Harris 620-646-5580

ADDRESS Fowler PHONE -

COMPANY MAN'S NAME \_\_\_\_\_ PHONE \_\_\_\_\_

DRILLING CONTRACTOR \_\_\_\_\_ RIG NO. \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

TOOLPUSHER \_\_\_\_\_

NAME OF LEASE \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_ FEET FROM N OR S LINE \_\_\_\_\_ FEET FROM E OR W LINE

SEC. 31, TWP. 30 N OR S, RNG 27 E OR W: COUNTY \_\_\_\_\_, STATE \_\_\_\_\_

TEXAS: SECTION \_\_\_\_\_ BLK. \_\_\_\_\_ SURVEY \_\_\_\_\_ COUNTY \_\_\_\_\_

DO YOU HAVE LANDOWNER PERMISSION TO DRILL \_\_\_\_\_

LANDOWNER \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_

ARE WE TO GET PERMIT? \_\_\_\_\_ PERMIT NO. \_\_\_\_\_

SIZE OF CASING 10" WHEN TO DRILL \_\_\_\_\_

ARE WE TO FURNISH PUMP? \_\_\_\_\_ SIZE \_\_\_\_\_, VOLTAGE \_\_\_\_\_, PHASE \_\_\_\_\_

ARE WE TO FURNISH POLY PIPE? \_\_\_\_\_ ARE WE TO FURNISH GENERATOR \_\_\_\_\_

WHO IS THE FUEL ON? \_\_\_\_\_

DIRECTIONS TO LOCATION: 9 N. of Meade (In. of 98 to Rd F.)  
1/4 E of S 2

WHEN AND WHAT TIME WILL YOU NEED WATER \_\_\_\_\_

WHO GETS INVOICE? \_\_\_\_\_

APPROXIMATE — TOTAL DEPTH 360', WATER LEVEL 150'

ACTUAL — TOTAL DEPTH \_\_\_\_\_, WATER LEVEL \_\_\_\_\_, AS DRILLED.

DIRT CONTRACTOR \_\_\_\_\_ PHONE \_\_\_\_\_

IS PIT DUG \_\_\_\_\_, WHERE TO DRILL WELL ON LOCATION \_\_\_\_\_

DATE: 9-11-01

WORK ORDER

OPERATOR <i>Bill Harris</i>	CO. MAN	CONTRACTOR	TOOL PUSHER
LOCATION NAME	SECTION	COUNTY	
WELL DEPTH <i>740</i>	CASING SIZE <i>6"</i>	HP <i>VOLT @</i>	PUMP SET
DRAWDOWN	AFTER PUMPING <i>IDL</i>	GPM <i>100</i>	WATER LEVEL <i>91</i>
			TOTAL H <sub>2</sub> O <i>5 1/2</i>

Directions To Job

*Mead Ham N to by 98 1 on N 1.3 E 8 1/2*

Remarks or Materials Used on Job

*Test with 10 hp  
at 189' - 50 gpm  
run to bottom & slornate no sand  
pull pump*

Signature

*TG J. Stacey*