

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

1. File Number: <b>23238</b>	2. Status Change Date: <i>7-20-2020</i>	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <b>6/10/2020</b>
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8a. Landowner applicant, Correspondent Person ID **60323**  
 New to system                       Add Seq# \_\_\_\_\_

**COX LAND**  
**1111 RD 90**  
**SUBLETTE, KS 67877**

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

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

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

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2020**     N & P Date to Comply: **3/1/2021**

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: **7/20/2020**    By: **MAM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **23238**      11. County: **HS**      Basin: **ARKANSAS RIVER**      Stream: \_\_\_\_\_      Formation Code: **211/331**      Special Use: \_\_\_\_\_

12. Points of Diversion										Rate and Quantity				
CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		
										Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
ENT		LOT 3 (NENW)	6	28	32	W	5124	3289		1570	610	1570	610	NONE

DEL 53205

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 \_\_\_\_\_

CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK	4041																								

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

July 20, 2020

COX LAND  
1111 RD 90  
SUBLETTE, KS 67877

RE: Water Right, File No. 23238

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.

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, appearing to read "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM:am  
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

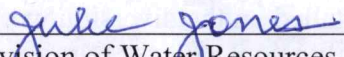
**CERTIFICATE OF SERVICE**

On this 20<sup>th</sup> day of July 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 23,238 dated 20<sup>th</sup> day of July 2020 was mailed postage prepaid, first class, US mail to the following:

COX LAND  
1111 RD 90  
SUBLETTE, KS 67877

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.

File No. 23238

RECEIVED  
 11:21 AM  
 JUN 10 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: COX LAND  
450 US HWY 83 SUBLETTE, KS 67877 - 9721

Phone Number: (      )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: SAME AS ABOVE

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: 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				

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 6-10-20 Check # 5117



5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the LOT 2 Quarter  
 of Section 6, Township 28 South, Range 32 (W),  
 in HASKELL County, Kansas, 5205 feet North 2460 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 03 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 NE Quarter of the LOT 3 NW (NE/NW) Quarter  
 of Section 6, Township 28 South, Range 32 (W),  
 in HASKELL County, Kansas, 5124 feet North 3289 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

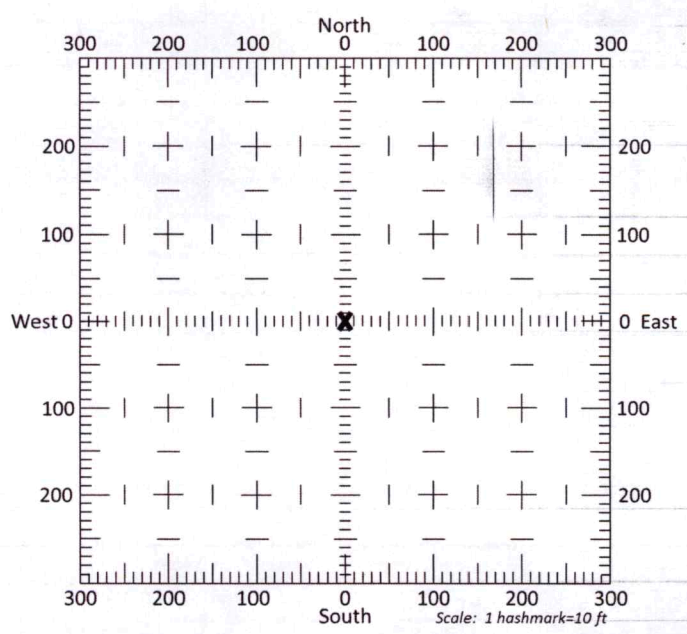
9. The change(s) (was)(will be) completed by?  
UPON APPROVAL

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AM/GCFO

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



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**



14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
  - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
  - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at GARDEN CITY, Kansas, this 10<sup>th</sup> day of JUNE, 2020.

Kenneth Zof  
 \_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

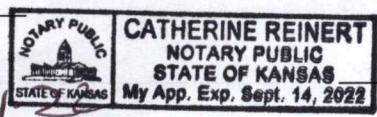
\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Please Print)

State of Kansas }  
 County of \_\_\_\_\_ } SS

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



**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. 23238

1. A change application was received on June 10, 2020 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.  Applicable  Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 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
8. **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
9. **The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.  Applicable  Not Applicable
11. Additional Conditions are attached.  Yes  No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

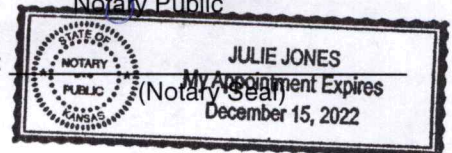
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

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

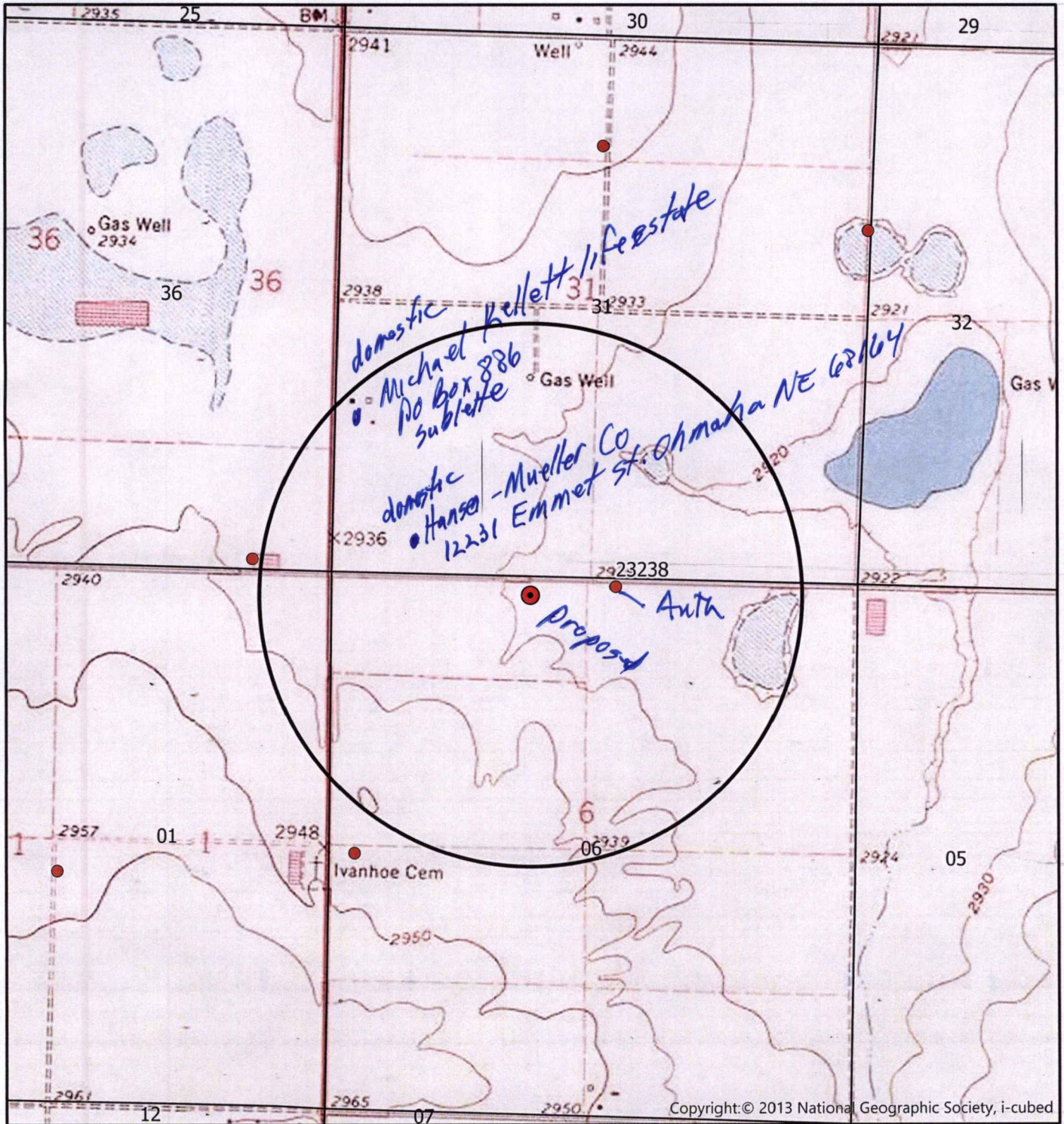
By: Michael A. Meyer  
Duly Authorized Designee of the Chief Engineer  
(Print Name): MICHAEL A. MEYER  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: July 20, 2020  
State of Kansas )  
) SS  
County of Stinson )  
Acknowledged before me on July 20, 2020  
by Michael A. Meyer  
Signature: Julie Jones  
Notary Public

My commission expires:

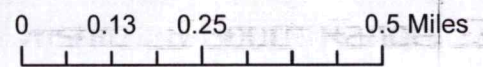




CHANGE IN POINT OF DIVERSION FILE NO. 23238



Township 28 South Range 32 West  
Haskell County



- POINT OF DIVERSION
- PROPOSED PD

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





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



PO Box 6:  
 Garden City, KS 678:  
 Fax: 620-277-02:

KENNY COX 620-272-1671

Customer Name: Kenny Cox Farms WO#: 20173 Date: 6-4-20  
 Street Address: 450 US HWY 83 Test #: 3 E LOG: Yes  
 City, State: SUBLETTE, KS 67877 Driller: Dale Guinn  
 County: Haskell Quarter: NW Section: 6 Township: 28 Range: 32  
 Location: 759' West & 65' South of Existing Well GPS: N 37.64903 W 100.86417  
 Rig #: 10002 Elevation: 2926' Static WL: 361' Estimated?   
 Proposed Well Depth 643'

WELL LOCATION 20' SUMP

%	Footage			Description of Strata
	From	Pay.	To	
	0		2	Black Dirt "Top Soil"
	2		28	Brown Sandy Clay
	28		39	Brown Sandy Clay w/Few Fine Sand Strips
	39		55	Fine Sand
	55		77	Fine Med Sand
	77		95	Brown Sandy Clay w/Few Sand Strips
	95		126	Fine Med Course Sand Small Med Large Gravel
	126		135	Brown Sandy Clay
	135		226	Fine Med Course Sand Small Few Med Gravel
	226		234	Brown Sandy Clay
	234		240	Fine Med Course Sand Small
	240		271	Brown Clay w/Few Hard Rock Layers "Sticky"
	271		338	Blue Clay "Sticky"
	338		360	Blue Clay w/Few Sand Strips "Sticky"
30	360	39	400	Fine Med Course Sand Small Gravel
25	400	40	440	Fine Med Course Sand Few Small Gravel w/couple clay layers
15	440	58	498	Fine Med Sand w/Few Clay Stringers
10	498	32	530	Fine Sand w/Few clay Stringers
	530		540	Brown Sandy Clay
30	540	31	571	Fine Med Course Sand w/Brown Rock
	571		579	Brown Sandy Clay
30	579	8	587	Fine Med Course Sand w/Brown Rock
	587		599	Soapstone
10	599	24	623	Sandstone w/Brown Rock & Few Soapstone Layers
	623		630	
				Super Gel X -6
				Drispac Pies -1/2 Bag
				Grout -5
				Hole Plug -6
				Perma Plug -1
				4 3/4 Drag Blade -1



100.88333° W

100.86667° W

NAD27 100.85000° W

37.65000° N

37.65000° N

COUNTY ROAD 70

COUNTY ROAD 70

File # 23238

Replacement Well Location

3, 37.64903° N, 100.86417° W

Kenny Cox Farms, Test Hole # 3 of 6-4-20, NW 6-28-32 HS

This site replaces the existing well in NW, NW, NE 6-28-32 HS

Ivanhoe Cem

s Well 60

COUNTY ROAD 80

ROAD NN

TN MN

5 1/2°

06/05/20

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

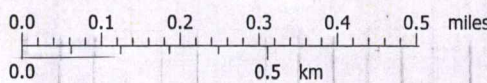
100.88333° W

100.86667° W

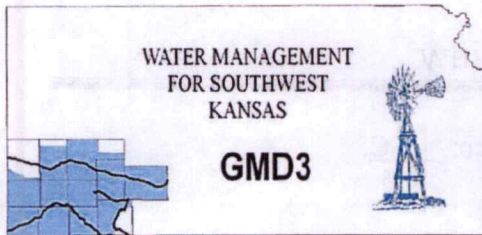
NAD27 100.85000° W

37.63333° N

37.63333° N







**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

July 17, 2020

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

RE: Application for Change in Point of Diversion  
Water Right, File No. 23238

Dear Mike:

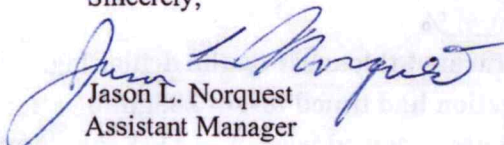
We have completed a review of the application for the above referenced water rights. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4.0 ft in cases where saturated thickness range is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that one domestic well located in 31-27s-32w did exceed the 4.0 ft allowable effect and needed further calculations. Further analysis showed that the effects did not reach critical well status. Our office received no 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

RECEIVED

JUL 17 2020



## GMD3 Change Review

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File No(s): 23238.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Cox Land.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?   .

If NO, is documentation included?

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

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

	ft. North	ft. West	
Authorized PD	5205	2460	Sect 6-28-32
Proposed PD	5124	3289	
Difference	81 s	-829 w	
a2 + b2 = c2	6561	687241	832.9478 foot move SW

GPS for proposed PD: Lat: 37.64903 Long: -100.86417.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified:   .

Name Wildhawk Farms % Jarvis Garetson (7385 & 16745).

Address 695 RD XX.

Zip Copeland, KS 67837.

Name Bill King (23790).

Address 1102 Mockingbird LN.

Zip Garden City, KS 67846.

Domestic well(s) notified:   .

Name Hansen Mueller Co (SE SW 31-27-32).

Address 12231 Emmet St.

Zip Omaha, NE 68164.

Name Michael Kellet Life EST ( W SW 31-27-32).

Address PO Box 886.

Zip Sublette, KS 67877.

Base Acres:   .

Perfected Acres:   .

Irr. Return-Flow   %

**Over 200' of saturated thickness on the driller log.**

**2017 field inspection had timed test of 280gpm.**

**2010-2019: Avg use reported was 297.4AF/Year. Appears around 2016 was the start of the dropoff in production.**



## GMD3 Change Review

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Is a waiver needed: Move is less than half mile. Minimum spacing appears to be met. One domestic well exceeded the first criteria of diminimus effect, but further study showed that it was not a critical well.

Recommendation: After review of all available information, it appears current area rules are met. No response from the neighboring wells and analysis shows effects within guidelines. Staff therefore recommends approval.

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JUL 17 2020

Garden City Field Office  
Division of Water Resources



## Jason Norquest

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To: bking35@cox.net  
Subject: Change App 23238

This is to inform you that Cox Land has applied to relocate their well 830 feet SW of their current well location in Section 6, Township 28s, Range 32w, in Haskell county. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. 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 23238. 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.

*Jason Norquest*

Assistant Manager, GMD3

Cell: 620-271-1289

Office: 620-275-7147

[www.gmd3.org](http://www.gmd3.org)

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JUL 1 2009  
Division of Water Resources  
Central City Field Office



## Jason Norquest

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To: garetsonbrothers@yahoo.com  
Subject: Change App WR 23238

This is to inform you that Cox Land has applied to relocate their well 832 feet SW of their current well location in Section 6, Township 28s, Range 32w, in Haskell county. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. 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.

*Jason Norquest*

Assistant Manager, GMD3

Cell: 620-271-1289

Office: 620-275-7147

[www.gmd3.org](http://www.gmd3.org)

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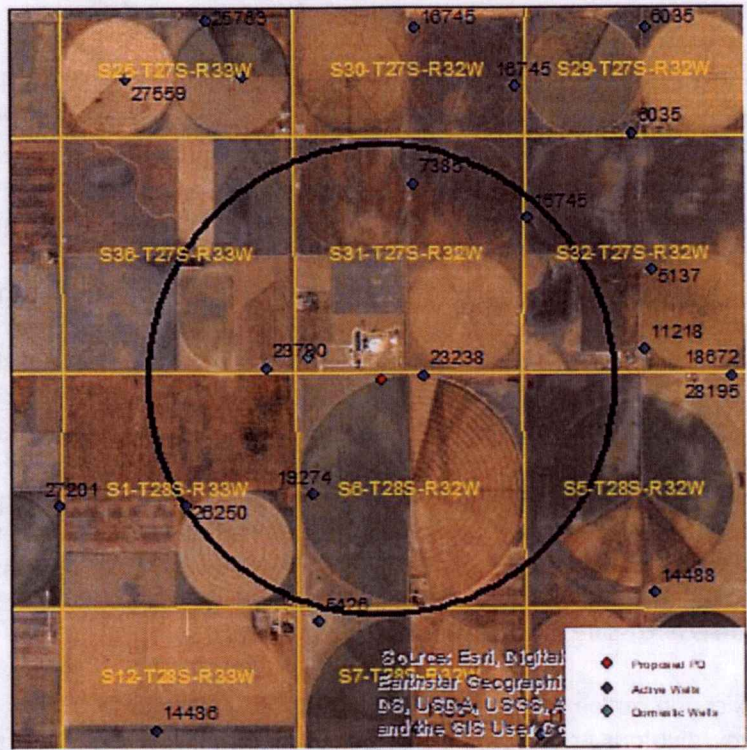
JUL 17 2020

Garden City Field Office  
Division of Water Resources



**Evaluation of proposed move for Water Right No 23238**

Proposed: Move water right no. 23238 a distance of 967 ft to the west.



Wells within 1 mile: 19274, 26250, 23790, 7385, 16745, and a domestic well in section 31-27-32.

The saturated thickness at the proposed well location is estimated to be 252 ft, based upon the GMD3 model. 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:

$S = 0.0594$ ,  $T = 13,539 \text{ ft}^2/\text{day}$ ,  $t_{\text{current}} = 240$  days (based upon average use and observed rate),  $Q_{\text{current}} = 280$  gpm (based upon 2017 field inspection),  $t_{\text{proposed}} = 88$  days,  $Q_{\text{proposed}} = 1,570$  gpm

Theis drawdowns were calculated as follows:

- 19274: Drawdown from current location = 1.56 ft  
 Drawdown from proposed location = 4.86 ft  
 Net drawdown = 3.3 ft
- 26250: Drawdown from current location = 1.25 ft  
 Drawdown from proposed location = 3.33 ft  
 Net drawdown = 2.1 ft

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 Division of Water Resources



23790: Drawdown from current location = 1.58 ft  
Drawdown from proposed location = 5.34 ft  
Net drawdown = **3.8 ft**

7385: Drawdown from current location = 1.46 ft  
Drawdown from proposed location = 3.72 ft  
Net drawdown = **2.3 ft**

16745: Drawdown from current location = 1.47 ft  
Drawdown from proposed location = 3.48 ft  
Net drawdown = **2.0 ft**

Domestic 31-27-32: Drawdown from current location = 1.77 ft  
Drawdown from proposed location = 6.81 ft  
Net drawdown = **5.0 ft**

Net drawdown exceeds the drawdown allowance of 4.0 ft for the domestic well in section 31-27-32. Critical well evaluation is necessary for that well, and is as follows:

**Critical Well Evaluation:**

Domestic 31-27-32: Water Column = 172 ft (based on driller's log)  
Drawdown due to proposal = 5.0 ft  
Drawdown due to existing conditions = 58.2 ft  
Total drawdown = 63.2 ft  
Economic Drawdown Constraint (EDC) =  $0.4 * 172 \text{ ft} = 68.8 \text{ ft}$   
Physical Drawdown Constraint (PDC) =  $172 \text{ ft} - 20 \text{ ft} = 152 \text{ ft}$   
Total Drawdown does not exceed the EDC or PDC, so this well is **not critical**.

**Conclusion:**

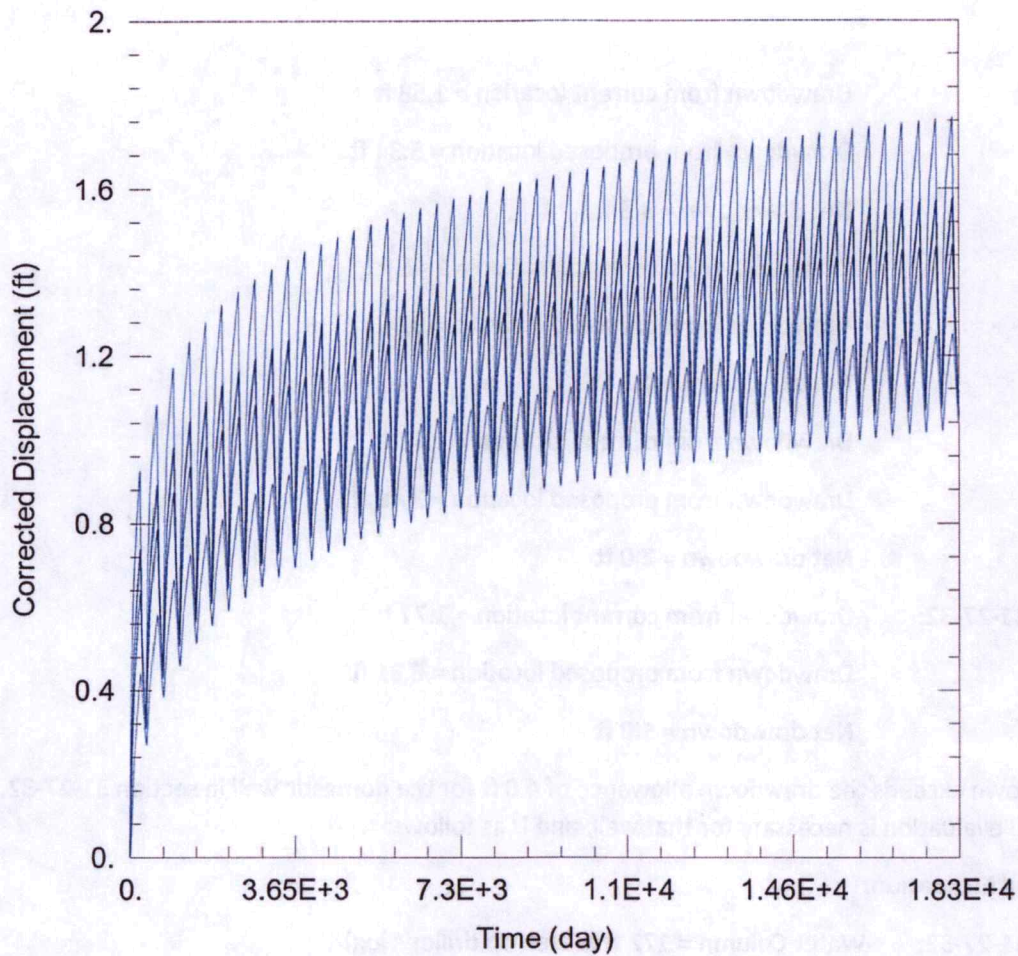
Based upon information from the GMD3 model, this proposal will cause minimal effects on most neighboring wells. Drawdown effects exceed 4 ft on the domestic well in section 31-27-32, but analysis does not show this well to be critical, meaning that it has sufficient water for the next 25 years and is unlikely to become impaired due to this proposal. GMD3 staff recommends approval of the proposal.

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Garden City Field Office  
Division of Water Resources





WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020\_moves\23238\23238 Current.aqt  
 Date: 07/09/20 Time: 16:52:05

PROJECT INFORMATION

Company: GMD 3  
 Project: 23238  
 Location: Haskell County  
 Test Well: 23238

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
23238	-17775	281911

Observation Wells

Well Name	X (ft)	Y (ft)
□	-17775	281911
□ 19274	-20278	279241
□ 26250	-23158	278988
□ 23790	-21330	282086
□ 7385	-18002	286208
□ 16745	-15417	285453
□ Domestic 31-27-32	-20353	282329

SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

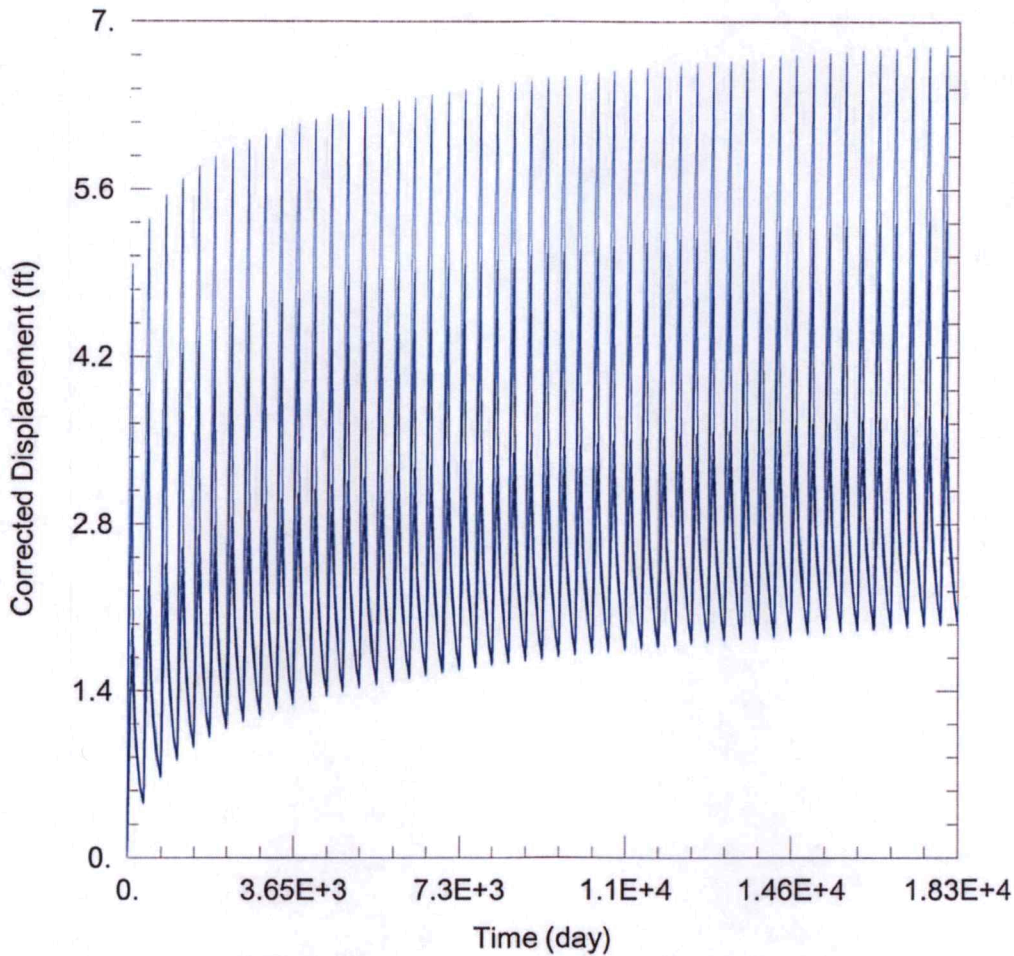
T = 1.354E+4 ft<sup>2</sup>/day

S = 0.0594

Kz/Kr = 1.

b = 252. ft





WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020\_moves\23238\23238 Proposed.aqt  
 Date: 07/09/20 Time: 16:51:57

PROJECT INFORMATION

Company: GMD 3  
 Project: 23238  
 Location: Haskell County  
 Test Well: 23238

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
23238	-18740	281839

Observation Wells

Well Name	X (ft)	Y (ft)
□	-18740	281839
□ 19274	-20278	279241
□ 26250	-23158	278988
□ 23790	-21330	282086
□ 7385	-18002	286208
□ 16745	-15417	285453
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SOLUTION

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 T = 1.354E+4 ft<sup>2</sup>/day  
 Kz/Kr = 1.

Solution Method: Theis  
 S = 0.0594  
 b = 252. ft

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JUL 17 2020

Garden City Field Office  
 Division of Water Resources



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

July 6, 2020

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

Re: Water Right, File Nos. 23238

Dear Mr. Norquest:

This is to advise you that Cox Land, 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.

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,

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures



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

June 16, 2020

HANSEN MUELLER CO  
12231 EMMET ST  
OMAHA NE 68164

RE: Water Right, File No. 23238

Dear Madam:

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

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

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

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

Sincerely,

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



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

June 16, 2020

MICHAEL KELLET LIFE EST  
PO BOX 886  
SUBLETTE KS 67877

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Sincerely,

Michael A. Meyer  
Water Commissioner

MAM  
Pc:

Groundwater Management District No. 3

SCANNED