

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

1. File Number: 16406	2. Status Change Date: 9-3-2021	3. Change Num: C5	4. Field Office: 04	5. GMD: 03
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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: 7/27/2021
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8a. Landowner, applicant, correspondent Person ID 67307 New to system <input type="checkbox"/> Add Seq# _____ VYN LAND & CATTLE PO BOX 1567 DALHART TX 79022	8c. Landowner Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
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8b. Landowner(s), Person ID _____ New to system <input type="checkbox"/> Add Seq# _____	8d. correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
8e. Landowner(s), Person ID _____ New to system <input type="checkbox"/> Add Seq# _____	

9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2021 <input checked="" type="checkbox"/> N & P Date to Comply: 3/1/2022
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

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

Date Prepared: 9/1/2021 By: MAM
Date Entered: _____ By: _____

File No. **16406** 11. County: KE Basin: ARKANSAS RIVER Stream: Formation Code: 211 Special Use:

12. Points of Diversion										Rate and Quantity				
CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	
ENT	33761	NCSE	34	24	35W	08	1310	1320		990	252	990	252	NONE
CHK	43701	NCNW	2	25	35 W	02	3960	3960		970	252	970	252	
CHK	13189	NC SE	3	25	35W	03	1320	1320		975	252	975	252	
MOD	88447	LOT 4 (NWNW)	2	25	35W	07	5112	5220		935	252	935	252	

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 DEL ENT	PUSE	S	T	R	ID	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	22863	2	25	35W	01	L-1 31.50	L-2 31.50	31.50	31.50	L-3 31.50	L-4 31.50	31.50	31.50	31.50	31.50	31.50	31.50	31.50	504	8a	NO	20926, 20928, 20929, 20930, 20933, 20934, 21528, 23803
ENT	12918	3	25	35W	01	L-1 34	L-2 34	34	34					34	34	34	34		272	8a	NO	20926, 20928, 20929, 20930, 20933, 20934, 21528, 23803
ENT	38941	11	25	35W	01	34	34	34	34	34	34	34	34						272	8a	NO	20926, 20928, 20929, 20930, 20933, 20934, 21528, 23803
ENT	27329	10	25	35W	01	34	34	34	34	34	34	34	34	34	34	34	34	34	544	8a	NO	20926, 20928, 20929, 20930, 20933, 20934, 21528, 23803
ENT	2533	34	24	35W	01	34	34	34	34	34	34	34	34	34	34	34	34	34	544	8a	NO	20926, 20928, 20929, 20930, 20933, 20934, 21528, 23803

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

September 3, 2021

VYN LAND & CATTLE
PO BOX 1027
LAKIN, KS 67860

RE: Field Office Application for Change
Water Right, File Nos. 16406, 20926, 20928, 20939, 20930, 20933, 20934,
21528, 23803

Dear Sir:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals 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 numbers 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 these orders modify the original documents referred to above, they 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:
GMD3

CERTIFICATE OF SERVICE

On this 3rd day of September 2021, I hereby certify that the foregoing Approval of Application for Change, Water Right, File Nos. 16,406, 20,926, 20,928, 20,939, 20,930, 20,933, 20,934, 21,528, 23,803 dated the 3rd day of September 2021 was mailed postage prepaid, first class, US mail to the following:

VYN LAND & CATTLE
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.

File No. 16406

RECEIVED
 2:30 pm
 JUL 27 2021

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

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: VYN LAND & CATTLE

PO BOX 1027 LAKIN KS 67860

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: VYN LAND & CATTLE

ADDRESS: PO BOX 1027 LAKIN KS 67860

(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	
2	25	35W	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	504

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: VYN LAND & CATTLE

ADDRESS: PO BOX 1027 LAKIN KS 67860

(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		
2	25	35W	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	504	
34	24	35W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544	
3	25	35W	34	34	34	34	0	0	0	0	0	0	0	0	0	0	34	34	34	272

For Office Use Only: Code _____ Fee \$ 400.00 TR # _____ Receipt Date 7-27-21 Check # 6392

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 16406
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: _____
ADDRESS: _____

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	

Owner of Land ---- NAME: _____
ADDRESS: _____

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	

Owner of Land ---- NAME: _____
ADDRESS: _____

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. *Continued:* 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: VYN LAND & CATTLE
ADDRESS: PO BOX 1227 SYRACUSE KS 67878 - 1227

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	
11	25	35W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	272
10	25	35W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544

Owner of Land ---- NAME: _____
ADDRESS: _____

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	

Owner of Land ---- NAME: _____
ADDRESS: _____

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	

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 16406

Presently authorized point of diversion:

One in the _____ Quarter of the NC Quarter of the SE Quarter
of Section 3, Township 25 South, Range 35 W,
in Kearny County, Kansas, 1320 feet North 1320 feet West of Southeast corner of section.
Authorized Rate 975 GPM Authorized Quantity 252 AF 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)

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 _____ 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)

One in the _____ Quarter of the NC Quarter of the SE Quarter
of Section 34, Township 24 South, Range 35 W,
in KEARNY County, Kansas, 1310 feet North 1320 feet West of Southeast corner of section.
Proposed Rate 990 GPM Proposed Quantity 252 AF Proposed well depth (feet) 340
This point is: Additional Well Geo Center List other water rights that will use this point (old pdiv 33761 existing)

5. **Presently authorized point of diversion:**
 One in the LOT 4 Quarter of the NW Quarter of the NW Quarter of Section 2, Township 25 South, Range 35 W, in Kearny County, Kansas, 5112 feet North 5220 feet West of Southeast corner of section.
 Authorized Rate 1925 GPM Authorized Quantity 504 AF Depth of well 676 (feet)
(DWR use only: Computer ID No. 07 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 LOT 4 (NWNW) Quarter of Section 2, Township 25 South, Range 35 W, in Kearny County, Kansas, 5112 feet North 5220 feet West of Southeast corner of section.
 Proposed Rate 935 GPM Proposed Quantity 252 AF Proposed well depth (feet) 676
 This point is: Additional Well Geo Center List other water rights that will use this point same

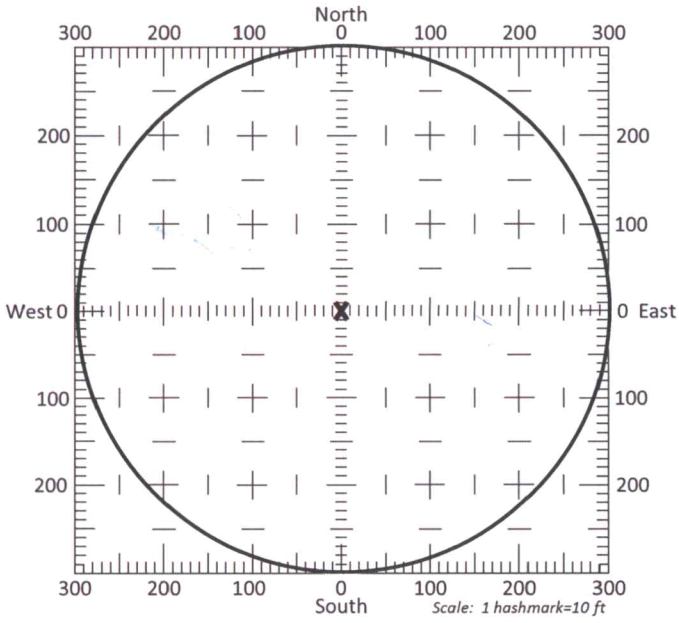
6. **Presently authorized point of diversion:**
 One in the --- Quarter of the NC Quarter of the NW Quarter of Section 2, Township 25 South, Range 35 W, in Kearny County, Kansas, 3960 feet North 3960 feet West of Southeast corner of section.
 Authorized Rate 970 GPM Authorized Quantity 252 AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 02 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. The changes herein are desired for the following reasons?
 (please be specific) _____

8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?

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

 (b) When will this be done? _____
11. Groundwater Management District recommendation attached?
 Yes No
12. Assisted by HH 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 Brandon SD, ~~Kansas~~, this 22nd day of July, 2021.

<p><u>Guy</u> _____ (Owner)</p> <p><u>Justin Vyn</u> _____ (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>
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State of ~~Kansas~~ SD }
 County of Minnehaha } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22 day of July, 2021.

My Commission Expires 4/10/26

Amanda Anna Nesburg

Notary Public
for owner only

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. 164406.

1. A change application was received on July 27, 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 existing well
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2021**, 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, 2021**, or within any authorized extension of time. By March 1, 2022 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

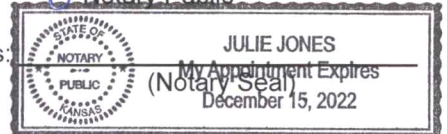
Date of Issuance: September 3, 2021

State of Kansas)
) SS
County of Linney)

Acknowledged before me on September 3, 2021
by Michael A. Meyer

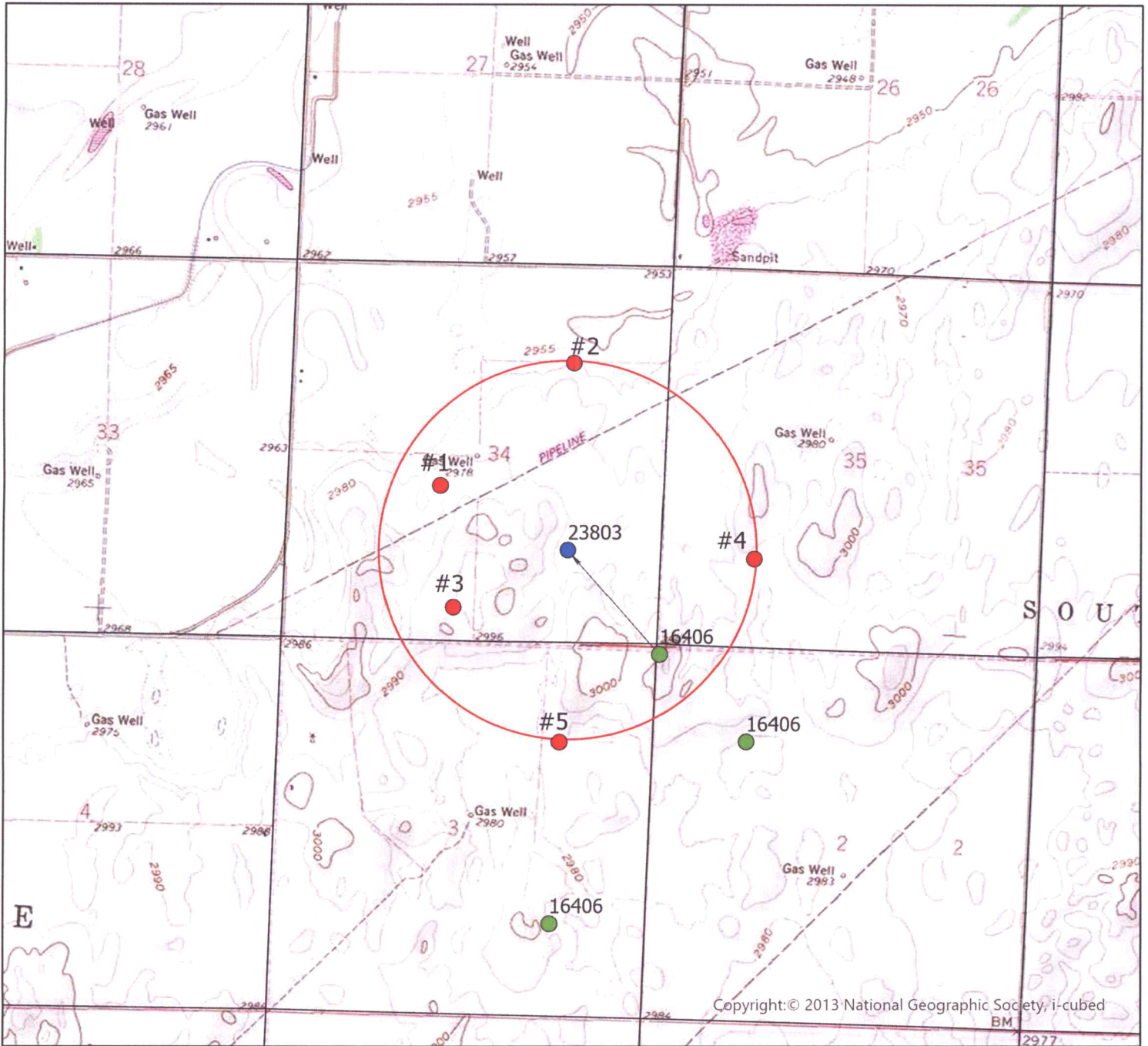
Signature: Julie Jones
Notary Public

My commission expires: December 15, 2022



CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NOS. 16406

Section 34 Township 24 South Range 35 West Kearny County



- Authorized Point of Diversion
- Proposed Point of Diversion
- ★ Domestic Wells within 1/2 mile
- Permitted Wells within 1/2 mile
- 1/2 Mile Buffer

List of owner name and addresses within 1/2 mile:

#1 File No. 23803 (9)	#4 File No. 15583
VYN LAND & CATTLE	RODGER L & CHERYL KOEHN
#2 File No. 23803 (5)	#5 File No. 20929
VYN LAND & CATTLE	VYN LAND & CATTLE
#3 File No. 20926	
VYN LAND & CATTLE	



All wells of any kind within 1/2 mile of the proposed point of diversion have been plotted.

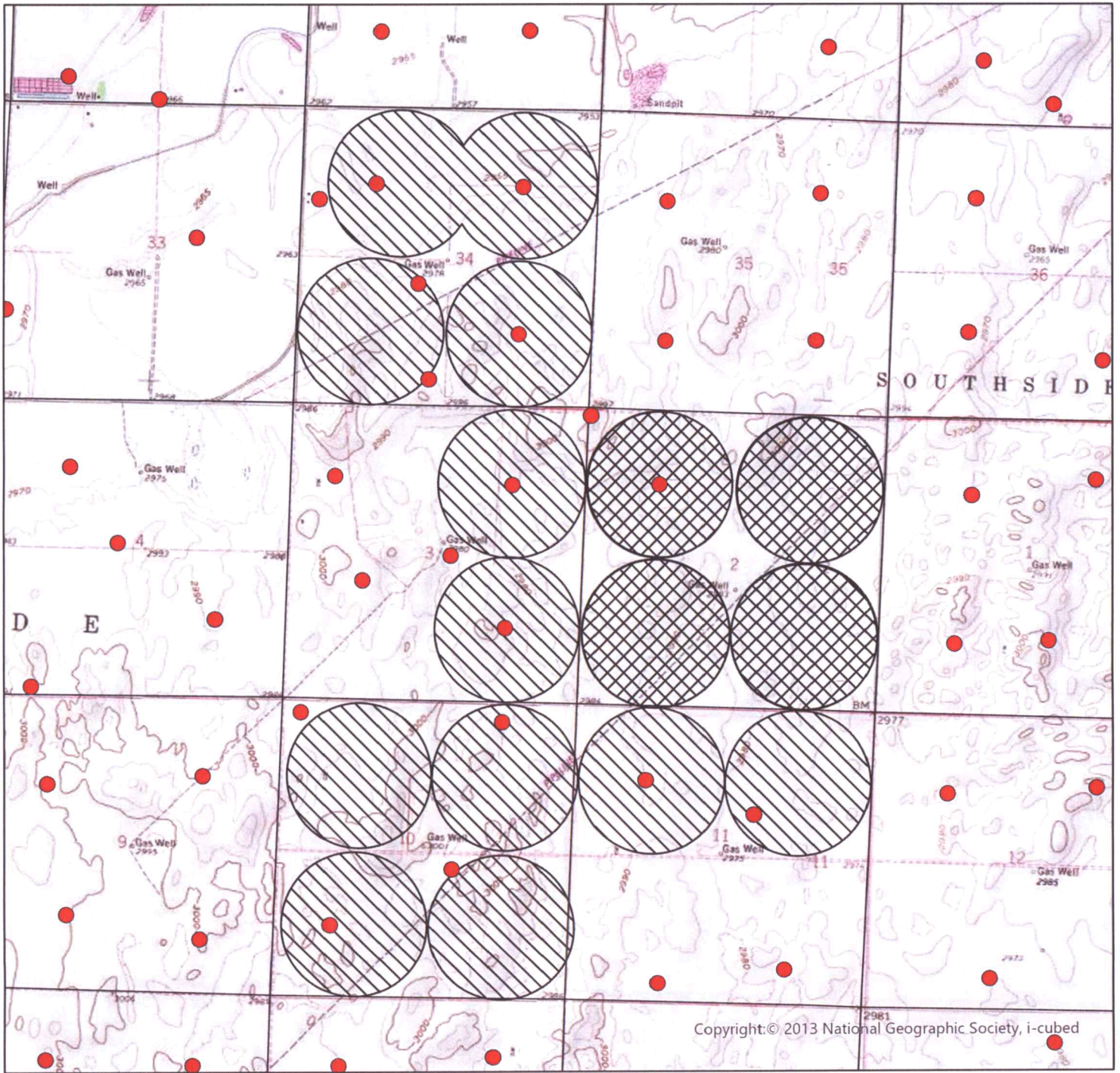
(Signature)



Date

Date: 7/19/21 HH/GCFO
Scale: 1:24,000

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 16406

Section 2 Township 25 South Range 35 West Kearny County



	Authorized Place of Use
	Proposed Place of Use

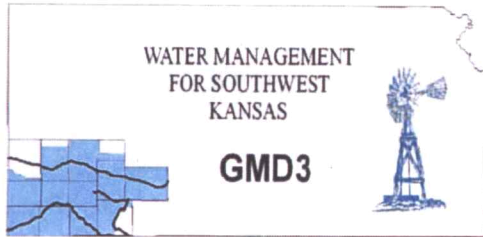


All wells of any kind within 1/2 mile of the requested place of use have been plotted.

(Signature)

Date

Date: HH/GCFO
Scale: 1:30,000



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

September 2, 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 Nos. 16406 & 23803
Applications for Change in Place of Use
Water Rights, File Nos. 16406, 20926, 20928, 20929,
20930, 20933, 20934, 21528 & 23803

Dear Mike:

We have completed a review of the applications 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. The proposed change in place of use is in accordance with K.A.R. 5-5-11(b).

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 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.

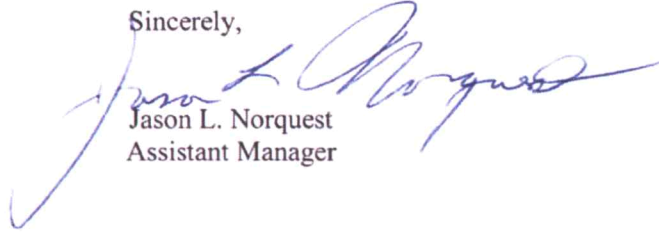
Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that none of the neighboring wells exceeded the net effect above the maximum allowable threshold and were under that threshold. No further critical well analysis was needed. Our office received no response and did not have any comments of concern. The prior change under File No. 16406, the Board recommended that if the stacking of authority occurred, that unstacking should be viewed under the additional well criteria. That recommendation was not part of the change approval order. Using the calculation for the additional well rule, the water right would have no consumptive use reduction. The authority was stacked for less than a year and would be difficult to determine net effects before this change was filed. Therefore, GMD3 sees this move as reasonable and therefore recommend that the applications 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.

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The proposed change in place of use will make a complete overlap in currently authorized acres, with no new acres being proposed. This consistent with K.A.R. 5-5-11(B). therefore, GMD3 sees this change also reasonable and recommend that the applications be approved.

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

Sincerely,

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

Jason L. Norquest
Assistant Manager

GMD3 Change Review

File No(s): 16406, 20926, 20928, 20929, 20930, 20933, 20934, 21528 & 23803.

DWR office: GC.

App filed to change: PU on all. PD on 16406 & 23803.

Is Landowner(s) correct in WRIS: Vyn Land and Cattle.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? ___.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11 & KAR 5-23-3

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

	16406 ft. North	ft. West	
Authorized PD	5112	5220	Sect 2-25-35
Proposed PD	1310	1320	Sect 34-24-35
Difference	1478 n	1380 w	
a2 + b2 = c2	2184484	1904400	2022.099 foot move NW

This location currently 23803 ID8

	23803 ft. North	ft. West	
Authorized PD	1310	1320	Sect 34-24-35
Proposed PD	2214	3155	
Difference	-904 n	-1835 w	
a2 + b2 = c2	817216	3367225	2045.591 foot move NW

This location currently 23803 ID09

	23803 ft. North	ft. West	
Authorized PD	2214	3155	Sect 34-24-35
Proposed PD	1752	5186	
Difference	462 s	-2031 w	
a2 + b2 = c2	213444	4124961	2082.884 foot move SW

This will be a new well location

GPS for proposed PD: Lat: 37.920575 Long: -101.157799.

Is proposed PD stacking on existing WRs? The 3 proposed PD changes will shift 2 to current locations and the third will be a new hole.

Is Proposed PU overlapping existing WRs? Proposed to make a complete overlap in PU on all the WRs.

Neighboring certified well(s) notified: ___.

Name Morgan Land & Cattle Inc. %Mickey G Morgan (11780, KE48).

Address 2149 Highway 50.

Zip Deerfield, KS 67838.

Email: mlmorgan@pld.com. Phone: 620-355-1713.

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Division of Water Resources

GMD3 Change Review

Name Graham Farms Inc. (15730.01, 20927, 45870).
Address 2150 Road 220.
Zip Deerfield, KS 67838.
Email: cweatherred@gmail.com. Phone: 620-272-3074.

Name Eva Dyck (26383, domestic in N2 of 4).
Address 2143 Road 130.
Zip Lakin, KS 67860.
Email: hdfarm.fab@gmail.com. Phone: 620-290-1576.

Name Kent W Rixon (KE36).
Address 251 NW 10th Ave.
Zip Saint John, KS 67576.
Email: paula.rixon@embarqmail.com. Phone: 620-285-9943.

Name Roger L & Cheryl Koehn (KE84).
Address 2850 Road 130.
Zip Lakin, KS 67860.
Email: rodger.koehn49@gmail.com. Phone: 620-271-7541.

Domestic well(s) notified: __.

Name Marilyn Sue Wolfe Trust (SE of 33) .
Address PO Box 334.
Zip Deerfield, KS 67838.

Name Jordan Tye & Chere Jacqueline Koehn (W2 NW of 34).
Address 1368 Road Y.
Zip Lakin, KS 67860.

Name Larry F & Patsy S Goree (NE SE of 4).
Address 1249 Road Y.
Zip Lakin, KS 67860.

Name Manuel J & Maria L Enriquez (SW NW of 3).
Address 1258 Road Y.
Zip Lakin, KS 67860.

Base Acres: __.

Perfected Acres: __.

Irr. Return-Flow __%

GMD3 Change Review

Changes in PU do not propose any new acres, just a complete overlap in currently authorized acres.

The PD changes are a shift of three wells, with only one new well being proposed.

16406: Proposes to unstack the authority that was approved in spring of 2021. It will move to the location currently authorized by 23803 ID8. At that time GMD3 Board recommended a waiver to the change and recommended that if it was unstacked, applicant had to follow the additional well rule. DWR approved the waiver and change, but no condition put on unstacking.

Current well is authorized 504AF @ 1925gpm. Proposed going back to original authority of 252AF

23803 ID8: Proposes to move the authorized authority to the well currently under 23803 ID9.

Currently authorized 272AF @ 825gpm

23803 ID9: Proposed moving to a new location further SW of current location.

Currently authorized 272AF @ 875gpm.

Is a waiver needed: The change in PU is for a complete overlap, with no new acres proposed. The changes in PD are less than half mile and minimum spacing appears me. Analysis shows that the proposed change is within the guidelines.

Recommendation: After review of all available information, it appears current area rules are met. Staff would recommend approval.



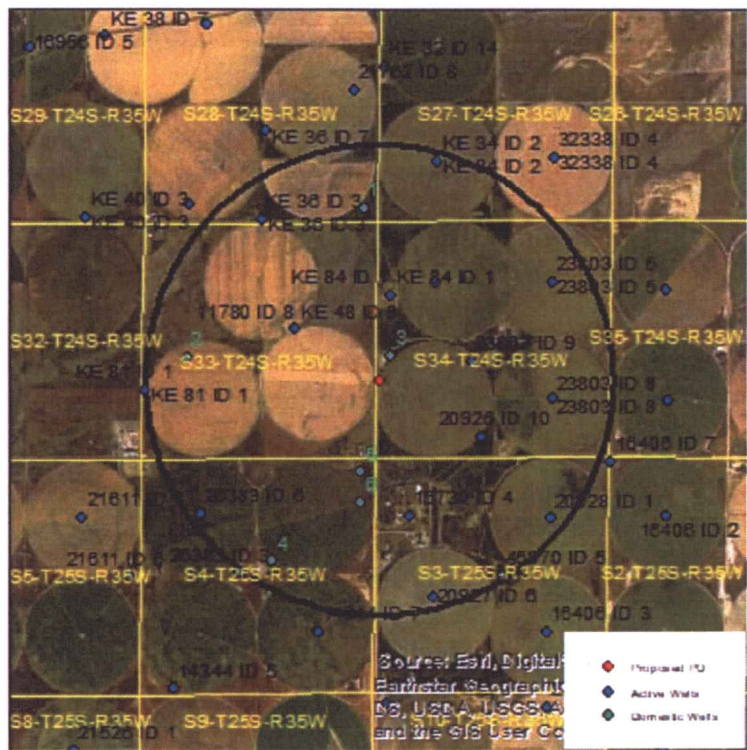
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Division of Water Resources

Evaluation of proposed move for Water Right Nos 16406 and 23803

Proposed: Move half of water right no. 16406 ID7 to the well currently authorized under water right no. 23803 ID8, located 1,951 ft to the northwest. Move water right no. 23803 ID8 to the well location currently authorized under water right no. 23803 ID9, located 2,006 ft to the northwest. Move water right number 23803 ID9 to a new well location, 2,123 ft to the southwest. The new well location will be authorized 272 AF at a rate of 875 gpm. No other well location is increasing authority, and water use is not expected to change at those well locations, so effects were only calculated from the new well location.



Wells within 1 mile: KE 84, 23803 ID5, 23803 ID6, 23803 ID8, 23803 ID9, 20926, KE 36, KE 34, KE 48 & 11780, 26383, 15730, 20927, 20928, 45870, and six domestic wells, numbered on the above map.

The saturated thickness at the proposed well location is estimated to be 217 ft, based upon the GMD3 model, the driller's log, and an observation well in section 2-25-35. 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:

$$S = 0.1304, T = 10,021 \text{ ft}^2/\text{day}, t_{\text{proposed}} = 70 \text{ days}, Q_{\text{proposed}} = 875 \text{ gpm}$$

Theis drawdowns were calculated as follows:

- KE 84: Net drawdown = **2.9 ft**
- 23803 ID5: Net drawdown = **1.5 ft**
- 23803 ID6: Net drawdown = **2.3 ft**

23803 ID8:	Net drawdown = 1.7 ft
23803 ID9:	Net drawdown = 2.7 ft
20926:	Net drawdown = 2.3 ft
KE 36:	Net drawdown = 1.5 ft
KE 34:	Net drawdown = 1.4 ft
KE 48 & 11780:	Net drawdown = 2.6 ft
26383:	Net drawdown = 1.4 ft
15730:	Net drawdown = 2.0 ft
20927:	Net drawdown = 1.4 ft
20928:	Net drawdown = 1.4 ft
45870:	Net drawdown = 1.4 ft
Domestic 1:	Net drawdown = 1.7 ft
Domestic 2:	Net drawdown = 1.5 ft
Domestic 3:	Net drawdown = 5.7 ft
Domestic 4:	Net drawdown = 1.5 ft
Domestic 5:	Net drawdown = 2.7 ft
Domestic 6:	Net drawdown = 2.2 ft

Net drawdown exceeds the drawdown allowance of 4.0 ft for the domestic well labeled "3" on the map, located just northeast of the proposed well location. Critical well analysis was performed at this domestic well location.

Critical Well Evaluation:

Domestic 3:

Water Column = 124 ft (Based on depth of the well. Nearby well logs indicate that this well could likely be redrilled into deeper formation.)

DP = 5.7 ft (Net drawdown from the proposal indicated above)

DE = 41.3 ft (Water level decline from 2021 through 2046 based upon GMD3 model)

DT = 47.0 ft

Economic Drawdown Constraint (EDC) = $0.4 * 124 \text{ ft} = 49.6 \text{ ft}$

Physical Drawdown Constraint (PDC) = $124 \text{ ft} - 20 \text{ ft} = 104 \text{ ft}$

Total drawdown of 47.0 ft is less than the EDC and PDC, so this well **is not critical**.

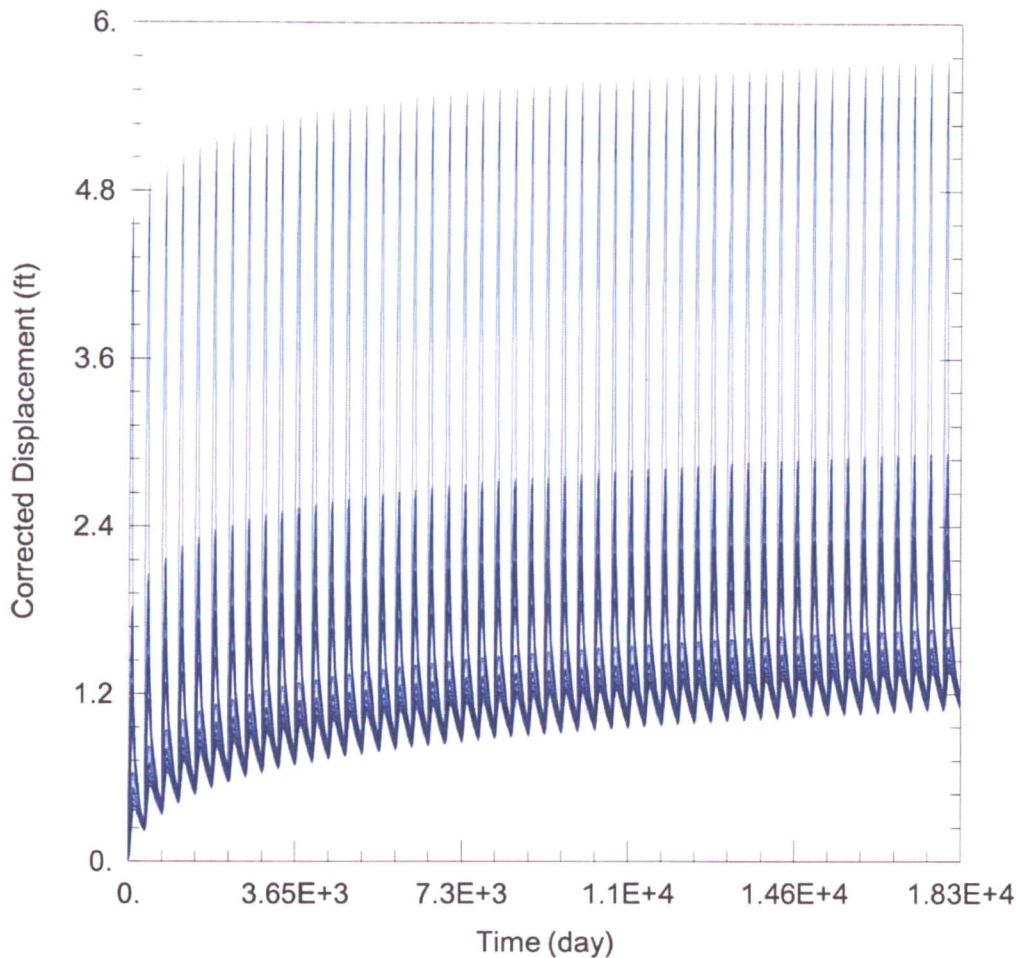
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Division of Water Resources

Conclusion:

The proposed moves are not likely to create noticeable effects on most neighboring wells. One domestic well in the area may have a noticeable effect, but this well is owned and operated by the applicant, and analysis did not flag the well as critical. GMD3 staff recommends approval of the application.



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\16406+\16406+ Proposed.aqt

Date: 08/27/21

Time: 11:48:22

PROJECT INFORMATION

Company: GMD 3
 Project: 16406+
 Location: Kearny County

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 Division of Water Resources

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
Proposed PD	-103376	380914

Observation Wells

Well Name	X (ft)	Y (ft)
□	-103376	380914
□ KE 84	-103109	382801
□ 23803 ID5	-99473	383111
□ 23803 ID6	-102098	383103
□ 23803 ID8	-99483	380489
□ 23803 ID9	-101297	381344
□ 20926	-101068	379642
□ KE 36	-106016	384498
□ KE 34	-102088	385801
□ KE 48 & 11780	-105275	382055
□ 26383	-107426	377916
□ 15730	-102695	377876
□ 20927	-102154	376035
□ 20928	-99522	377795

INPUTS		
	Longitude	Latitude
Point 1	-101.157799	37.920575
Point 2	-101.156450	37.922110

Proposed 23803
domestic

Degrees Longitude per Foot 3.46645771E-06
Degrees Latitude per Foot 2.74612948E-06

Distance Between Points (ft) 681

Compute Distance Between Points

Instructions
1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).
2. Click "Compute Distance Between Points" button.

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



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

Mike Beam, Secretary

Laura Kelly, Governor

August 16, 2021

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

Re: Water Right, File Nos. 16406, 20926, 20928, 20929, 20930, 20933, 20934,
21528, 23803

Dear Mr. Norquest:

This is to advise you that Vyn Land and Cattle has filed application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion and place of use.

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 blue ink signature of Michael A. Meyer, written in a cursive style.

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

Mike Beam, Secretary

Laura Kelly, Governor

July 28, 2021

RODGER L & CHERYL KOEHN
2350 ROAD 130
LAKIN, KS 67860-6219

RE: Water Right, File Nos. 16406 & 23803

Dear Sir and Madam:

This is to advise you that Vyn Land and Cattle has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in point of diversion (and change in place of use) under the above referenced applications. Please note there are two applications to change the point of diversion that are nearby or within one half mile of some of your water right wells.

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

You are notified on this proposed points of diversion (wells) (and change in place of use) 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

SCANNED