

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

1. File Number: <b>11055</b>	2. Status Change Date: <i>12-13-2021</i>	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>11/16/2021</b>
--	--

8a. Landowner, Applicant(s)                      Person ID **23356**  
 New to system                               Add Seq# \_\_\_\_\_

**DENNIS E & ELIZABETH A MOSER FARM  
 LIV TR  
 1932 ROAD 16  
 MOSCOW, KS 67952-9720**

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

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

**ANDREW SEAN MOSER  
 MALLORY NICOLE MOSER  
 MOSER FARM LIVING TRUST  
 118 S MADISON ST  
 HUGOTON KS 67951**

8d. WUC    Person ID 66116 \_\_\_\_\_  
 New to system                               Add Seq# \_\_\_\_\_

**ANDREW MOSER  
 118 S MADISON ST  
 HUGOTON, KS 67951**

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2022**     N & P Date to Comply: **3/1/2023**

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: **12/13/2021**    By: **MAM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **11055**      11. County: SV      Basin: **CROOKED CREEK**      Stream:      Formation Code: **211**      Special Use:

12. Points of Diversion  
 Rate and Quantity  
 Authorized      Additional  
 Rate      Quantity      Rate      Quantity  
 gpm      af      gpm      af      Overlap PD Files

**DEL 46955**  
**ENT**      **LOT 1 (NENE)**      **7 32S 36W**      **5220 99**      **900 484**      **900 484**      **NONE**

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		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	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				
DEL	ENT	PUSE	S	T	R	ID															
<b>CHK</b>		<b>3342</b>	<b>7</b>	<b>32</b>	<b>36W</b>	<b>06</b>							<b>39</b>	<b>39</b>				<b>78</b>	<b>8a</b>	<b>N</b>	<b>none</b>
<b>CHK</b>		<b>11274</b>	<b>7</b>	<b>32</b>	<b>36W</b>	<b>04</b>								<b>40</b>	<b>40</b>			<b>80</b>	<b>8a</b>	<b>N</b>	<b>none</b>
<b>CHK</b>		<b>17137</b>	<b>7</b>	<b>32</b>	<b>36W</b>	<b>05</b>										<b>40</b>	<b>40</b>	<b>80</b>	<b>8a</b>	<b>N</b>	<b>none</b>
<b>MOD</b>		<b>21948</b>	<b>7</b>	<b>32</b>	<b>36W</b>	<b>02</b>	<b>L-1</b> <b>40</b>	<b>L-2</b> <b>40</b>	<b>40</b>	<b>40</b>	<b>L-3</b> <b>39</b>	<b>L-4</b> <b>39</b>	<b>39</b>	<b>39</b>				<b>236</b>	<b>8b</b>	<b>Y</b>	<b>none</b>
<b>CHK</b>		<b>27046</b>	<b>7</b>	<b>32</b>	<b>36W</b>	<b>03</b>							<b>39</b>	<b>39</b>				<b>78</b>	<b>8a</b>	<b>N</b>	<b>none</b>
<b>DEL</b>		<b>37922</b>	<b>7</b>	<b>32</b>	<b>36W</b>	<b>01</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

December 13, 2021

ANDREW MOSER  
118 S MADISON ST  
HUGOTON, KS 67951

RE: Field Office Application for Change  
Water Right, File No. 11055

Dear Sir:

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.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free 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  
enclosures

pc: DENNIS E & ELIZABETH A MOSER FARM LIV TR  
ANDREW SEAN MOSER, MOSER FARM LIVING TRUST  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

## CERTIFICATE OF SERVICE

On this 13<sup>th</sup> day of December 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 11,055 dated 13<sup>th</sup> day of December 2021 was mailed postage prepaid, first class, US mail to the following:

ANDREW MOSER  
118 S MADISON ST  
HUGOTON, KS 67951

Pc:

DENNIS E & ELIZABETH A MOSER FARM LIV TR  
1932 ROAD 16  
MOSCOW, KS 67952-9720

ANDREW SEAN MOSER  
MALLORY NICOLE MOSER  
MOSER FARM LIVING TRUST  
118 S MADISON ST  
HUGOTON KS 67951

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. 11055

**RECEIVED**  
 NOV 16 2021  
 7:45 AM  
 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: Andy Moser

118 S Madison St, Hugoton ks 67951

Phone Number: (620) 544 6585      Email address: amo54ksu@gmail.com

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: \_\_\_\_\_

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

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES	
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		

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	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES	
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 11/6/2021 Check # 2129

5. **Presently authorized point of diversion:**  
 One in the NE Quarter of the NW Quarter of the NE Quarter of Section 7, Township 32 South, Range 36 (W), in STEVENS County, Kansas, 5200 feet North 1402 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 01 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 NE Quarter of the NE Quarter of the LOT 1 (NENE) Quarter of Section 7, Township 32 South, Range 36 (W), in STEVENS County, Kansas, 5220 feet North 99 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 \_\_\_\_\_ (EW), 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 \_\_\_\_\_ (EW), 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) Increase water supply  
old well has lost ~50% of original capacity

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

9. The change(s) (was)(will be) completed by?  
Jan 1, 2022

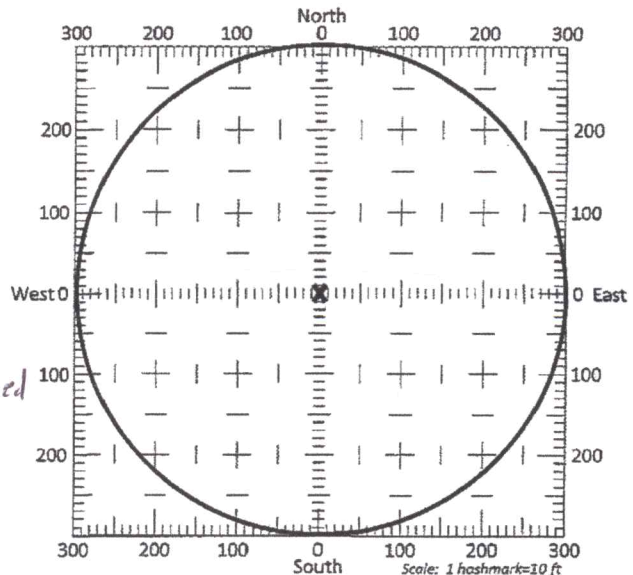
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
cap

(b) When will this be done? after new well is test pumped

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AJT/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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (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 Hugoton, Kansas, Kansas, this 4 day of November, 2021.

[Signature]  
 \_\_\_\_\_  
 (Owner)

Andrew S Moser  
 \_\_\_\_\_  
 (Please Print)

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

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

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

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

[Signature]  
 \_\_\_\_\_  
 (Spouse)

Mallory Moser  
 \_\_\_\_\_  
 (Please Print)

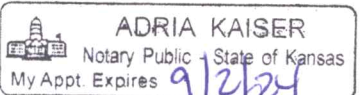
\_\_\_\_\_  
 (Spouse)

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

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

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

State of Kansas }  
County of Stevens } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4 day of November, 2021.

[Signature]  
\_\_\_\_\_  
Notary Public

My Commission Expires 9/2/24

**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. 11055

1. A change application was received on November 16, 2021 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 300 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, 2022, 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, 2022, or within any authorized extension of time. By March 1, 2023 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**

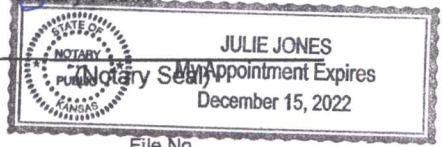
By: Michael A. Meyer  
Duly Authorized Designee of the Chief Engineer  
(Print Name): MICHAEL A. MEYER  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: December 13, 2021

State of Kansas )  
 ) SS  
County of Finney )

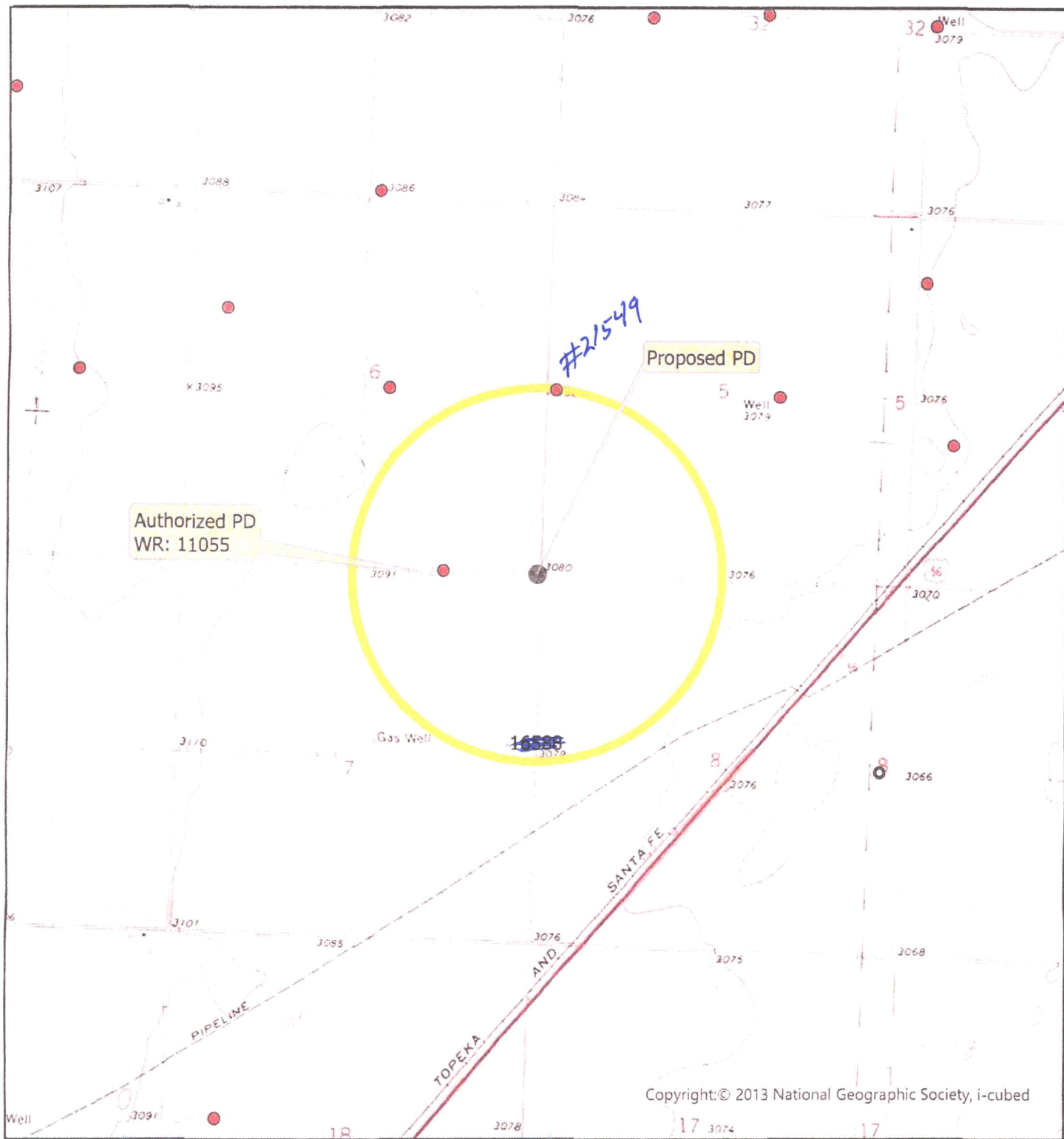
Acknowledged before me on December 13, 2021  
by Michael A. Meyer

Signature: Julie Jones  
Notary Public

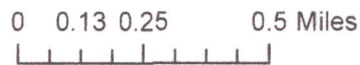
My commission expires: \_\_\_\_\_  




# CHANGE IN POINT OF DIVERSION 11055



Township 32 South Range 36 West  
SV County



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

● POINT OF DIVERSION



# WELL LOG

DATE: 9/2/2021

## Downey Drilling Inc.



# COPY

CUSTOMER NAME: WAYNE FORWARD TH#3

Andy MOSEB

LEGAL: NE 7-3S-36W

COUNTY: STEVENS CO, KS

WR # 11055

GPS: 37.285965

-101.267208

LOGGER:

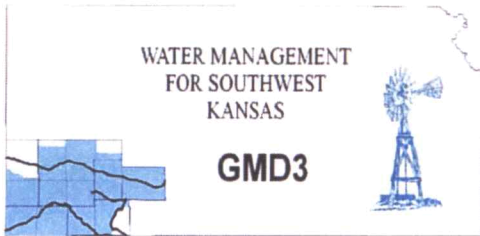
DRILLER: ROCKY

WO:

20-755

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	2		TOPSOIL	SOFT	DARK BROWN	FAST		SMOOTH
2	8		BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
8	45		CALICHE W/ SANDY CLAY	FIRM	WHITE & TAN	FAST		CHOPPY & SMOOTH
45	54		FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		CHATTER
54	89		FINE-MED SAND W/ SANDY CLAY	FIRM	TAN	FAST		CHOPPY & SMOOTH
89	95		FINE-MED-COARSE W/ FINE-MED GRAVEL	STIFF		FAST		CHATTER
95	106		SANDY CLAY W/ FINE SAND	STIFF	TAN	FAST		SMOOTH & VIBRATION
106	118		FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	STIFF		FAST		FAST CHATTER
118	139		SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
139	159		SANDY CLAY W/ CALICHE & FINE SAND		TAN & WHITE	FAST		SMOOTH & VIBRATION
159	160		CEMENTED SAND	HARD		SLOW		CHATTER
160	230		FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		CHATTER
230	259		BROWN STICKY CLAY	SOFT	BROWN	FAST		SMOOTH
259	284		SILTY CLAY W/ SANDY CLAY & FINE SAND LEDGES	SOFT	BROWN	FAST		SMOOTH & VIBRATION
284	312		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
312	317		FINE-MED-COARSE SAND	FIRM		FAST		CHOPPY
317	328		FINE-MED-COARSE SAND W/ SANDY CLAY	FIRM	TAN	FAST		CHOPPY & SMOOTH
328	339		FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	STIFF		FAST		CHATTER
339	346		CEMENTED SAND	HARD		SLOW		CHATTER
346	371		FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		CHATTER
371	372		CEMENTED SAND	HARD		SLOW		CHATTER
372	389		FINE-MED-COARSE SAND W/ FINE GRAVEL	LOOSE		FAST		VIBRATION
389	394		FINE-MED SAND	FIRM		FAST		CHOPPY
394	412		FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		CHATTER
412	424		FINE-MED-COARSE SAND W/ SANDY CLAY	FIRM	TAN	FAST		CHOPPY
424	426		FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
426	455		SANDY CLAY W/ SILTY CLAY, FINE-MED-COARSE SAND LAYERS, BROWN ROCK & SANDSTONE LEDGES	FIRM	BROWN	FAST		CHOPPY & FAST CHATTER
455	465		FINE-MED-COARSE SAND	STIFF		FAST		FAST CHATTER
465	525		BROWN SILTY CLAY W/ SANDY CLAY, BROWN ROCK & SANDSTONE LEDGES	FIRM	BROWN	FAST		CHOPPY & FAST CHATTER
525	543		SANDSTONE W/ BROWN ROCK	STIFF	BROWN	FAST		FAST CHATTER
543	580		RED BED W/ BROWN SILTY CLAY	SOFT	RED	SLOW		SMOOTH
			QUIKGEL - 5					HOLE PLUG - 2
			WATER LOADS - 1-1/2					CASING SEAL - 1
			SODA ASH - 1/4					
			BRAN - 1					

EST  
STATIC  
323'



**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

December 10, 2021

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. 11055

Dear Mike:


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

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (3.5 ft in cases where saturated thickness is between 150-200 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 above the maximum allowable threshold. Our office received no comments of concern from neighboring well owners. Therefore, GMD3 sees this move as reasonable and therefore recommend that the application be approved. We also recommend the applicant be informed of their responsibility to proper cap or plug the abandoned well. 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

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## GMD3 Change Review

---

File No(s): 11055. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Andy Moser.

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) 01 being changed.

	ft. North	ft. West	
Authorized PD	5200	1402	Sect 7-32-36 Stevens
Proposed PD	5220	99	
Difference	-20 n	1303 e	
$a^2 + b^2 = c^2$	400	1697809	1303.153 foot move NE

GPS for proposed PD: Lat: 37.285965 Long: -101.267208.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified:   .

Name Jerry H & Sandra L Cox (3181 & 21549).

Address 499 Road 18.

Zip Hugoton, KS 67951.

Email:    Phone:   .

Domestic well(s) notified:   .

Name   .

Address   .

Zip   .

Base Acres:   .

Perfected Acres:   .

Irr. Return-Flow   %

**Authorized: 484AF @ 900gpm**

**Recent reported use (2011-2020): 321.3AF/year.**

**GMD3 flowtest in 2018 showed 516.3gpm. (reported lose of rate from well, but seems to still hold strong)**

**Current well appears to be around 460'.**

**Appears planned depth of proposed well is around 580'.**

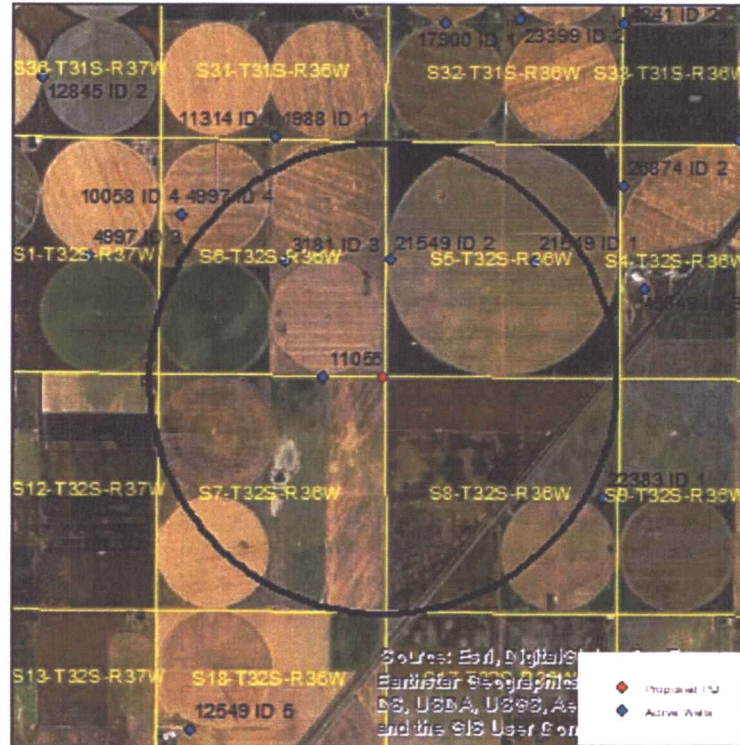
Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears met. All neighboring wells met first analysis criteria, no critical wells found. No comments from neighboring wells.

Recommendation: After review of all available information, it appears current area rules are met. Analysis was favorable. Staff therefore recommends approval of the application.



## Evaluation of proposed move for Water Right No. 11055

Proposed: Move water right no. 11055 a distance of 1,336 ft to the east.



Wells within 1 mile: 3181, 21549 ID1, and 21549 ID2.

The saturated thickness at the proposed well location is estimated to be 186 ft, based upon the GMD3 model. For saturated thickness between 150 ft and 200 ft, the drawdown allowance is 3.5 ft.

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

$S = 0.1719$ ,  $T = 14,507 \text{ ft}^2/\text{day}$ ,

$t_{p_{\text{current}}} = 141 \text{ days}$  (based on observed rate and average use),  $Q_{\text{current}} = 516 \text{ gpm}$  (observed in 2018),

$t_{p_{\text{proposed}}} = 122 \text{ days}$ ,  $Q_{\text{proposed}} = 900 \text{ gpm}$

Theis drawdowns were calculated as follows:

3181: Drawdown from current location = 1.65 ft  
Drawdown from proposed location = 2.26 ft  
Net drawdown = **0.6 ft**

21549 ID1: Drawdown from current location = 1.10 ft  
Drawdown from proposed location = 1.93 ft  
Net drawdown = **0.8 ft**

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**DEC 10 2021**  
Garden City Field Office  
Division of Water Resources

21549 ID2:

Drawdown from current location = 1.55 ft

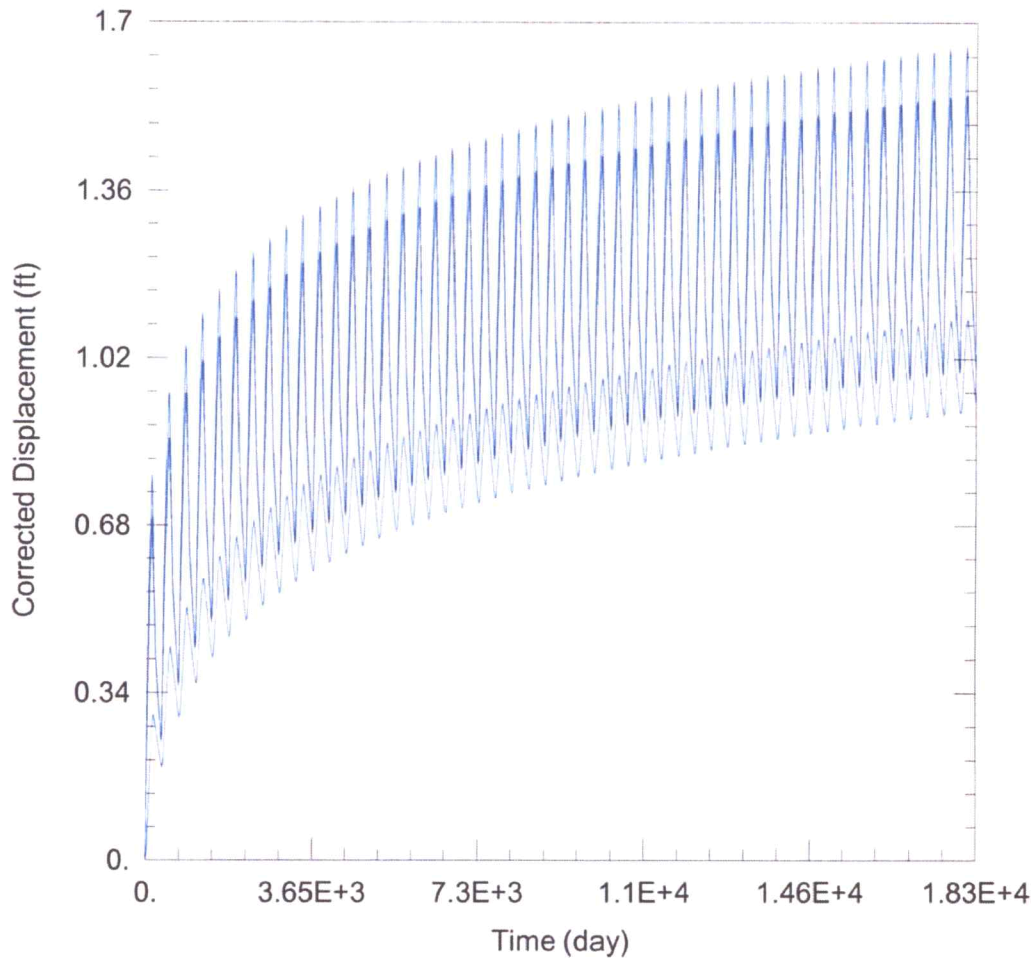
Drawdown from proposed location = 2.61 ft

**Net drawdown = 1.1 ft**

Net drawdown does not exceed the drawdown allowance of 3.5 ft for any well within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

**Conclusion:**

The proposed move is likely to create minimal effects on neighboring wells and is unlikely to cause impairment. GMD3 staff recommends approval of this proposal.



**WELL TEST ANALYSIS**

Data Set: C:\Users\trevora\Documents\2021\_Moves\11055\11055 Current.aqt  
 Date: 12/02/21 Time: 11:48:35

**PROJECT INFORMATION**

Company: GMD 3  
 Project: 11055  
 Location: Stevens County

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 Division of Water Resources

**WELL DATA**

**Pumping Wells**

Well Name	X (ft)	Y (ft)
11055	-137425	149995

**Observation Wells**

Well Name	X (ft)	Y (ft)
□	-137425	149995
□ 3181	-138284	152570
□ 21549 ID1	-132670	152601
□ 21549 ID2	-135899	152609

**SOLUTION**

Aquifer Model: Unconfined

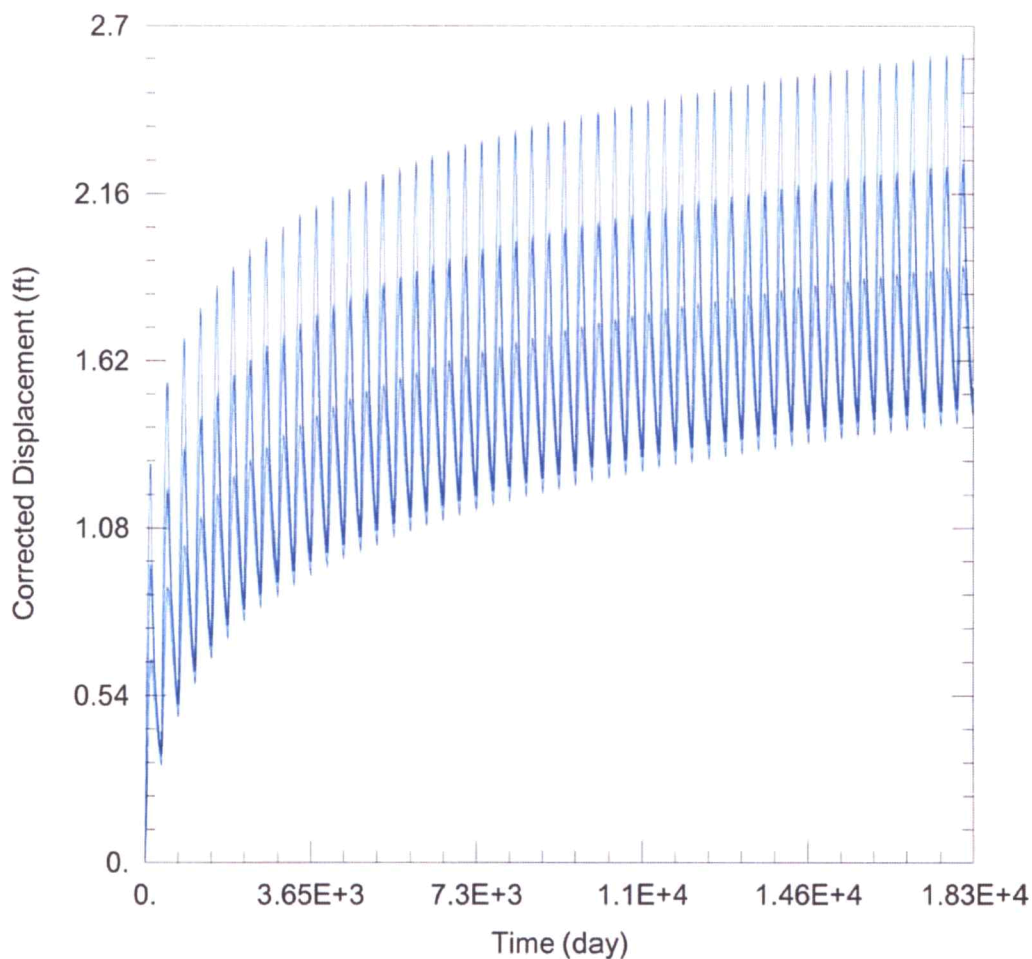
Solution Method: Theis

T = 1.451E+4 ft<sup>2</sup>/day

S = 0.1719

Kz/Kr = 1.

b = 186. ft



### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021\_Moves\11055\11055 Proposed.aqt  
 Date: 12/02/21 Time: 11:48:30

### PROJECT INFORMATION

Company: GMD 3  
 Project: 11055  
 Location: Stevens County

### WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
11055	-136089	149968	□	-136089	149968
			□ 3181	-138284	152570
			□ 21549 ID1	-132670	152601
			□ 21549 ID2	-135899	152609

### SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

T = 1.451E+4 ft<sup>2</sup>/day

S = 0.1719

Kz/Kr = 1.

b = 186. ft



Water Rights and Points of Diversion Within 1 mile of point defined as:  
 5220 Feet N and 99 Feet W of the Southeast Corner of Section 7 Twp 32S Rng 36W  
 Located at: 101.267209 West Longitude and 37.285966 North Latitude  
 Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan		
A__ AF	3181	00	IRR	NK	G		3404	--	NW	NW	SE	2550	2250	6	32	36W	3	2 <sup>300</sup> 764.00	764.00
A__ AF	11055	00	IRR	NK	G*		1307	--	NE	NW	NE	5200	1402	7	32	36W	1	7 <sup>00</sup> 484.00	484.00
A__ AF	21549	00	IRR	NK	G		2666	--	NW	NW	SW	2600	4900	5	32	36W	2	2 <sup>300</sup> 640.00	573.00
Same AF							4306	--	NE	NW	SE	2600	1909	5	32	36W	1	2 <sup>300</sup> 633.00	573.00

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2394.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2394.00	.00

*Spring Approvals met*

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as:  
 5220 Feet North and 99 Feet West of the Southeast Corner of Section 7 Twp 32S Rng 36W  
 Located at: 101.267209 West Longitude and 37.285966 North Latitude  
 Both SURFACE WATER and GROUNDWATER  
 WATER USE CORRESPONDENTS:

- > File Number Use ST SR
- > JERRY H & SANDRA L COX
- >
- > 499 ROAD 18
- > HUGOTON KS 67951
- >-----
- > WAYNE FORWARD
- >
- > 1595 ROAD V
- > MOSCOW KS 67952
- >-----
- > JEFFERY J & JO A COX
- >
- > 1231 ROAD 14
- > HUGOTON KS 67951
- >-----

*3181*

*11055 Application*

*21549*

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 NOV 30 2021  
 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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

November 30, 2021

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

Re: Request for Recommendation  
Water Right, File No. 11055

Dear Mr. Norquest:

This is to advise you that Andy Moser, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion. The application meets all rules and 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,

A handwritten signature in blue ink that reads "Michael A. Meyer". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

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

November 17, 2021

JEFFERY J & JO A COX  
1231 ROAD 14  
HUGOTON, KS 67951-5109

RE: Application for Change  
Water Right, File No. 11055

Dear Sir:

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

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 of 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 cursive script that reads "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM

pc: Groundwater Management District No. 3

SCANNED

Entered in Transfer Record by my office this

30th day of November

A.D. 2021

Amy J. Sharp by Anna D. Norton  
County Clerk



Book 348 Page 209



STATE OF KANSAS SS  
COUNTY OF STEVENS

This instrument was filed for record on the 30  
day of November A.D. 2021  
at 11:00 o'clock A. M. and duly recorded in  
Book 348 on page 209 Fee \$ 38.00

Joseph Rosel  
Register of Deeds

GENERAL WARRANTY DEED

THIS DEED, Made this 17<sup>th</sup> day of November, 2021, between

**Wayne C. Forward and Mary Ann Forward husband and wife**

Of Stevens County, in the State of Kansas of the first part, and

**Andrew Sean Moser and Mallory Nicole Moser, and Moser Farm Living Trust Dated May 4, 2004**

Of Stevens County, in the State of Kansas as second party

WITNESSETH, That said parties of the first part, in consideration for the sum of Ten and no/100 Dollars, and other good and valuable consideration, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto said party of the second part, his heirs and assigns, all the following described real estate situated in the County of Stevens, and the State of Kansas, to wit:

**SURFACE AND SURFACE RIGHTS ONLY, IN AND TO:**

**The Northeast Quarter (NE/4) of Section Seven (7), Township Thirty-two (32) South, Range Thirty-six (36) West of the 6th P.M., Stevens County, Kansas.**

**AND**

**Lots One (1) and Two (2) and the East Half of the Northwest Quarter (E/2 NW/4) of Section Seven (7), Township Thirty-two (32) South, Range Thirty-six (36) West of the 6th P.M., Stevens County, Kansas.**

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

And parties of the first part, for themselves, their heirs, executors and administrators, do hereby covenant, promise and agree to and with party of the second part that at the delivery of these presents they are lawfully seized in their own right, of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments, and encumbrances of what nature or kind soever except;

**Easements, right of ways, restrictions of record, mineral reservations, oil and gas Leases and related instruments, and future installments on public improvement assessments, if any of record;**

and that they will warrant and forever defend the same unto party of second part, his heirs and assigns, against parties of the first part, their heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

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DEC 13 2021

Garden City Field Office  
Division of Water Resources

IN WITNESS WHEREOF, parties of the first part have hereunto subscribed their names, the day and year first above written.

Wayne C Forward  
Wayne C Forward

Mary Ann Forward  
Mary Ann Forward

STATE OF Kansas, COUNTY OF Stevens, ss.

BE IT REMEMBERED, That on this 17<sup>th</sup> day of November, 2021, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **Wayne C. Forward and Mary Ann Forward husband and wife** who are personally known to me to be the same persons who executed the foregoing deed, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

MARILYN A. MARTIN  
Notary Public - State of Kansas  
My Appt. Expires 1-16-22

My appointment expires 1-16-22

Marilyn A. Martin  
Notary Public

## Meyer, Mike [KDA]

---

**From:** Andrew Moser <amo54ksu@gmail.com>  
**Sent:** Monday, December 13, 2021 11:03 AM  
**To:** Meyer, Mike [KDA]  
**Subject:** Re: water right application  
**Attachments:** 211561P - Recorded Deed - Forward to Moser.pdf

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

He hadn't owned the north half. We recently purchased it from Wayne and Mary Anne Forward together. Deed attached.

On Mon, Dec 13, 2021 at 10:56 AM Meyer, Mike [KDA] <[Mike.Meyer@ks.gov](mailto:Mike.Meyer@ks.gov)> wrote:

hello andy

I am reviewing your application to redrill the well in section 7. I need confirmation of the ownership of section 7. we show dennis moser trust owning the entire section. that is probably not up to date.

can you provide deeds of the ownership of the section asap so we can approve the application to drill the well?

thank you

Michael A. Meyer, PG

Kansas Department of Agriculture

Division of Water Resources

Garden City Field Office

4532 W Jones Ave, Suite B

Garden City KS 67846

Lat 37.98820, Lon -100.944470

(620)-276-2901

[mike.meyer@ks.gov](mailto:mike.meyer@ks.gov)