

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PD WORKSHEET

1. File Number: 14550	2. Status Change Date: 9-23-2020	3. Change Num: C1	4. Field Office: 04	5. GMD: 03
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input checked="" type="checkbox"/> Dismiss by Request /Failure to Return	7. Filing Date of Change: 04-JUN-2020
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8a. Applicant(s) New to system <input type="checkbox"/> LOVE AG COMPANY ATTN GREGORY LOVE 24506 ROAD 12 MONTEZUMA KS 67862	Person ID 41565 Add Seq# <u> 1 </u>	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
		8d. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____

8b. Landowner(s) New to system <input type="checkbox"/> LOVE AG COMPANY ATTN GREGORY LOVE 24506 ROAD 12 MONTEZUMA KS 67862 Ownership change	Person ID 41565 Add Seq# <u> 1 </u>	8e. WUC New to system <input type="checkbox"/> LOVE AG COMPANY ATTN GREGORY LOVE 24506 ROAD 12 MONTEZUMA KS 67862 WUC change
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9. Documents and Enclosure(s): <input type="checkbox"/> DWR Meter(s) Date to Comply: _____ <input type="checkbox"/> N & P Date to Comply: _____	
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter	
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____	

10. Use Made of Water From: _____ To: _____

Date Prepared: 9/21/20	By: RAK
Date Entered: _____	By: _____

File No. **14550** 11. County: GY Basin: _____ Stream: _____ Formation Code: _____ Special Use: _____

12. Points of Diversion CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate and Quantity						
										Authorized				Additional		Overlap PD Files
										Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy			

NO CHANGE

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
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
	18312	7	27	28W	1									31.5	31.5	31.5	31.5					126	8B	YES	20063
	33536	12	27	29W	2													31.5	31.5	31.5	31.5	126	8B	YES	NONE
	38979	12	27	29W	1									31.5	31.5	31.5	31.5					126	8B	YES	NONE
OWNERSHIP CHANGE ONLY																									

Base Acres: _____ Year: _____ Minimum Reasonable Quantity: _____
 Comments: _____

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

September 23, 2020

LOVE AG COMPANY
ATTN GREGORY LOVE
24506 ROAD 12
MONTEZUMA KS 67862

RE: Water Right, File No. 14,550

Dear Sir or Madam:

Enclosed are the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, which dismiss Application for Approval to Change the Point of Diversion for File No. 14,550 received on June 4, 2020. The dismissal of the change application is in response to the voluntary request you signed on September 21, 2020 and was received at our office on September 23, 2020.

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office.

If you have any questions, please contact this office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer". The signature is fluid and cursive.

Michael A. Meyer
Water Commissioner

MAM:rak
enclosures
pc:

Groundwater Management District No. 3

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting Chief Engineer

**FINDINGS AND ORDER
IN THE MATTER OF THE DISMISSAL
OF AN APPLICATION FOR APPROVAL
TO CHANGE THE AUTHORIZED
POINT OF DIVERSION
WATER RIGHT
FILE NO. 14,550**

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

1. That on April 2, 1982, the Chief Engineer, in accordance with K.S.A. 82a-714, issued a Certificate of Appropriation pursuant to Water Right, File No. 14,550, for permit to appropriate water for irrigation use.
2. That on April 21, 1998, an Application for Approval to Change the Point of Diversion was approved by the Chief Engineer for File No. 14,550.
3. That on June 4, 2020, an Application for Approval to Change the Point of Diversion was received in the office of the Chief Engineer for File No. 14,550.
4. That by means of a written request dated September 21, 2020, received in the office of the Chief Engineer on September 21, 2020, Gregory Love, on behalf of Love Ag Company, water right owner, requested that the Application for Approval to Change the Point of Diversion, Water Right, File No. 14,550 received on June 4, 2020, described in Finding No. 3 above, be dismissed and its priority forfeited.

ORDER

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, the Application for Approval to Change the Point of Diversion, received on June 4, 2020, under Water Right, File No. 14,550, shall be dismissed.

In all other respects, the Certificate of Appropriation for Beneficial Use of Water, issued pursuant to File No. 14,550 dated April 2, 1982, remains as authorized, as modified and amended by the aforementioned order.

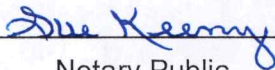
Ordered this 24th day of September, 2020, in Garden City, Finney County, Kansas.



Michael A. Meyer
Water Commissioner
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Finney)

The foregoing instrument was acknowledged before me this 24th day of September, 2020, by Michael A. Meyer, Water Commissioner Division of Water Resources, Kansas Department of Agriculture.



Notary Public



Right to Petition for Administrative Review - If you are aggrieved by this Order, then pursuant to K.S.A 82a-1901(c), you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777. If no petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request administrative review may preclude further judicial review under the Kansas Judicial Review Act.

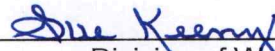
CERTIFICATE OF SERVICE

On this 24th day of September, 2020, I hereby certify that the foregoing Dismissal of Application For Approval To Change the Authorized Point of Diversion, File No. 14,550, dated September 24, 2020 was mailed postage prepaid, first class, US mail to the following:

LOVE AG COMPANY
ATTN GREGORY LOVE
24506 ROAD 12
MONTEZUMA KS 67862

With photocopies to:

Groundwater Management District No. 3



Division of Water Resources

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: September 23, 2020

FROM: Richelle A. Krueger
Michael A. Meyer 

RE: Water Right
File No. 14,550

On June 4, 2020, Gregory Love, on behalf of Love Ag Company, filed an Application for Approval to Change the Point of Diversion for Water Right, File No. 14,550. In a written request dated September 21, 2020, received in the office of the Chief Engineer on September 23, 2020, the applicant requested that the referenced change application for File No. 14,550 be dismissed and its priority forfeited.

Based upon the above information, it is recommended that the referenced change application be dismissed, and its priority forfeited.

Richelle A. Krueger
Environmental Scientist

Michael A. Meyer
Water Commissioner

VOLUNTARY WAIVER OF HEARING & DISMISSAL OF APPLICATION FOR CHANGE

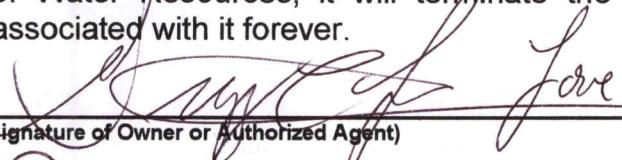
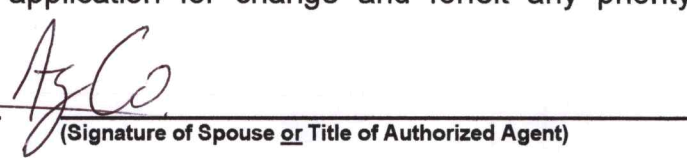
To: Kansas Department of Agriculture
 Division of Water Resources (DWR)
 1320 Research Park Dr.
 Manhattan KS 66502
 Telephone: (785) 564-6645
agriculture.ks.gov/dwr

Re: Appropriation of Water
 Water Right
 Vested Right
 Term Permit
(Check Appropriate Box Above)
 File No. 14550

The undersigned owner(s) and/or authorized agent(s) of the above referenced water right, or permit, freely and voluntarily request that the application to change the place of use filed on JUNE 4, 2020, be dismissed and its priority forfeited. By signing this waiver, I am indicating my understanding and agreement that I am relinquishing all right, title and interest in said application for change.

The signature(s) below represent all present owners (or an authorized agent) for the file number shown above (attach duplicate copies of this document as necessary).

The signature(s) below also indicate(s) a waiver of any right to a hearing or an appeal that I/we may have had regarding the dismissal and termination of the above referenced application for change. I/we recognize that if this closure request is submitted to the Division of Water Resources, it will terminate the application for change and forfeit any priority associated with it forever.

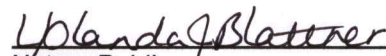
 _____ (Signature of Owner or Authorized Agent)	 _____ (Signature of Spouse or Title of Authorized Agent)
<u>Gregory E. Love</u> _____ (Please print name here)	_____ (Please print name here)
<u>24506 13rd</u> _____ (Mailing Address)	_____ (Mailing Address)
<u>Manhattan KS 67867</u> _____ (City, State, Zip)	_____ (City, State, Zip)

ACKNOWLEDGMENT

State of Kansas)
 County of Gray)

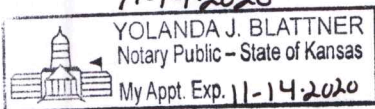
This instrument was acknowledged before me this 21 day of September, 2020 by
 (owners:) Love AG Co.

(Seal)



 Notary Public

My appointment expires:
11-14-2020



RECEIVED

 DWR Initials

SEP 23 2020

Garden City Field Office
 DIVISION OF WATER RESOURCES

SCANNED

VOLUNTARY WAIVER OF HEARING & DISMISSAL OF APPLICATION FOR CHANGE

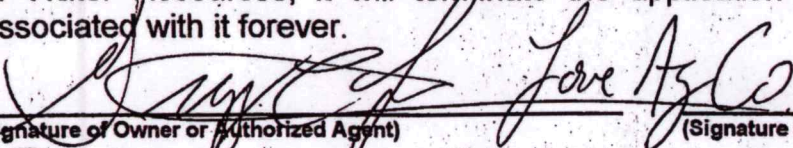
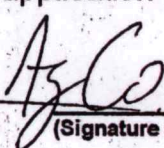
To: Kansas Department of Agriculture
Division of Water Resources (DWR)
1320 Research Park Dr.
Manhattan KS 66502
Telephone: (785) 564-6645
agriculture.ks.gov/dwr

Re: Appropriation of Water
Water Right
Vested Right
Term Permit
(Check Appropriate Box Above)
File No. 14550

The undersigned owner(s) and/or authorized agent(s) of the above referenced water right, or permit, freely and voluntarily request that the application to change the place of use filed on JUNE 4, 2020, be dismissed and its priority forfeited. By signing this waiver, I am indicating my understanding and agreement that I am relinquishing all right, title and interest in said application for change.

The signature(s) below represent all present owners (or an authorized agent) for the file number shown above (attach duplicate copies of this document as necessary).

The signature(s) below also indicate(s) a waiver of any right to a hearing or an appeal that I/we may have had regarding the dismissal and termination of the above referenced application for change. I/we recognize that if this closure request is submitted to the Division of Water Resources, it will terminate the application for change and forfeit any priority associated with it forever.

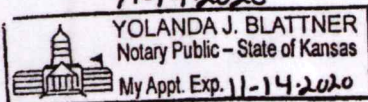
 _____ (Signature of Owner or Authorized Agent)	 _____ (Signature of Spouse or Title of Authorized Agent)
<u>Gregory E. Love</u> _____ (Please print name here)	_____ (Please print name here)
<u>24506 13rd</u> _____ (Mailing Address)	_____ (Mailing Address)
<u>Montezuma KS 67867</u> _____ (City, State, Zip)	_____ (City, State, Zip)

ACKNOWLEDGMENT

State of Kansas)
County of Gray)

This instrument was acknowledged before me this 21 day of September, 2020 by
(owners:) Love AG Co.
(Seal)

My appointment expires:
11-14-2020



RECEIVED Yolanda J. Blattner
Notary Public

SEP 21 2020

DWR Initials _____

Garden City Field Office
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.

File No. 14550

RECEIVED

4:50 PM

JUN 04 2020

Garden City Field Office
 Division of Water Resources

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

Place of Use Point of Diversion

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: Greg Love 24506 Road 12 Montezuma KS 67862

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: VERLE KOEHN 22656 13 RD MONTEZUMA, KS 67867

LOVE AG COMPANY (GREG LOVE) 24506 ROAD 12, MONTEZUMA, Kc 67862

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: LOVE AG COMPANY

ADDRESS: 24506 ROAD 12 MONTEZUMA KS 67862

(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 \$ 200.00 TR # _____ Receipt Date 6-4-20 Check # 6443

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

One in the NE Quarter of the NE Quarter of the SW Quarter of Section 12, Township 27 South, Range 29 W, in Gray County, Kansas, 2530 feet North 2670 feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)

(DWR use only: Computer ID No. 2 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 NW Quarter of the SW Quarter of the SW Quarter of Section 12, Township 27 South, Range 29 W, in Gray County, Kansas, 775 feet North 4743 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: 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?

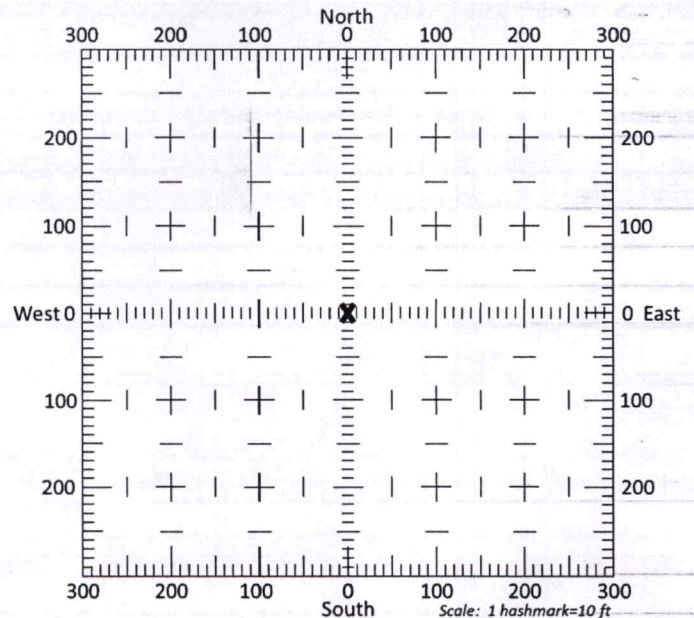
10. If the point of diversion is a well:
(a) What are you going to do with the old well?

(b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AT & SZ 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 ROSEN CITY, Kansas, this 4th day of JUNE, 2020.

Love Hampton _____
 (Owner) (Spouse)

 (Please Print) (Please Print)

 (Owner) (Spouse)

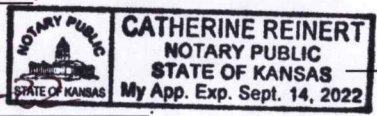
 (Please Print) (Please Print)

 (Owner) (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 4th day of JUNE, 2020.



Catherine Reinert
 Notary Public

My Commission Expires 9-14

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




CHANGE IN POINT OF DIVERSION 14550



Copyright © 2013 National Geographic Society, i-cubed

Township 27 South Range 29 West
Gray County

All wells of any kind within a half mile of the proposed point of diversion are shown:

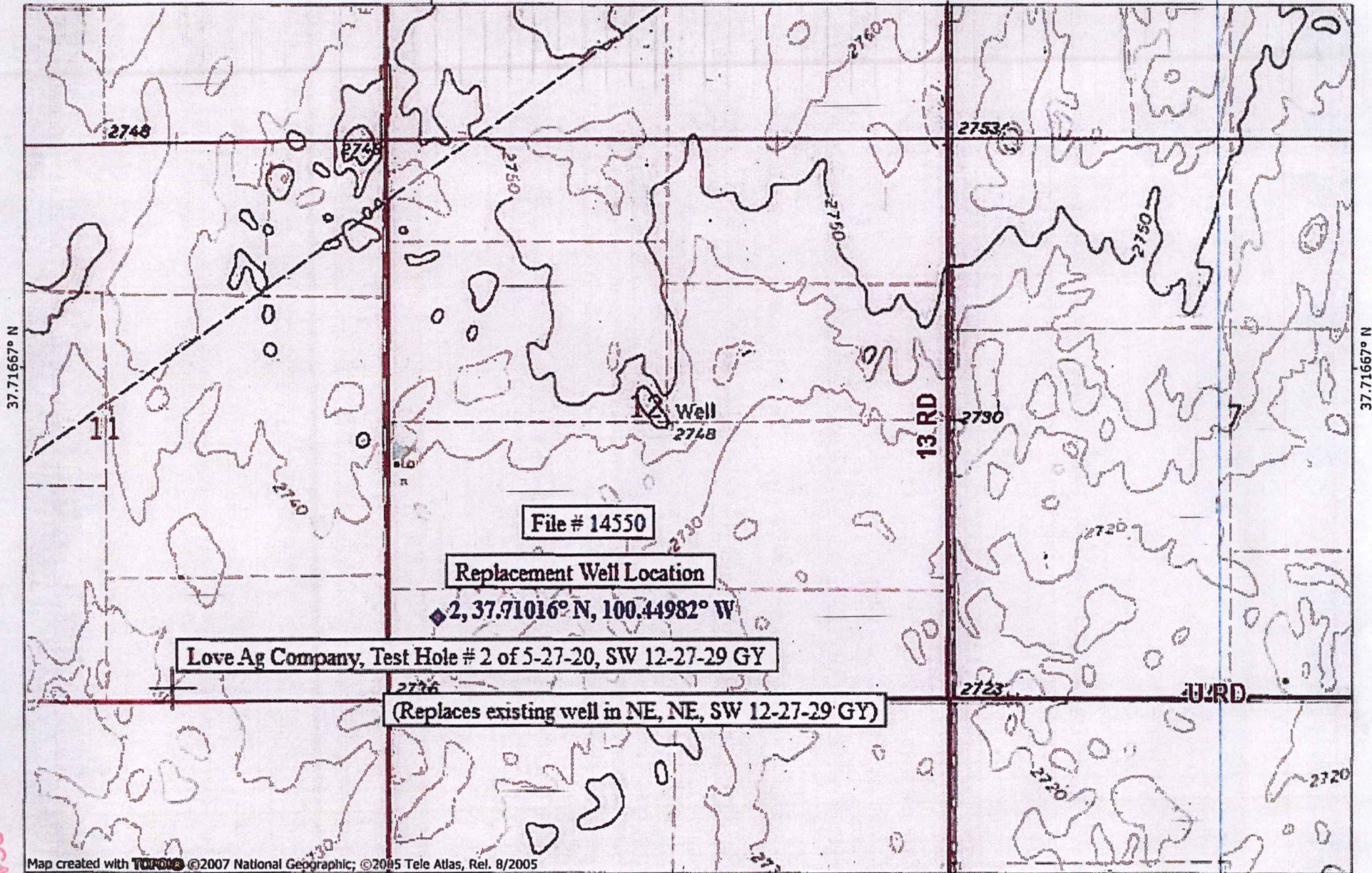
-  POINT OF DIVERSION
-  PROPOSED PD
-  Half-Mile Buffer



TOPO! map printed on 05/28/20 from "Untitled.tpo"

100.45000° W

NAD27 100.43333° W



File # 14550

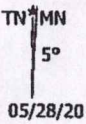
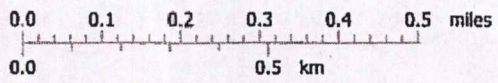
Replacement Well Location

◆ 2, 37.71016° N, 100.44982° W

Love Ag Company, Test Hole # 2 of 5-27-20, SW 12-27-29 GY

(Replaces existing well in NE, NE, SW 12-27-29 GY)

SCANNED



Map created with TOPO! ©2007 National Geographic; ©2005 Tele Atlas, Rel. 8/2005

100.45000° W

NAD27 100.43333° W

Meyer, Mike [KDA]

Subject:

File No. 14550

Leroy Wendal called 6-18-2020 called to repeat the same comments that his son Dan did earlier. they do not want wells moving closer to their wells as water is scarce enough. also they are concerned on how Loves irrigate, the see constant waste of water and not good practices.

Mike

Meyer, Mike [KDA]

Subject:

14550

on todays date John Heddlesten called, domestic well owner north of proposed well under 14550. he has concern for his future domestic use as well as noise near his house. he said the Loves are irresponsible irrigators. greatly objects to the proposal and wants to be informed of our findings prior to any approval etc.
620-255-6713

Mike

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 5, 2020

GROUNDWATER MANAGEMENT DISTRICT #3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Applications for Approval to Change Point of Diversion
Water Right, File Nos. 14550, 20063, & 28636

Dear Sir:

At your request, the Chief Engineer has extended, the initial time in which to supply the requested recommendation for the applications for approval to change for the above referenced files.

As requested, we will delay any further action until October 5, 2020. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

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

Michael A. Meyer
Water Commissioner

MAM

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

June 8, 2020

JOHN & CRYSTAL HEDDLESTEN
20602 12 RD
MONTEZUMA KS 67862

RE: Water Right, File No. 14550

Dear Sir:

This is to advise you that Love Ag Company 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

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,

A handwritten signature in black ink, appearing to read "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael A. Meyer
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3

SCANNED

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

June 8, 2020

LEROY WENDEL
Attn: DANIEL WENDEL
PO BOX 117
INGALLS, KS 67853-0117

RE: Water Right, File No. 14550

Dear Sir:

This is to advise you that Love Ag Company 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

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,

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

Michael A. Meyer
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3

SCANNED

Meyer, Mike [KDA]

Subject:

14550

Also Leroy called in.

today (June 15, 2020) I received a call from Dan Wendal (620335-5654 home, cell 620-339-6401), son of landowner Leroy Wendal. they have nearby wells to this file. they received letters. Dan wanted to make a comment that even though the proposed well meets spacing to their wells, they discourage allowing the redrill. they don't like the way the Love's farm. they waste water, let water run off of the land, several times, pivots operate but not move for days. he wanted to have this phone call documented in writing for comment for the file and appreciates a follow up letter back to them after our analysis and final decision. there is no concern with the operation of their wells yet (as far as impairment from nearby wells, but wants water for the future. he also does not want Loves to propose any additional wells and to ensure that any well that is moved, that the old well is not equipped to operate. again, I stressed that we would follow up with a letter after our final review to provide our approval or denial draft process.

Michael A. Meyer, PG
Kansas Department of Agriculture
Division of Water Resources
Garden City Field Office
4532 W Jones Ave, Suite B
Garden City KS 67846
Lat 37.98820, Lon -100.944470
(620)-276-2901
mike.meyer@ks.gov

RECEIVED

JUN 11 2020

Garden City Field Office
Division of Water Resources

Meyer, Mike [KDA]

Subject:

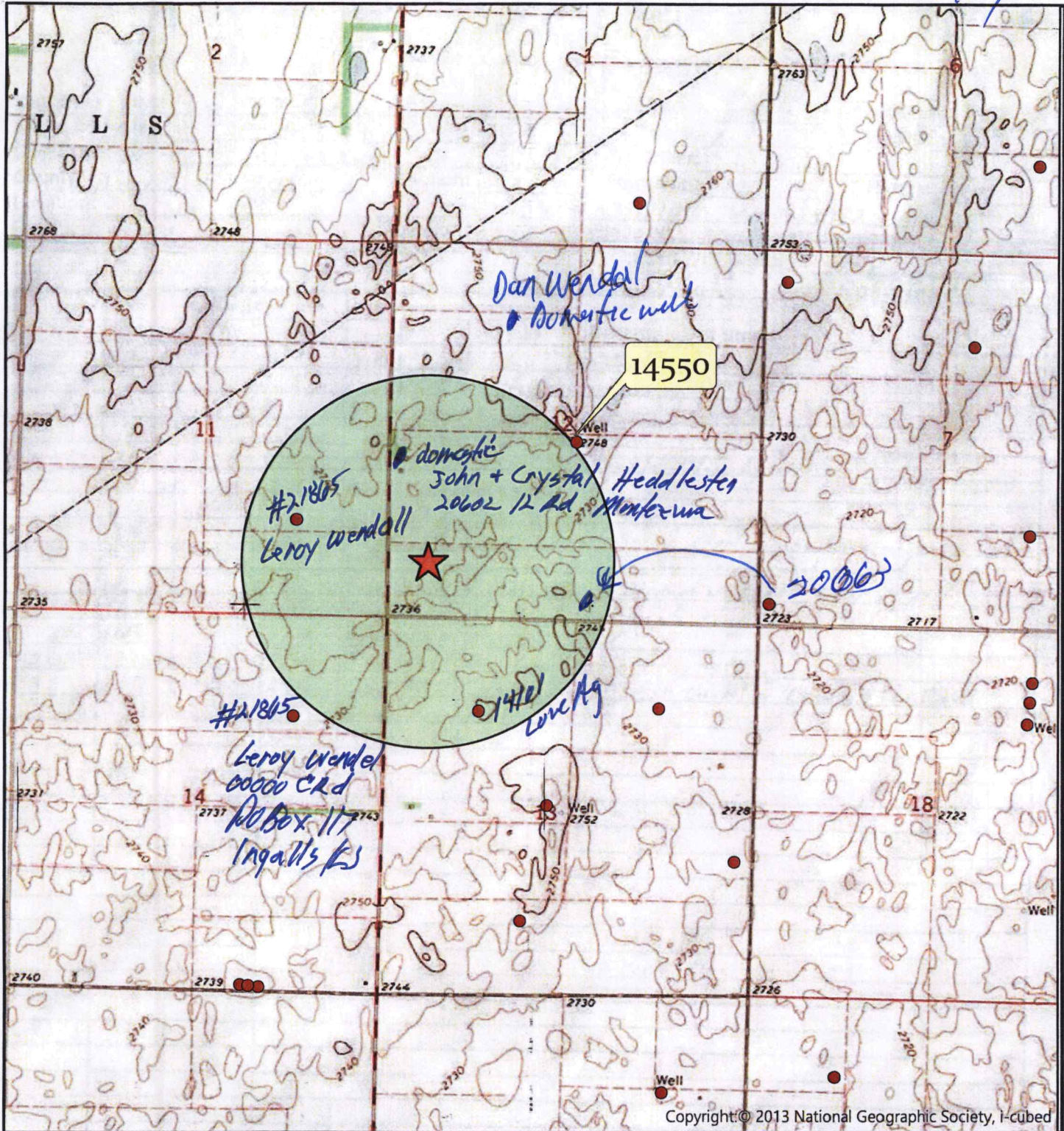
File No. 14550

Linda Wendal called 6-29-2020 to make sure we were aware of a domestic well in the center of NW¼ of Section 12. they own the well and soon their son will be living there with a family. they will need drinking water. she passed along the same comments and concern that her husband Dan did

Mike

CHANGE IN POINT OF DIVERSION 14550

28636
9162-9994-01
-21439



Township 27 South Range 29 West
Gray County

All wells of any kind within a half mile of the proposed point of diversion are shown:

- POINT OF DIVERSION
- ★ PROPOSED PD
- Half-Mile Buffer



24273: Drawdown from current location = 1.40 ft
Drawdown from proposed location = 2.42 ft
Net drawdown = **1.0 ft**

14101: Drawdown from current location = 1.72 ft
Drawdown from proposed location = 2.83 ft
Net drawdown = **1.1 ft**

19809: Drawdown from current location = 1.74 ft
Drawdown from proposed location = 1.97 ft
Net drawdown = **0.2 ft**

21455: Drawdown from current location = 1.47 ft
Drawdown from proposed location = 1.97 ft
Net drawdown = **0.5 ft**

Domestic NW 12-27-29: Drawdown from current location = 2.63 ft
Drawdown from proposed location = 2.37 ft
Net drawdown = **-0.3 ft**

Domestic SW 12-27-29: Drawdown from current location = 2.26 ft
Drawdown from proposed location = 4.19 ft
Net drawdown = **1.9 ft**

Domestic 13-27-29: Drawdown from current location = 1.34 ft
Drawdown from proposed location = 2.00 ft
Net drawdown = **0.7 ft**

Many of these wells will also be impacted by a proposed move of water right number 20063 in this area. The combined effects of both moves are as follows:

21865: Combined effect = **2.5 ft**

24273: Combined effect = **1.9 ft**

14101: Combined effect = **2.8 ft**

19809: Combined effect = **1.6 ft**

Domestic NW 12-27-29: Combined effect = **0.6 ft**

Domestic SW 12-27-29: Combined effect = **3.0 ft**

Domestic 13-27-29: Combined effect = 1.5 ft

The well under water right number 14101 is owned and operated by the applicant. The well under water right number 21865 and the domestic well in the southwest ¼ of section 12-27-29 are not. Critical well analysis was performed for those wells and the results are as follows:

Critical Well Analysis:

21865:

Water Column = 108 ft

Drawdown due to proposal = 2.5 ft

Drawdown due to existing conditions = 33.3 ft

Dynamic drawdown = 30 ft

Total drawdown = 65.8 ft

Physical Drawdown Constraint (PDC) = 108 ft – 60 ft = 48 ft

Economical Drawdown Constraint (EDC) = 108 ft * 0.4 = 43.2 ft

Both the physical and economical drawdown constraints are exceeded, so this well is **critical**.

Domestic SW 12-27-29: Water Column = 96 ft

Drawdown due to proposal = 3.0 ft

Drawdown due to existing conditions = 31.4 ft

Total drawdown = 34.4 ft

Physical Drawdown Constraint (PDC) = 96 ft – 20 ft = 76 ft

Economic Drawdown Constraint (EDC) = 96 ft * 0.4 = 38.4 ft

Neither the PDC or EDC are exceeded, so this well is **not critical**.

Conclusion:

21865 is a critical well, meaning that it is not likely to remain operable for full irrigation over the next 25 years, or is otherwise likely to be impaired. The combined effects of this proposal and the proposal to move water right number 20063 exceed 2.0 ft, which is the minimum effect due to changes on critical wells allowed under GMD3 criteria. GMD3 recommends limiting the rate at the proposed well location to 425 gpm and the quantity to 195 AF. This will lower the combined effect of both moves to 2.0 ft.

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



Phone: 620-276-2901
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Mike Beam, Secretary

Laura Kelly, Governor

July 6, 2020

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Water Right, File Nos. 14550

Dear Mr. Norquest:

This is to advise you that Love Ag Company, 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 files. The application is proposing a to move the current authorize point of diversion that meets regulations. I received phone calls from neighboring wells and asked that I document the phone call.

We are delaying action on the change applications 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,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael A. Meyer
Water Commissioner

MAM
Enclosures

Meyer, Mike [KDA]

From: Jason Norquest <norquest@gmd3.org>
Sent: Wednesday, August 5, 2020 9:00 AM
To: Meyer, Mike [KDA]
Subject: Extension: 14550, 20063 & 28636

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good morning. I would like to request an extension of time for review of the above mentioned change in point of diversion applications. Due to the aquifer conditions and concerns raised by neighboring wells, we need more area specific data to ensure we have the best data possible. We will continue to work with the applicant and your office to move the process forward. At this time, a 60 day extension would seem reasonable. We all will do what we can to expediate the process if possible.

Thank you for you time and cooperation.

Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289

Office: 620-275-7147

www.gmd3.org

Meyer, Mike [KDA]

From: Jason Norquest <norquest@gmd3.org>
Sent: Friday, July 24, 2020 4:32 PM
To: Les Heddlesten
Subject: RE: Water Right File No. 14550

Les, sorry it took a while to respond, but I wanted to let you know that we have updated the analysis on our webpage to also show the location of your domestic well. We located as best we could off your map and also had to make the assumption that your well is already drilled to the bottom. Without a log, it was our best estimate.

Please review it and let me know if you have any questions. Again I appreciate you responding to our notice. That is what our intent has been so that the best information is what we go off of and also the best information to present to the public.

Look forward to talking to you soon.

Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289

Office: 620-275-7147

www.gmd3.org

From: Les Heddlesten <les.heddlesten@nationalbeef.com>
Sent: Thursday, July 16, 2020 10:48 AM
To: Jason Norquest <norquest@gmd3.org>
Subject: RE: Water Right File No. 14550

Thank you for the info.

From: Jason Norquest <norquest@gmd3.org>
Sent: Thursday, July 16, 2020 10:37 AM
To: Les Heddlesten <les.heddlesten@nationalbeef.com>
Subject: RE: Water Right File No. 14550

Les, that is a very good and often asked question that we get. Especially with domestic well owners, who often feel they don't have options when they actually do.

A lot of people think domestic wells are not recognized when in fact they are. One route is that domestic wells can be certified, just like irrigation and industrial wells. They would be assigned a water right number and have to follow the same requirements as other certified well. Most of the time though, domestic wells are not certified, since the amount of water a typical domestic well pumps in very small compared to other bigger wells. Even if they are not certified, the do in some aspects have a right. It is a crucial part of a property as far as value goes.

Domestics to matter when we look at change applications also. I have already mentioned that we do the analysis, if we know the wells are there, on domestics just like we do other irrigation wells. We also have minimum spacing requirements on domestic wells, just like other wells. We require at minimum 660' spacing from any domestic well when someone wants to move their certified wells.

Now for your question as far as who you would need to contact. Just as a certified well would, you would need to contact the Division of Water Resources (DWR). They would probably want you to submit the complaint in writing. Once that was accepted, they also would start wanting information about the well that has the complaint. DWR would look into the well construction to see if it might be a problem with the well or if it has the opportunity to be drilled deeper. They are trying to determine if everything has been done to access the water that is available to the owner. The next step would be more studies, if needed, to determine if it is a well-to-well interaction problem or a regional issue. The whole process could take time depending on the situation. I do know that domestic wells have filed complaints in the past.

I hope I answered some of your questions. Again, don't hesitate to contact me anytime.

Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289

Office: 620-275-7147

www.gmd3.org

From: Les Heddlesten <les.heddlesten@nationalbeef.com>

Sent: Thursday, July 16, 2020 9:38 AM

To: Jason Norquest <norquest@gmd3.org>

Subject: RE: Water Right File No. 14550

10-4. I have not noticed any effects at all really. But the question I have is: Who do I contact if I notice effects when this new well is put in?

From: Jason Norquest <norquest@gmd3.org>

Sent: Thursday, July 16, 2020 9:13 AM

To: Les Heddlesten <les.heddlesten@nationalbeef.com>

Subject: RE: Water Right File No. 14550

Thanks you Les for the photo. We will into putting a well there and see what we can find out. Your well is one of those I spoke about that for some reason the drillers log was not submitted to the state when it was completed. It might have been one that slipped through or it could be old enough that it was drilled prior to the requirement to submit the logs.

Living in the county myself, I know the effects domestics can have when it is irrigation season. Do you currently see any effects when the well to the west or east start up? Do you notice a difference from the spring to the fall with you well?

Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289

Office: 620-275-7147

www.gmd3.org

From: Les Heddlesten <les.heddlesten@nationalbeef.com>

Sent: Thursday, July 16, 2020 8:29 AM

To: Jason Norquest <norquest@gmd3.org>

Subject: RE: Water Right File No. 14550

Jason: I have attached a map that shows where my domestic well is. Don't have a copy of drillers log as I have only owned this property since November.

Please let me know if there is something else I can provide.

Thanks
John

From: Jason Norquest <norquest@gmd3.org>
Sent: Thursday, July 16, 2020 8:00 AM
To: Les Heddlesten <les.heddlesten@nationalbeef.com>
Subject: RE: Water Right File No. 14550

Good morning John. I appreciate your response. Domestic wells are the hardest to verify in the records since sometimes they are not reported and the logs and locations are not in the state database. I did think though in this case that we had identified your well. Is your well not the blue dot on the map the NW of 12-27-29? If that is not your well, could you give me a better location of where your well is and possibly a copy of the drillers log if available? This is another reason we send out our notices is to make sure we are getting the best information that we can.

When we do the evaluations, a lot of the data comes from our models for some of the values and then also looking at saturated thicknesses in the area. We also look at the drillers log to see if it is close to the values used in the model. As far as the wells being proposed to move, we look at past pumping history and field inspections for rates and then look at the effects at the new location using the authorized rates. This generally gives us a view of what the effects could be if the wells pumped the highest rate it could. From there we can lower or limit the rate to get the effects to the minimal effects.

Please get me your information if possible for us to look at. Again, I greatly appreciate your response. When changes are submitted we want to make sure that all parties that could be effected have a say, not just the applicant.

Look forward to hearing from you soon. Have a good day.

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

From: Les Heddlesten <les.heddlesten@nationalbeef.com>
Sent: Thursday, July 16, 2020 7:25 AM
To: Jason Norquest <norquest@gmd3.org>
Subject: Water Right File No. 14550

Hello Jason:

I just wanted to shoot you a quick note and respond to the letter I received regarding the application for change in point of diversion for water right 14550.

Your letter says that well evaluations were conducted to estimate possible effects of their proposal. As far as I know, nobody has evaluated my domestic well. So I got onto the website to look at the evaluation. Looking at the map that shows their proposed well relocation, I noticed immediately that my domestic well is not identified on the map. Furthermore, it looks to me like my domestic well would easily be the closest well to their proposed relocation.

Am I missing something here? Seems to me that my well could be substantially effected by this relocation. I don't have a warm and fuzzy feeling about this at all. My well was not evaluated and by looking at your map, doesn't even seem that my domestic well is being considered.

I would appreciate it if you would fill in the blanks for me.

Thanks
John Heddlesten

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