

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

1. File Number: <b>21611</b>	2. Status Change Date:	3. Change Num: <b>C1</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</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>1/31/2020</b>
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8a. Applicant(s)                      Person ID **60718**  
 New to system                       Add Seq# \_\_\_\_\_

**NEWPORT FARMS LLC  
 PO BOX 1027  
 LAKIN, KS 67860**

8c. Landowner(s)                      Person ID \_\_\_\_\_  
 New to system                       Add Seq# \_\_\_\_\_

8b. Landowner(s)                      Person ID \_\_\_\_\_  
 New to system                       Add Seq# \_\_\_\_\_

**8a**

8d. WUC                                      Person ID \_\_\_\_\_  
 New to system                       Add Seq# \_\_\_\_\_

**8a**

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2020**      N & P Date to Comply: **12/31/2021**

Anti-Reverse Meter      Meter Seal      Check Valve      N & P Form      Water Tube      Driller Copy      H & E Letter

Conservation Plan     Date Required: \_\_\_\_\_     Date Approved: \_\_\_\_\_     Date to Comply: \_\_\_\_\_

10. Use Made of Water     From: \_\_\_\_\_     To: \_\_\_\_\_

Date Prepared: **1/31/2020**     By: **AM**  
 Date Entered:                      By:

File No. <b>21611</b>	11. County: <b>KE</b>	Basin: <b>ARKANSAS RIVER</b>	Stream:	Formation Code:	Special Use:											
12. Points of Diversion CHK MOD DEL PDIV ENT																
Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Additional	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files	
<b>DEL 31034</b>																
<b>ENT</b>	<b>NW</b>	<b>NW</b>	<b>SW</b>	<b>5</b>	<b>25S</b>	<b>35W</b>	<b>2235</b>	<b>4890</b>	<b>850</b>	<b>278</b>	<b>850</b>	<b>278</b>	<b>850</b>	<b>278</b>	<b>NONE</b>	
<b>DEL 41907</b>																
<b>ENT</b>	<b>SE</b>	<b>SE</b>	<b>NE</b>	<b>5</b>	<b>25S</b>	<b>35W</b>	<b>2651</b>	<b>239</b>	<b>860</b>	<b>282</b>	<b>860</b>	<b>282</b>	<b>860</b>	<b>282</b>	<b>NONE</b>	
<b>CHK 12155</b>	<b>NC</b>	<b>NC</b>	<b>NW</b>	<b>5</b>	<b>25S</b>	<b>35W</b>	<b>2</b>	<b>3960</b>	<b>825</b>	<b>269</b>	<b>825</b>	<b>269</b>	<b>825</b>	<b>269</b>	<b>NONE</b>	
<b>CHK 44243</b>	<b>NC</b>	<b>NC</b>	<b>NE</b>	<b>5</b>	<b>25S</b>	<b>35W</b>	<b>1</b>	<b>3960</b>	<b>820</b>	<b>267</b>	<b>820</b>	<b>267</b>	<b>820</b>	<b>267</b>	<b>NONE</b>	
<b>CHK 44620</b>	<b>NC</b>	<b>NC</b>	<b>NE</b>	<b>6</b>	<b>25S</b>	<b>35W</b>	<b>2</b>	<b>3960</b>	<b>810</b>	<b>264</b>	<b>810</b>	<b>264</b>	<b>810</b>	<b>264</b>	<b>NONE</b>	
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	NE 1/4		NW 1/4		SW 1/4		SE 1/4		Total	Owner	Chg?	Overlap Files
					NE 1/4	SW 1/4	SE 1/4	NW 1/4	SW 1/4	NE 1/4	SE 1/4	SW 1/4	SE 1/4			
<b>CHK 1016</b>																
<b>CHK 15537</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

February 3, 2020

NEWPORT FARMS LLC  
PO BOX 1027  
LAKIN, KS 67860

RE: Water Right, File No. 21611

Dear Sir or Madam:

Enclosed is the 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 an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3


**CERTIFICATE OF SERVICE**

On this 3<sup>rd</sup> day of February, 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 21,611 dated 31<sup>st</sup> day of January, 2020 was mailed postage prepaid, first class, US mail to the following:

NEWPORT FARMS LLC  
PO BOX 1027  
LAKIN, KS 67860

Pc:

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.

RECEIVED

DEC 23 2019

1:10 pm  
 Garden City Field Office  
 Division of Water Resources

File No. 21611

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: Newport Farms LLC

PO Box 1027, Lakin, KS 67860

Phone Number: (    )                      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: No Change

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 TR # \_\_\_\_\_ Receipt Date 12/23/19 Check # 1187

5. **Presently authorized point of diversion:**  
 One in the      Quarter of the      NW      Quarter of the      SW      Quarter  
 of Section      5     , Township      25      South, Range      25      W,  
 in KEARNY County, Kansas, 1320 feet North 3960 feet West of Southeast corner of section.  
 Authorized Rate 850GPM Authorized Quantity 278AF 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      NW      Quarter of the      NW      Quarter of the      SW      Quarter  
 of Section      5     , Township      25      South, Range      35      W,  
 in KEARENY County, Kansas, 2235 feet North 4890 feet West of Southeast corner of section.  
 Proposed Rate 850GPM Proposed Quantity 278AF 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      NC      Quarter of the      SE      Quarter  
 of Section      5     , Township      25      South, Range      35      W,  
 in KEARNY County, Kansas, 1320 feet North 1320 feet West of Southeast corner of section.  
 Authorized Rate 860GPM Authorized Quantity 282AF 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      SE      Quarter of the      SE      Quarter of the      NE      Quarter  
 of Section      5     , Township      25      South, Range      35      W,  
 in KEARNY County, Kansas, 2651 feet North 239 feet West of Southeast corner of section.  
 Proposed Rate 860GPM Proposed Quantity 282AF 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) Lose of production in current wells

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

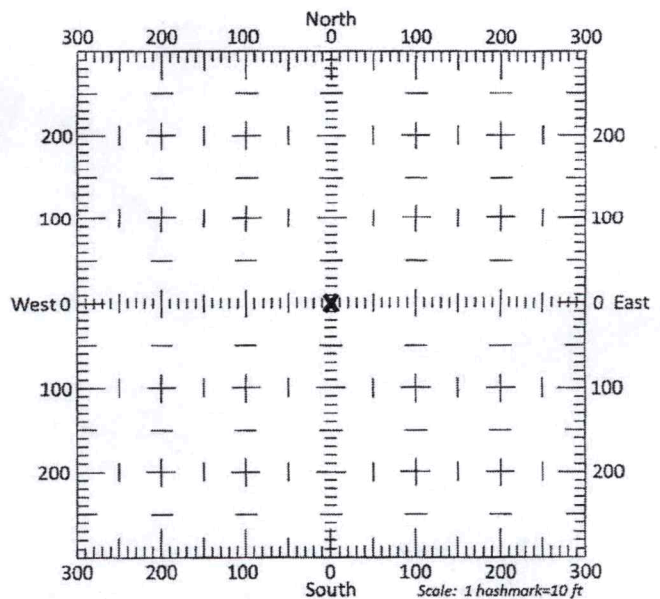
9. The change(s) (was)(will be) completed by?  
After Approval

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 GMD#/JLN

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.)

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 21611

**Presently authorized point of diversion:**  
One in the \_\_\_\_\_ Quarter of the NC Quarter of the NE Quarter  
of Section 5, Township 25 South, Range 35 (W),  
in KEARNY County, Kansas, 3960 feet North 1320 feet West of Southeast corner of section.  
Authorized Rate 820GPM Authorized Quantity 267AF 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 \_\_\_\_\_

**Presently authorized point of diversion:**  
One in the \_\_\_\_\_ Quarter of the NC Quarter of the NW Quarter  
of Section 5, Township 25 South, Range 35 W,  
in KEARNY County, Kansas, 3960 feet North 3960 feet West of Southeast corner of section.  
Authorized Rate 825GPM Authorized Quantity 269AF 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 \_\_\_\_\_

**Presently authorized point of diversion:**  
One in the \_\_\_\_\_ Quarter of the NC Quarter of the NE Quarter  
of Section 6, Township 255 South, Range 35 W,  
in KEARNY County, Kansas, 3960 feet North 1320 feet West of Southeast corner of section.  
Authorized Rate 810GPM Authorized Quantity 264AF 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 \_\_\_\_\_

**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 \_\_\_\_\_

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.)

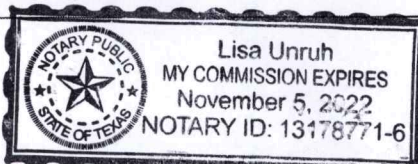
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 \_\_\_\_\_, Kansas, this 19 day of December, 2019.

<p><u>Justin Vyn</u> (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
--	---

State of Kansas Texas }  
 County of Dallam }    SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19th day of December, 2019.

Lisa Unruh  
Notary Public

My Commission Expires November 5, 2022.

**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



**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. 21611.

- A change application was received on December 23, 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.
- 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
- The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
- The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
- The point(s) of diversion authorized herein shall not actually be located more than 2640 feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
- 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
- The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2020**, 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
- Installation of the works for diversion of water shall be completed on or before December 31, 2020**, or within any authorized extension of time. By March 1, 2021 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
- The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
- 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
- Additional Conditions are attached.  Yes  No
- 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: Austin McCulloch  
Duly Authorized Designee of the Chief Engineer  
(Print Name): Austin McCulloch  
Division of Water Resources - Kansas Department of Agriculture

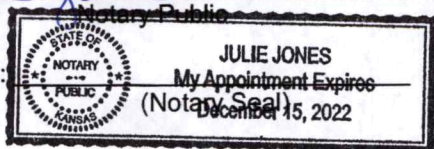
Date of Issuance: January 31, 2020

State of Kansas )  
) SS  
County of Finney )

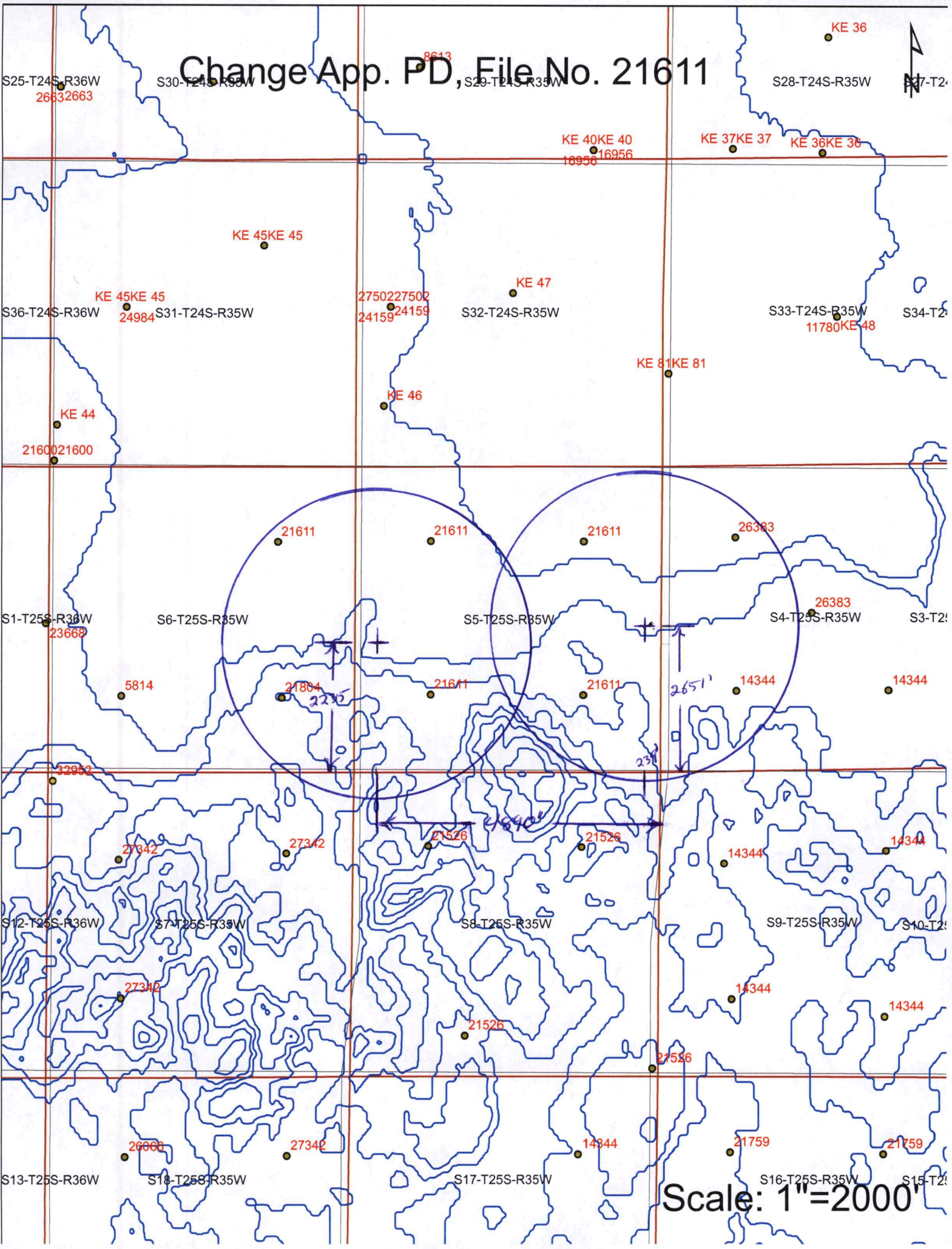
Acknowledged before me on January 31, 2020  
by Austin McCulloch

Signature: Julie Jones  
Notary Public

My commission expires: \_\_\_\_\_  
My Appointment Expires  
(Notary Seal)  
December 15, 2022



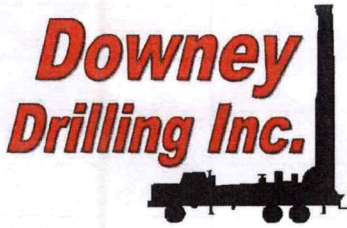
# Change App. PD, File No. 21611



Scale: 1"=2000'

# WELL LOG

DATE: 11/4/2019



CUSTOMER NAME: NEWPORT FARMS LLC

LEGAL: SE 5-25S-35W

COUNTY: KEARNY

GPS: N 37.908379

W 101.177333

#2  
NE CORNER

TEST HOLE #2

LOGGER:

DRILLER: DALE GUINN

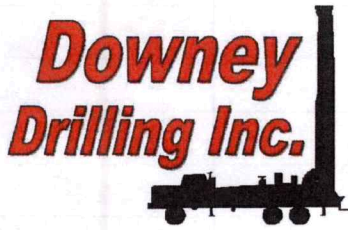
WO: 19-1030

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	3	FINE SAND					
	3	30	FINE-MEDIUM-COARSE SAND, SMALL-MEDIUM-LARGE GRAVEL					CHATTER, CHOPPY
	30	47	SANDY CLAY		BROWN			SMOOTH
	47	65	FINE-MEDIUM-COARSE SAND, SMALL-MEDIUM GRAVEL					CHATTER
	65	137	FINE-MEDIUM-COARSE SAND, SMALL GRAVEL					CHATTER
	137	163	FINE-MEDIUM-COARSE SAND, CLAY MIXED		BROWN			SMOOTH
	163	180	FINE-MEDIUM-COARSE SAND, SMALL GRAVEL	17				CHATTER
	180	224	FINE-MEDIUM-COARSE SAND, W/SANDY CLAY MIXED	44				LITTLE CHATTERY, SMOOTH
	224	234	SANDY CLAY		TAN			SMOOTH
	234	253	FINE-MEDIUM-COARSE SAND W/ FEW CLAY STRINGERS	9				CHATTER
	253	262	FINE-MEDIUM SAND	9	TIGHT			SMOOTH
	262	274	FINE-MEDIUM TR. COARSE SAND	12				CHATTER
	274	295	FINE-MEDIUM-COARSE SAND W/BROWN & TAN ROCK	21				CHATTERY
	295	299	CLAY					STICKY
	299	313	FINE-MEDIUM-COARSE SAND W/ BROWN & TAN ROCK	14				CHATTER
	313	320	SANDY CLAY W/ SAND LENSES	3				SMOOTH
	320	329	FINE-MEDIUM SOME COARSE W/ BROWN ROCK & COUPLE CLAY LEDGES	19				
	329	338	SHALE & SANDSTONE	9		BLACK & GRAY		SMOOTH
	338	349	SHALE	157	HARD	BLACK		SMOOTH
	349	358	SHALE & SANDSTONE		LITTLE HARD	GRAY		SMOOTH
	358	373	SHALE		HARD	GRAY & YELLOW		SMOOTH
	373	376	SHALE		VERY HARD	GRAY	PULL DOWN	SMOOTH
	376	388	SHALE		HARD			SMOOTH
	388	399	SANDSTONE W/ FEW SOAPSTONE LENSES	11		YELLOW		LITTLE CHATTERY
	399	425	SHALE W/SANDSTONE STRINGERS		VERY HARD		PULL DOWN	SMOOTH
	425	452	SHALE			GRAY		SMOOTH & LITTLE VIBRATION
	452	472	SANDSTONE	20	FIRM	GRAY		VIBRATION & ROUGH
	472	498	SHALE W/SANDSTONE STRINGERS					
	498	539	SANDSTONE	41	LOOSE	GRAY		VIBRATION
	539	562	SANDSTONE	23	FAIRLY LOOSE	GRAY		VIBRATION
	562	572	SHALE W/TR. SANDSTONE LENSES	4	LITTLE TIGHT	GRAY		VIBRATION & SMOOTH PLACES
	572	616	SHALE	99	TIGHT	BLUE		SMOOTH
	616	660	SHALE WITH FEW SANDSTONE STRIPS, VERY HARD AT 659' TO 660'		TIGHT	BLUE		SMOOTH & LITTLE VIBRATION
	660	661	SHALE		HARD	BLUE		SMOOTH
	661	688	SANDSTONE		LITTLE TIGHT	BLUE		VIBRATION & SMOOTH PLACES
	688	708	SHALE	254	TIGHT	BLUE		SMOOTH



# WELL LOG

DATE: 10/24/2019



TH #1

CUSTOMER NAME: NEWPORT FARMS LLC

LEGAL: SW 5-25S-35W

COUNTY: KEARNY

GPS: N 37.907235

W 101.193450

LOGGER:

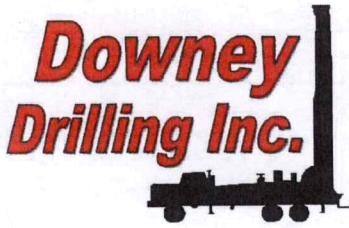
DRILLER: DALE GUINN

WO: 19-1037

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	8	FINE SAND					
	8	18	FINE-MEDIUM-COARSE, SMALL-MEDIUM-FEW LARGE GRAVEL					CHATTER
	18	26	SANDY CLAY		TAN			
	26	27	GRAVEL					CHOPPY
	27	35	CLAY		TAN			
	35	37	GRAVEL					CHOPPY
	37	65	SANDY CLAY		TAN			
	65	72	MEDIUM-COARSE SAND, SMALL-MEDIUM GRAVEL					CHOPPY
	72	99	SANDY CLAY		TAN			STICKY IN PLACES
	99	125	CLAY		BLUE			STICKY
	125	134	FINE-MEDIUM-COARSE SAND, SMALL-MEDIUM GRAVEL					CHATTER
	134	140	SANDY CLAY		TAN			
	140	164	FINE-MEDIUM-COARSE, SMALL GRAVEL W/TR SANDY CLAY LENSE	12				CHATTER
	164	185	FINE-MEDIUM-COARSE SAND, SMALL GRAVEL	21				CHATTER
	185	206	SANDY CLAY W/MED SAND LAYERS	12	TAN			LITTLE CHATTERY
	206	227	FINE-MEDIUM-COARSE SAND, SMALL GRAVEL	21				CHATTER
	227	232	SANDY CLAY		TAN			
	232	252	MED-COARSE SAND W/SANDY CLAY LENSES	20				LITTLE CHATTERY
	252	275	FINE-MEDIUM-COARSE SAND, SMALL GRAVEL	23				CHATTERY
	275	294	CLAY		TAN			STICKY
	294	305	FINE-MEDIUM-COARSE SAND, SMALL GRAVEL	11				CHATTERY
	305	309	SOAPSTONE		YELLOW			CHOPPY @ TIMES
	309	312	MED SAND	3	TAN			
	312	318	CLAY		STIFF GRAYISH, BLUE			SMOOTH
	318	323	SANDSTONE	5	YELLOW			
	323	328	SAND, SANDSTONE WITH BROWN ROCK	5				
	323	355	SANDSTONE WITH BROWN ROCK	<del>23</del>				CHOPPY
	355	363	SHALE	OGALLALA 155	HARD	GRAY GRAY, YELLOW		
	363	371	SHALE, SOAPSTONE					
	371	383	SHALE W/SANDSTONE LAYER		HARD	GRAY		
	383	389	SANDSTONE	4				CHOPPY
	389	398	SHALE		HARD	GRAY		
	398	415	SANDSTONE	17		GRAY		LITTLE CHOPPY
	415	444	SAND, SANDSTONE W/SHALE LENSES	29	SEMI FIRM	GRAY GRAY, BLUE		
	444	472	SHALE & SOAPSTONE			GRAY/ BLUE		
	472	550	SAND, SANDSTONE	78				CHOPPY

# WELL LOG

DATE: 10/24/2019



CUSTOMER NAME: NEWPORT FARMS LLC

LEGAL: SW 5-25S-35W

COUNTY: KEARNY

GPS: N 37.907235

W 101.193450

LOGGER:

DRILLER: DALE GUINN

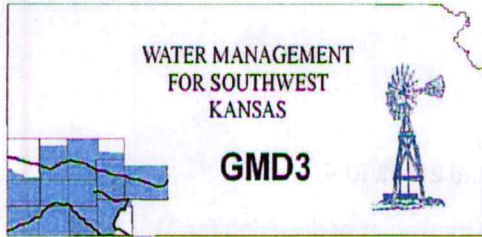
WO:

19-1037

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	554	566	SHALE		GRAY			
	566	575	SANDSTONE		GRAY			
	571	587	SHALE - VERY HARD FROM 585' TO 587'		BLUE			
	587	684	SHALE W/ IRON PYRITE LENSES		BLUE			
	684	703	SAND, SANDSTONE W/TR SHALE LENSE		GRAY			
	703	725	SHALE		BLUE			
	725	737	SANDSTONE		BROWN			
	737	760	RED BED		RED			
			QUICKGEL - 12					
			BRAN - 1					
			SODA ASH - 1/4 BAG					
			CASING SEAL - 1					
			HOLEPLUG - 1					

*Handwritten notes:*

- UPPER 9
- 139
- 19
- LOWER 12
- DAKOTA 170
- TOTAL = 325



**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

January 31, 2020

**RECEIVED**

Austin J. McColloch  
Division of Water Resources  
4532 W Jones Ave., Suite B  
Garden City, Kansas 67846

**JAN 31 2020**

Garden City Field Office  
Division of Water Resources

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Dear Austin:

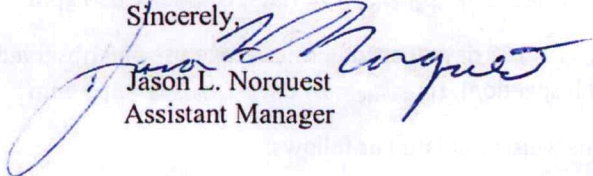
We have completed a review of the application for the above referenced water right. The proposed changes in points of diversion are in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

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 (4.0 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 none of the neighboring wells exceeded the net effect on neighboring wells above the maximum allowable threshold. Our office did not receive any comments from neighboring well owners. Therefore, GMD3 sees this move as reasonable and therefore recommend that the application be approved. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

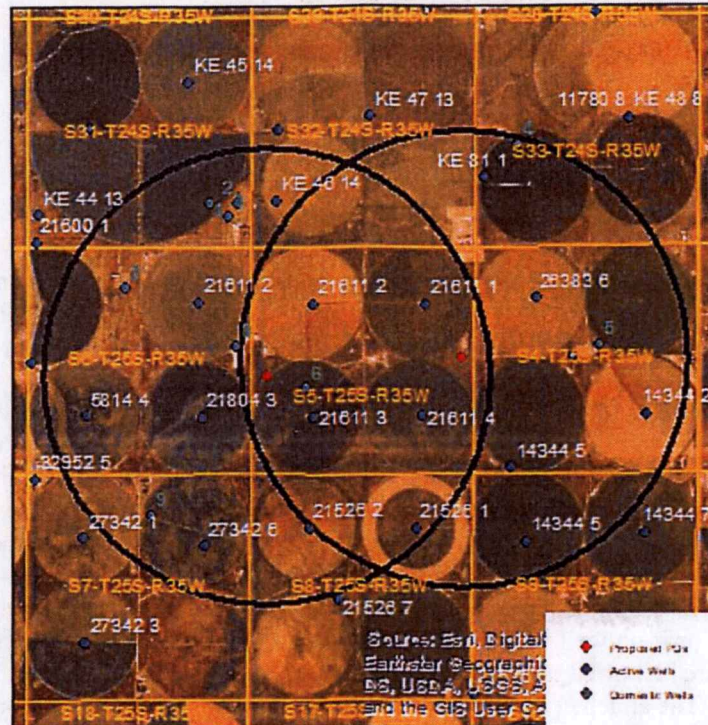
Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

  
Jason L. Norquest  
Assistant Manager

### Evaluation of proposed move for Water Right Nos 21611 ID 3 and 21611 ID 4

Proposed: Move water right nos. 21611 ID3 and 21611 ID 4. The new point of diversion for 21611 ID3 will be located 1,498 ft to the northwest of the current point of diversion. The new point of diversion for 21611 ID 4 will be located 1,641 ft to the northeast of the current point of diversion.



Wells within 1 mile: 21611 ID 1, 21611 ID 2 (section 5), 21611 ID 2 (section 6), 21804, 5814, 27342, 21526 ID 1, 21526 ID 2, 14344 ID 2, 14344 ID 5 (section 4), 14344 ID 5 (section 9), 26383 ID 3, 26383 ID 6, KE 81, KE 46, and 9 domestic wells, numbered in the map above.

The saturated thickness at the proposed well location is estimated to be 492 ft, based upon the water level measured in section 10-26-35 and the driller's logs at the proposed well locations. Note that this thickness includes portions of the unconfined Dakota Aquifer. For saturated thickness greater than 200 ft, the drawdown allowance is 4.0 ft.

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

$$S = 0.1682, T = 15,889 \text{ ft}^2/\text{day}$$

21611 ID 3:  $tp_{\text{current}} = 240$  days (based upon average use and observed rate),  $Q_{\text{current}} = 244$  gpm (based upon 2018 field inspection),  $tp_{\text{proposed}} = 74$  days,  $Q_{\text{proposed}} = 850$  gpm

21611 ID 4:  $tp_{\text{current}} = 100$  days (based upon average use and observed rate),  $Q_{\text{current}} = 244$  gpm (based upon 2014 field inspection),  $tp_{\text{proposed}} = 74$  days,  $Q_{\text{proposed}} = 860$  gpm

Theis drawdowns were calculated as follows:



**21611 ID 1:**  
Drawdown from current location = 2.14 ft  
Drawdown from proposed location = 3.42 ft  
Net drawdown = 1.3 ft

**21611 ID 2 (sec 5):**  
Drawdown from current location = 1.99 ft  
Drawdown from proposed location = 3.12 ft  
Net drawdown = 1.1 ft

**21611 ID 2 (sec 6):**  
Drawdown from current location = 1.63 ft  
Drawdown from proposed location = 2.49 ft  
Net drawdown = 0.9 ft

**21804:**  
Drawdown from current location = 1.83 ft  
Drawdown from proposed location = 2.85 ft  
Net drawdown = 1.0 ft

**5814:**  
Drawdown from current location = 1.40 ft  
Drawdown from proposed location = 1.71 ft  
Net drawdown = 0.3 ft

**27342:**  
Drawdown from current location = 1.62 ft  
Drawdown from proposed location = 1.82 ft  
Net drawdown = 0.2 ft

**21526 ID 1:**  
Drawdown from current location = 2.15 ft  
Drawdown from proposed location = 2.10 ft  
Net drawdown = -0.1 ft

**21562 ID 2:**  
Drawdown from current location = 1.99 ft  
Drawdown from proposed location = 2.14 ft  
Net drawdown = 0.2 ft

**14344 ID 2:**  
Drawdown from current location = 1.38 ft  
Drawdown from proposed location = 1.70 ft  
Net drawdown = 0.3 ft

**14344 ID 5 (sec 4):** Drawdown from current location = 2.11 ft  
Drawdown from proposed location = 2.34 ft  
Net drawdown = 0.2 ft

**14344 ID 5 (sec 9):** Drawdown from current location = 1.67 ft  
Drawdown from proposed location = 1.81 ft  
Net drawdown = 0.1 ft

**26383 ID 3:** Drawdown from current location = 1.64 ft  
Drawdown from proposed location = 2.29 ft  
Net drawdown = 0.7 ft

**26383 ID 6:** Drawdown from current location = 1.64 ft  
Drawdown from proposed location = 2.50 ft  
Net drawdown = 0.9 ft

**KE 81:** Drawdown from current location = 1.41 ft  
Drawdown from proposed location = 1.88 ft  
Net drawdown = 0.5 ft

**KE 46:** Drawdown from current location = 1.50 ft  
Drawdown from proposed location = 2.01 ft  
Net drawdown = 0.5 ft

**Domestic 1:** Drawdown from current location = 1.42 ft  
Drawdown from proposed location = 1.87 ft  
Net drawdown = 0.4 ft

**Domestic 2:** Drawdown from current location = 1.46 ft  
Drawdown from proposed location = 1.94 ft  
Net drawdown = 0.5 ft

**Domestic 3:** Drawdown from current location = 1.48 ft  
Drawdown from proposed location = 1.67 ft  
Net drawdown = 0.5 ft

**Domestic 4:** Drawdown from current location = 1.31 ft  
Drawdown from proposed location = 1.99 ft  
Net drawdown = **0.4 ft**

**Domestic 5:** Drawdown from current location = 1.50 ft  
Drawdown from proposed location = 2.05 ft  
Net drawdown = **0.5 ft**

**Domestic 6:** Drawdown from current location = 2.78 ft  
Drawdown from proposed location = 4.20 ft  
Net drawdown = **1.4 ft**

**Domestic 7:** Drawdown from current location = 1.41 ft  
Drawdown from proposed location = 1.84 ft  
Net drawdown = **0.4 ft**

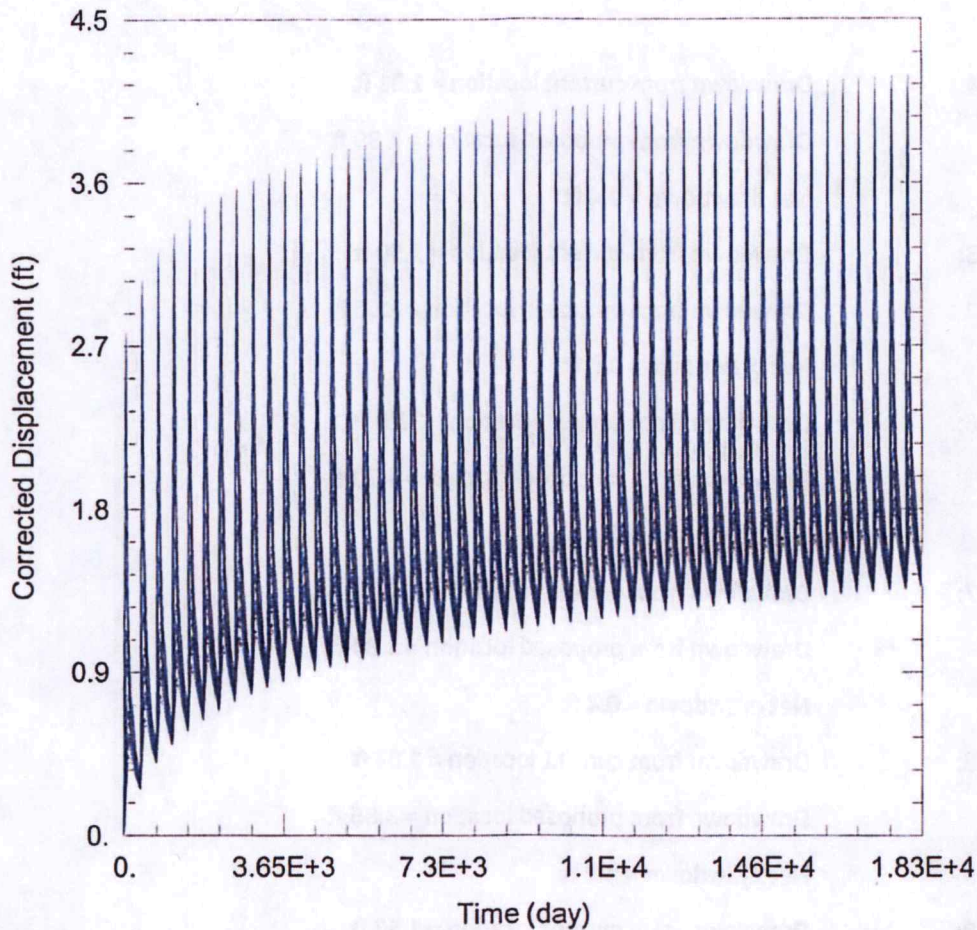
**Domestic 8:** Drawdown from current location = 1.88 ft  
Drawdown from proposed location = 3.86 ft  
Net drawdown = **2.0 ft**

**Domestic 9:** Drawdown from current location = 1.52 ft  
Drawdown from proposed location = 1.77 ft  
Net drawdown = **0.3 ft**

Net drawdown does not exceed the drawdown allowance of 4.0 ft for any well located within 1 mile of the proposal, so critical well evaluation is not necessary.

**Conclusion:**

Effects on neighboring wells are expected to be negligible. Any impairment created by this proposal is unlikely. GMD3 staff recommends approval of the application.



**WELL TEST ANALYSIS**

Data Set: C:\Users\trevora\Documents\2019\_moves\21611\21611 Proposed.aqt

Date: 12/06/19

Time: 16:20:03

**PROJECT INFORMATION**

Company: GMD 3

Project: 21611

Location: Kearny County

Test Well: 21611

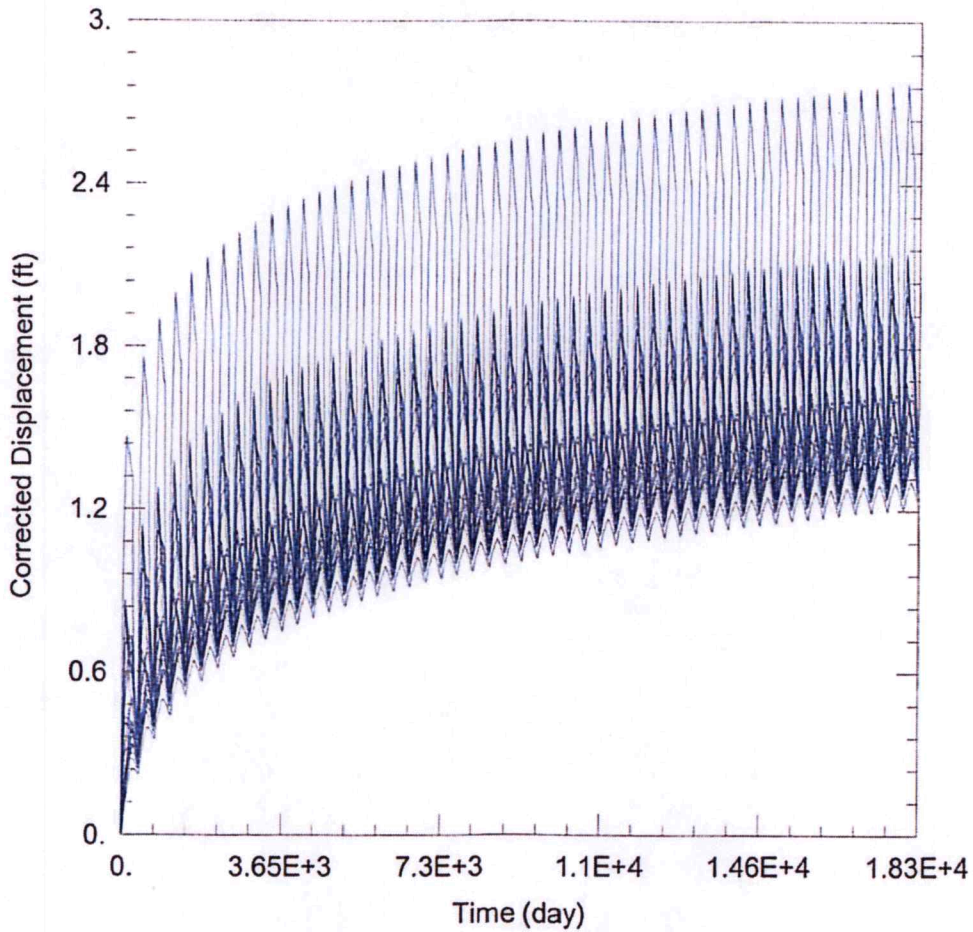
**WELL DATA**

**Pumping Wells**

Well Name	X (ft)	Y (ft)
	-113680	376097
	-109028	376494

**Observation Wells**

Well Name	X (ft)	Y (ft)
□	-113680	376097
□	-109028	376494
□ 21611 ID1	-109920	377747
□ 21611 ID2 sec 5	-112557	377740
□ 21611 ID2 sec 6	-115257	377794
□ 21804	-115193	375115
□ 5814	-117955	375145
□ 27342	-115157	372147
□ 21526 ID1	-110134	372555
□ 21526 ID2	-112662	372560
□ 14344 ID2	-104719	375210
□ 14344 ID5 sec 4	-107898	373978
□ 14344 ID5 sec 9	-107556	372246



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2019\_moves\21611\21611 Current.aqt  
 Date: 12/06/19 Time: 16:20:11

PROJECT INFORMATION

Company: GMD 3  
 Project: 21611  
 Location: Kearny County  
 Test Well: 21611

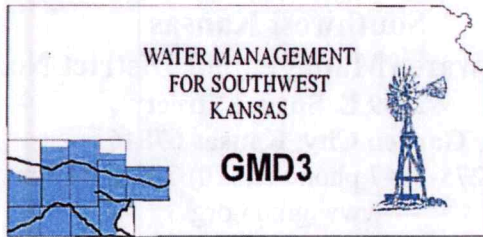
WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
	-112556	375107
	-109984	375160

Observation Wells

Well Name	X (ft)	Y (ft)
□	-112556	375107
□	-109984	375160
□ 21611 ID1	-109920	377747
□ 21611 ID2 sec 5	-112557	377740
□ 21611 ID2 sec 6	-115257	377794
□ 21804	-115193	375115
□ 5814	-117955	375145
□ 27342	-115157	372147
□ 21526 ID1	-110134	372555
□ 21526 ID2	-112662	372560
□ 14344 ID2	-104719	375210
□ 14344 ID5 sec 4	-107898	373978
□ 14344 ID5 sec 9	-107556	372246



**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

January 17, 2020

RECEIVED

Glen D & Lorna M Johnson  
1194 Road V5  
Lakin, Kansas 67860

JAN 31 2020

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Garden City Field Office  
Division of Water Resources

Dear Glen D & Lorna M Johnson:

This is to inform you that Newport Farms LLC has applied to relocate two of their wells in the south half of Section 5, Township 25s, Range 35w, in Kearny county. The proposed changes in point of diversions are 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. An analysis was 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. 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.

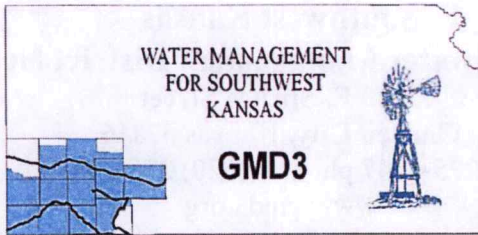
A copy of the full change application can be found on the Division of Water Resources site: <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices> The results of the analysis can be found at: <http://www.gmd3.org/what-we-do/well-to-well-analysis/> Please review the analysis for the proposed change to Water Right 21611. If you have any questions or wish to provide better information, please contact our office. If no response is provided to our office, we will proceed with our recommendation to the Chief Engineer.

Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,

A handwritten signature in blue ink that reads "Jason L. Norquest".

Jason L. Norquest  
Assistant Manager



**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

January 17, 2020

Dennis D & Janice K Koehn  
1742 RD 105  
Lakin, Kansas 67860

RECEIVED

JAN 31 2020

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Garden City Field Office  
Division of Water Resources

Dear Dennis D & Janice K Koehn:

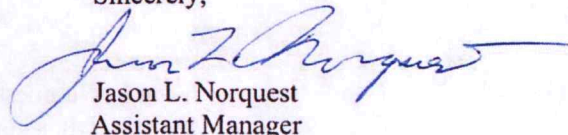
This is to inform you that Newport Farms LLC has applied to relocate two of their wells in the south half of Section 5, Township 25s, Range 35w, in Kearny county. The proposed changes in point of diversions are in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and 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. An analysis was 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. 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.

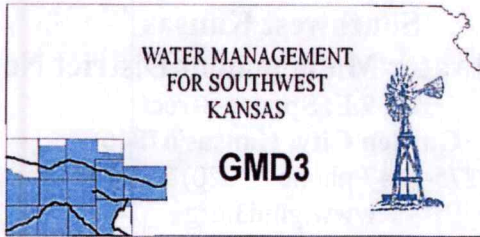
A copy of the full change application can be found on the Division of Water Resources site: <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices> The results of the analysis can be found at: <http://www.gmd3.org/what-we-do/well-to-well-analysis/> Please review the analysis for the proposed change to Water Right 21611. If you have any questions or wish to provide better information, please contact our office. If no response is provided to our office, we will proceed with our recommendation to the Chief Engineer.

Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest  
Assistant Manager



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Garden City, Kansas 67846  
(620) 275-7147 phone (620) 275-1431 fax  
www.gmd3.org

January 17, 2020

RECEIVED

David K & Connie J Goertzen Trust  
1892 Road 105  
Lakin, Kansas 67860

JAN 31 2020

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Garden City Field Office  
Division of Water Resources

Dear David K & Connie J Goertzen Trust:

This is to inform you that Newport Farms LLC has applied to relocate two of their wells in the south half of Section 5, Township 25s, Range 35w, in Kearny county. The proposed changes in point of diversions are 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. An analysis was 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. 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.

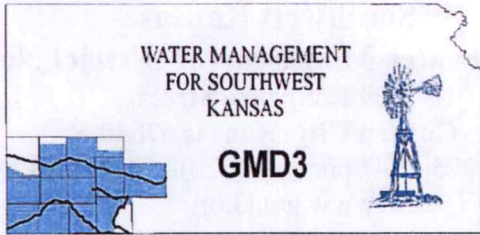
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Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest  
Assistant Manager





**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

**RECEIVED**

January 17, 2020

Jeffery K & Pamala A Koehn  
PO Box 541  
Montezuma, Kansas 67867

**JAN 31 2020**

**Garden City Field Office  
Division of Water Resources**

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Dear Jeffery K & Pamala A Koehn:

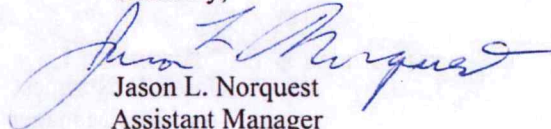
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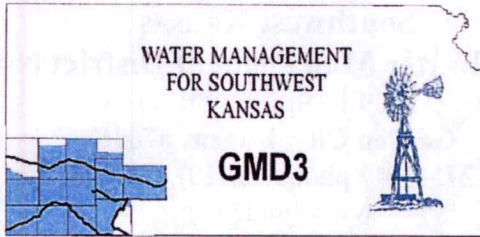
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Sincerely,

  
Jason L. Norquest  
Assistant Manager



**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

January 17, 2020

Robert J & Patricia Knoll  
1604 Grandview Dr E  
Garden City, Kansas 67846

RECEIVED

JAN 31 2020

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Garden City Field Office  
Division of Water Resources

Dear Robert J & Patricia Knoll:

This is to inform you that Newport Farms LLC has applied to relocate two of their wells in the south half of Section 5, Township 25s, Range 35w, in Kearny county. The proposed changes in point of diversions are in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

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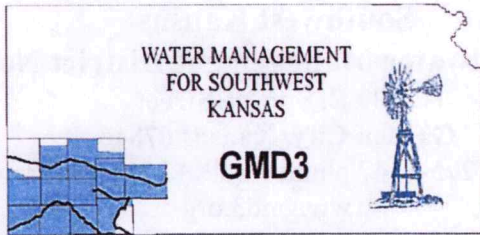
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Sincerely,



Jason L. Norquest  
Assistant Manager



**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

January 17, 2020

RECEIVED

Larry Christiansen  
PO Box 285  
Deerfield, Kansas 67836

JAN 31 2020

Garden City Field Office  
Division of Water Resources

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Dear Larry Christiansen:

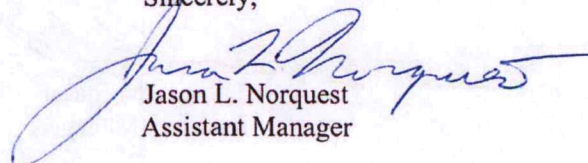
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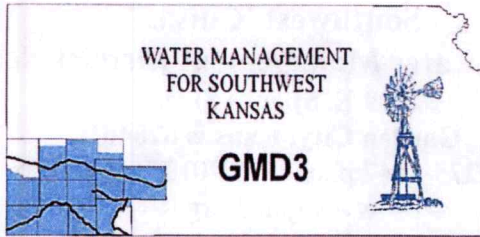
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Sincerely,



Jason L. Norquest  
Assistant Manager



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

January 17, 2020

RECEIVED

Fred Ritsema & Yoka Rodenhuis Trusts  
PO Box 389  
Lakin, Kansas 67860

JAN 31 2020

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611  
Garden City Field Office  
Division of Water Resources

Dear Fred Ritsema & Yoka Rodenhuis Trusts:

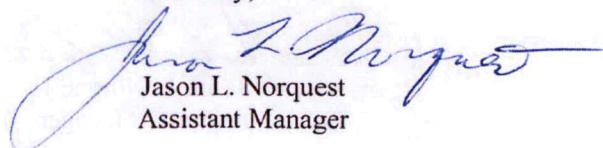
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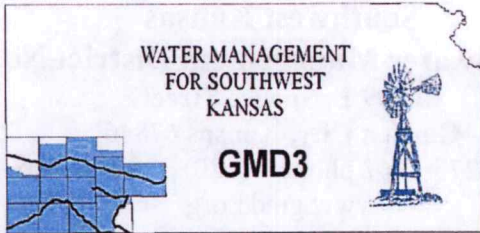
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Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest  
Assistant Manager



**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

January 17, 2020

RECEIVED

Eva Dyck  
2143 Road 130  
Lakin, Kansas 67860

JAN 31 2020

Garden City Field Office  
Division of Water Resources

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Dear Eva Dyck:

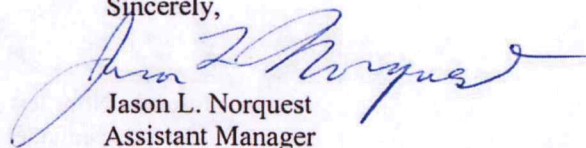
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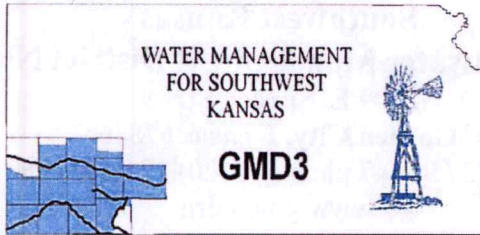
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Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, which appears to read "Jason L. Norquest", is written over the typed name and title.

Jason L. Norquest  
Assistant Manager



**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

January 17, 2020

RECEIVED

Kyle & Geneva Koehn  
1205 Road Y  
Lakin, Kansas 67860

JAN 31 2020

Garden City Field Office  
Division of Water Resources

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Dear Kyle & Geneva Koehn:

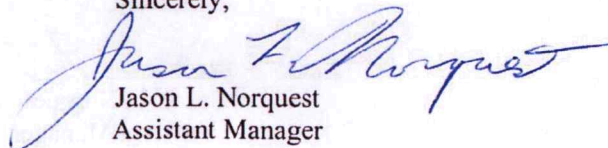
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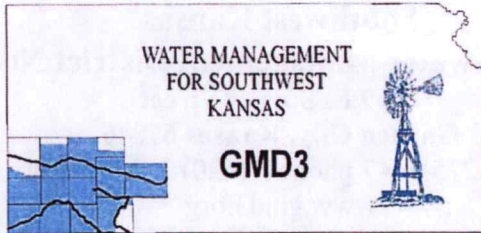
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Sincerely,



Jason L. Norquest  
Assistant Manager



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

January 17, 2020

RECEIVED

Jack L & Donna S Hutcheson  
1939 Road 130  
Deerfield, Kansas 67836

JAN 31 2020

RE: Application for Change in Point of Diversion  
Water Right, File No. 21611

Garden City Field Office  
Division of Water Resources

Dear Jack & Donna Hutcheson:

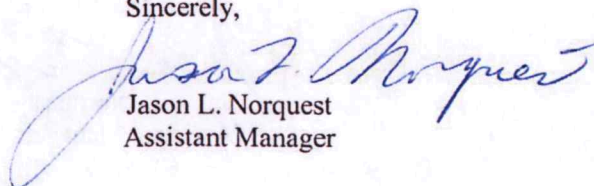
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Sincerely,



Jason L. Norquest  
Assistant Manager

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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

January 13, 2020

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

Change Application,  
File No. 21611

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Newport Farms LLC and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. 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 "Austin McColloch".

Austin McColloch  
Assistant Water Commissioner

Enclosure  
pc:



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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

December 24, 2019

EVA DYCK  
2143 ROAD 130  
LAKIN, KS 67860-6216

RE: Water Right, File No. 21611

Dear Sir or Madam:

This is to advise you that Newport 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 under the above referenced applications. An irrigation well is proposed to be relocated to the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 5, Township 25 South, Range 35 West, Kearny County.

You can find the complete applications posted by water right file number as referenced above at: <https://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 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 contact this office. If you would prefer, you could arrange an appointment 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 "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

December 24, 2019

KYLE & GENEVA KOEHN  
1205 ROAD Y  
LAKIN, KS 67860-6218

RE: Water Right, File No. 21611

Dear Sir or Madam:

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Austin J. McColloch  
Assistant Water Commissioner

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enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED