

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

1. File Number: 16629	2. Status Change Date: <i>1-13-2021</i>	3. Change Num: C1	4. Field Office: 04	5. GMD: 03
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: 12/4/2020
8a. LANDOWNER, applicant, Correspondent Person ID 64614 New to system <input type="checkbox"/> Add Seq# _____ R & R BERT LC ATTN: DAVID L & DONNA K SCHELL 4331 E HWY 160 ULYSSES, KS 67880		8c. Applicant, Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____		
8b. Landowner(s), New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	8d. correspondent 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 checked="" type="checkbox"/> Water Tube <input checked="" 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: 1/12/2021 By: MAM Date Entered: _____ By: _____				

File No. **16629** 11. County: **GT** Basin: **CIMARRON RIVER** Stream: Formation Code: **211/331** Special Use:

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

DEL 30933

ENT	LOT 3 (SWNW)	1	28	36W	4211	3867	1150	640	1150	640	NONE
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13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						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 933																									

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

January 13, 2021

R & R BERT LC
Attn: DAVID L & DONNA K SCHELL
4331 E HWY 160
ULYSSES, KS 67880

RE: Water Right, File No. 16629

Dear Sir and 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 the approval for change. A condition of the 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 documents 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,


Michael A. Meyer
Water Commissioner

MAM
enclosures
pc:


GMD3

CERTIFICATE OF SERVICE

On this 13th day of January 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 16,629 dated 13th day of January 2021 was mailed postage prepaid, first class, US mail to the following:

R & R BERT LC
Attn: DAVID L & DONNA K SCHELL
4331 E HWY 160
ULYSSES, KS 67880
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. 16629

RECEIVED
 11:20 AM
 DEC 04 2020

Garden City Field Office
 DIVISION OF WATER RESOURCES

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

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: R & R BERT LC ATTN: DAVID L & DONNA K SCHELL

4331 E HWY 160 ULYSSES KS 67880

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: _____

ADDRESS: _____

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: _____

ADDRESS: _____

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 12-4-20 Check # 3782

5. **Presently authorized point of diversion:**
 One in the (LOT 3) SE Quarter of the NE Quarter of the NW Quarter of Section 1, Township 28 South, Range 36 (W), in GRANT County, Kansas, feet North feet West of Southeast corner of section.
 Authorized Rate 1,150 GPM Authorized Quantity 640 AF Depth of well (feet)
 (DWR use only: Computer ID No. 02 GPS 4642 feet North 3906 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 SW Quarter of the NE Quarter of the LOT 3 NW (SWNW) Quarter of Section 1, Township 28 South, Range 36 (W), in GRANT County, Kansas, 4211 feet North 3867 feet West of Southeast corner of section.
 Proposed Rate 1,150 GPM Proposed Quantity 640 AF Proposed well depth (feet) 802'
 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) LOSS OF PRODUCTION

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

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

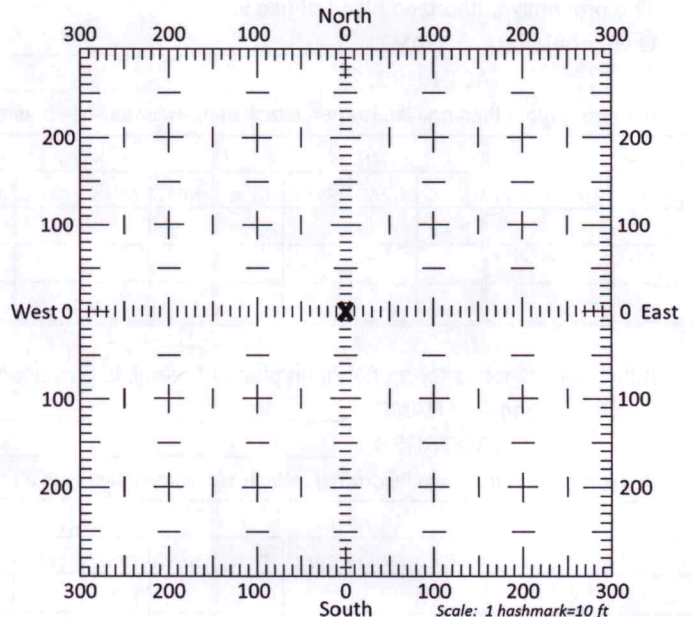
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by 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 4th day of December, 2020.

David J Schell
 (Owner)
David J Schell
 (Please Print)

Donna K Schell
 (Spouse)
Donna K Schell
 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4th day of December, 2020.



My Commission Expires _____

Julie Jones
 Notary Public

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. 16629.

1. A change application was received on December 4, 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, 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: January 13, 2021

State of Kansas)
) SS

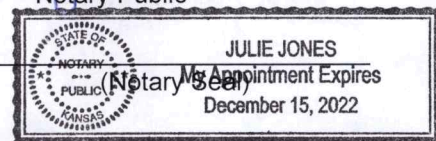
County of Finney)

Acknowledged before me on January 13, 2021

by Michael A. Meyer

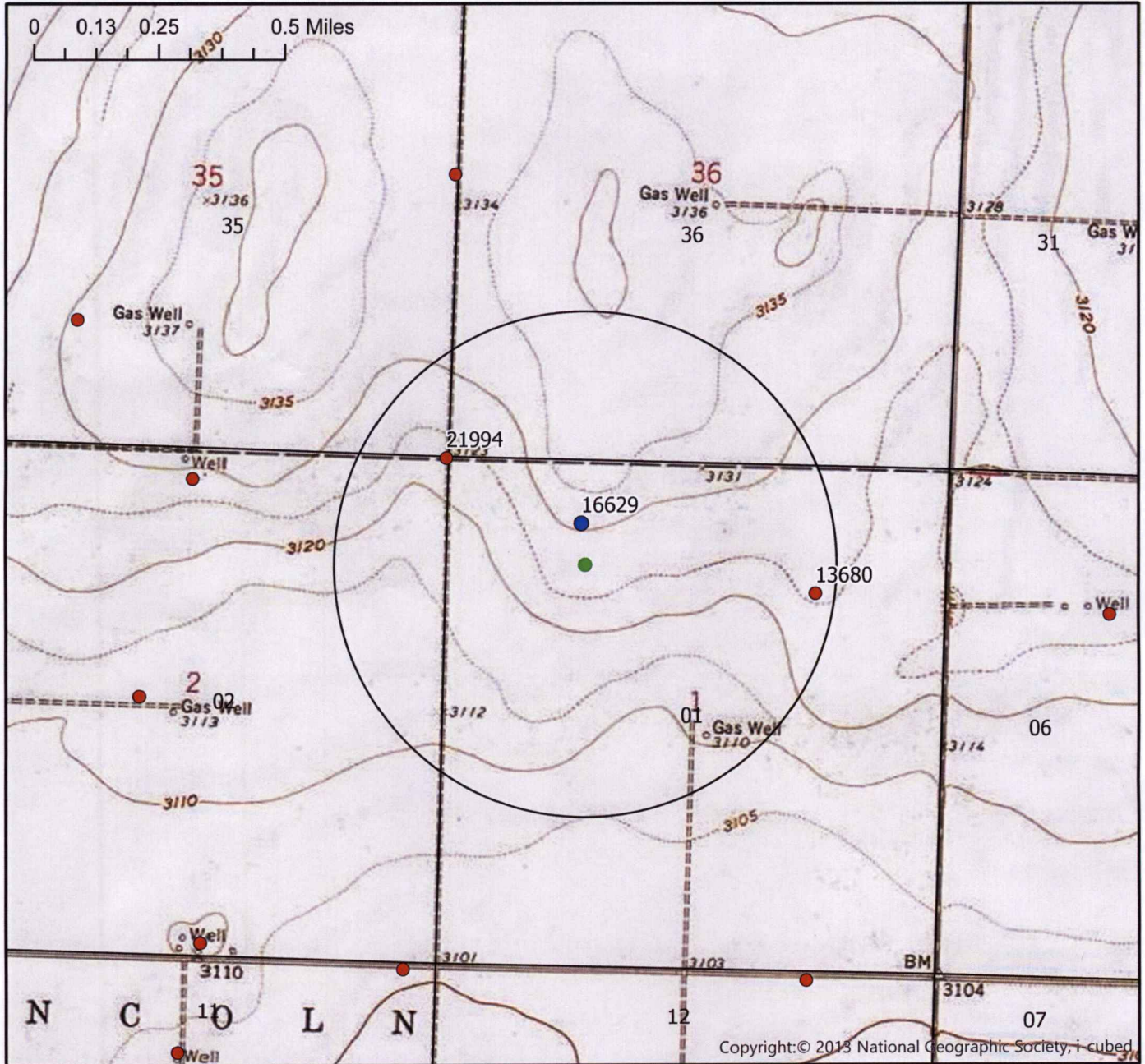
Signature: Julie Jones
Notary Public

My commission expires: _____
Notary Seal



CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 16629

NW1/4 of Section 1 Township 28 South Range 36 West Grant County



●	Authorized Point of Diversion
●	Proposed Point of Diversion
●	Permitted Water Right
★	Domestic Well within 1/2 mile
	1/2 mile buffer

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

WR 13680 - JERRELL NIGHTENGALE
7600 E ROAD 8 ULYSSES KS 67880

WR 21994 - KIPP SMITH
14548 E ROAD 5 SATANTA KS 67870



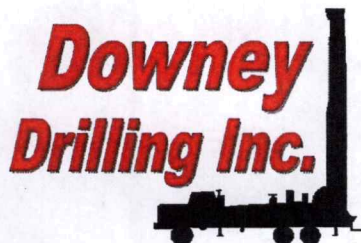
By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

(Signature) Date

Date AM/GCFO
1:19,000 Scale

WELL LOG

DATE: 9/16/2020



CUSTOMER NAME: DAVID SCHELL TH#2

LEGAL: NW 1-28S-36W

COUNTY: GRANT

GPS: 37.64597

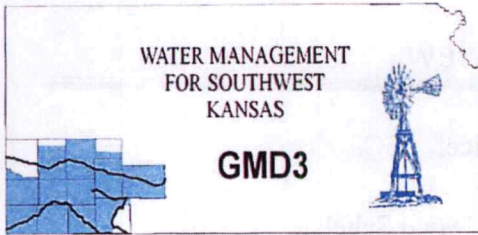
-101.212333

LOGGER:

DRILLER: ROGELIO

WO: 19-117

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	5		TOPSOIL	SOFT	BROWN	FAST		SMOOTH
5	22		BROWN CLAY	SOFT	LIGHT BROWN	FAST		SMOOTH
22	88		SANDY CLAY W/ CALICHE	SOFT	TAN & WHITE	FAST		SMOOTH & SLIGHTLY CHOPPY AT TIMES
88	110		FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
110	152		SMALL-MED GRAVEL W/ BIG ROCKS	STIFF		FAST		CHATTER
152	190		FINE-MED-COARSE SAND W/ SMALL GRAVEL	STIFF		FAST		CHATTER
190	205		YELLOW SANDY CLAY	SOFT	YELLOW	FAST		SMOOTH
205	230		BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
230	279		COARSE SAND, FINE GRAVEL	SOFT	TAN / RED	FAST		FAST CHATTER
279	283		BROWN & BLUE CLAY	STICKY	BROWN & BLUE	FAST		SMOOTH
283	299		COARSE SAND W/ SANDY CLAY LENSES	SOFT	TAN & WHITE	FAST		VIBRATION & SMOOTH
299	323		MED-COARSE SAND, FINE GRAVEL	SOFT	TAN / RED	FAST		FAST CHATTER
323	325		SAND, SANDY CLAY	SOFT		FAST		VIBRATION
325	331		MED-COARSE SAND, FINE GRAVEL	SOFT	TAN / RED	FAST		CHATTER
331	341		CLAY, SANDY CLAY	STICKY	BROWN	FAST		SMOOTH
341	359		MED-COARSE, VERY COARSE SAND, FINE GRAVEL	SOFT	TAN	FAST		FAST CHATTER
359	363		CLAY	STICKY	BROWN	FAST		SMOOTH
363	388		VERY COARSE SAND, FINE-MED GRAVEL	SOFT	TAN / RED	FAST		VIBRATION SOME CHATTER
388	393		CLAY, SANDY CLAY	STICKY	BROWN	FAST		SMOOTH
393	413		MED-COARSE SAND, FINE TR. MED GRAVEL	SOFT	TAN / RED	FAST		FAST CHATTER
413	415		CEMENTED SAND	HARD		SLOW		CHATTER
415	441		MED-COARSE SAND W/ SMALL GRAVEL	LITTLE STIFF		FAST		FAST CHATTER
441	444		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
444	449		FINE-MED-COARSE SAND W/ SMALL GRAVEL	LITTLE STIFF		FAST		FAST CHATTER
449	452		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
452	457		FINE-MED-COARSE SAND W/ SMALL GRAVEL	FIRM		FAST		FAST CHATTER
457	485		CLAY, SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
485	510		FINE-MED-COARSE SAND W/ BROWN ROCK	SEMI-FIRM	BROWN	FAST		CHATTER
510	521		CLAY/SHALE?	SOFT	BLUE	SLOW		SMOOTH
521	540		MED., TR. COARSE SAND	SOFT	TAN	FAST		CHATTER
540	549		CLAY/SHALE	STIFF	BLUE	SLOWER		SMOOTH
549	550		IRON PYRITE	HARD		SLOW	X	CHATTER
550	600		BLUE SHALE (TRIP OUT USE PDC)	SOFT	BLUE	SLOW		SMOOTH
600	610		BLUE SHALE	SOFT	BLUE	SLOW		SMOOTH
610	625		SAND, SANDSTONE	SEMI-SOFT	TAN	FASTER		LT. CHATTER
625	649		SHALE	SEMI-SOFT	BLUE	SLOW		SMOOTH



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

January 11, 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. 16629

Dear Mike:

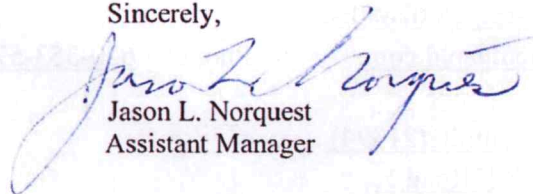
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

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 (3.0 ft in cases where saturated thickness between 125-150 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 actually well under that 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. 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

JAN 11 2021

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 16629. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: R&R Bert LLC % David Schell.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Same.

If NO, is documentation included?

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

Point of diversion ID No(s) 02 being changed.

	ft. North	ft. West	
Authorized PD	4642	3906	Sect 1-28-36
Proposed PD	4211	3867	
Difference	431 s	39 e	
a ² + b ² = c ²	185761	1521	432.7609 foot move SE

GPS for proposed PD: Lat: 37.64597 Long: -101.212333.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: __.

Name Donnie Young (3289 & 26575).

Address 829 N McCall St.

Zip Ulysses, KS 67880.

Email: donnie@pld.com . Phone: 620-353-4969 .

Name Marshall K & Shawna B Smith (13680 & 15408).

Address 14548 E Road 5.

Zip Satanta, KS 67870.

Email: . Phone: 620-276-6644.

Name Dennis B Leighty Rev Trust (13682D2) .

Address PO Box 445.

Zip Ulysses, KS 67880.

Email: dleighty@pld.com. Phone: 620-353-8072.

Name Jamie Moyer Metcalf (21588).

Address 6372 N Hwy 25.

Zip Ulysses, KS 67880.

Email: jamie@pld.com. Phone: 620-353-5714.

Name Kipp Smith (21994).

Address 14548 E Road 5.

Zip Satanta, KS 67870.

GMD3 Change Review

Email: smith.kipp@gmail.com

Phone: 620-290-9038.

Domestic well(s) notified: ___.

Name Sidney W & Traci J Nightingale (NW6-28-35).

Address 4966 N RD S.

Zip Ulysses, KS 67880.

Authorized 640AF @ 1150gpm. Sets spacing at 2300'.

No current inspection from our office to show rate.

10 year avg pumping reported: 216.3AF/year

Reported 400gpm in 2017

Base Acres: ___.

Perfected Acres: ___.

Irr. Return-Flow ___%

Is a waiver needed: Move is less than half mile. Spacing is not met to 21994, however GPS appears to show that it improves spacing by more than 100'. Analysis shows possible effects within our guidelines and not considered critical.

Recommendation: After review of best information available, it appears current area rules are met. Staff received no comments from neighbor notices. Staff therefore recommends approval of the applicaiton.



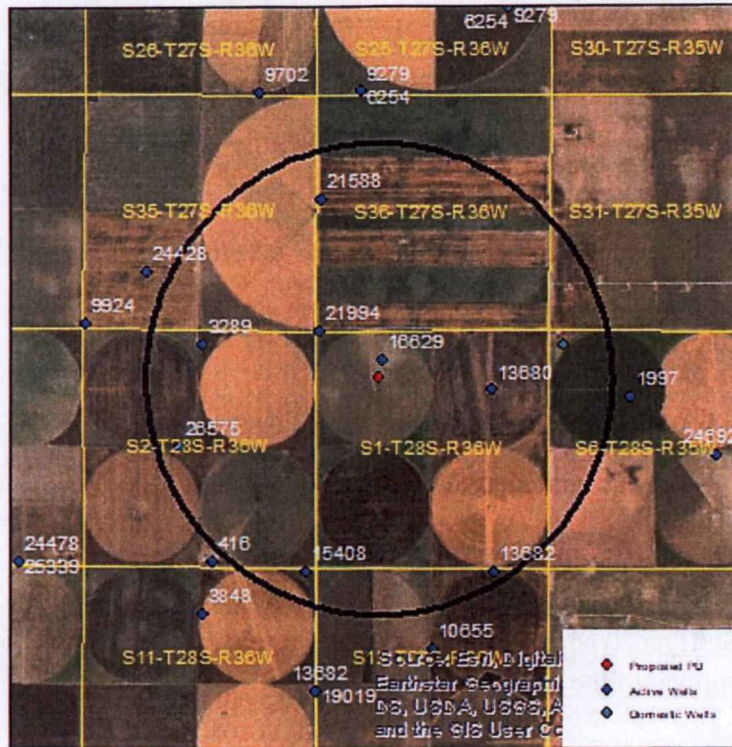
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JAN 11 2021

Garden City Field Office
Division of Water Resources

Evaluation of proposed move for Water Right No 16629

Proposed: Move water right no. 16629 a distance of 423 ft to the southwest.



Wells within 1 mile: 13680, 15408, 13682, 21994, 3289, 21588, 26575, and a domestic well in section 6-28-35.

The saturated thickness at the proposed well location is estimated to be 128 ft, based upon the GMD3 model. For saturated thickness between 125 ft and 150 ft, the drawdown allowance is 3.0 ft.

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

$S = 0.2139$, $T = 14,757 \text{ ft}^2/\text{day}$, $t_{p\text{current}} = 122 \text{ days}$ (based upon average use and observed rate), $Q_{\text{current}} = 400 \text{ gpm}$ (based upon reported use in 2017), $t_{p\text{proposed}} = 126 \text{ days}$, $Q_{\text{proposed}} = 1150 \text{ gpm}$

Theis drawdowns were calculated as follows:

- 13680:
 - Drawdown from current location = 1.09 ft
 - Drawdown from proposed location = 3.20 ft
 - Net drawdown = **2.1 ft**

- 15408:
 - Drawdown from current location = 0.72 ft
 - Drawdown from proposed location = 2.25 ft
 - Net drawdown = **1.5 ft**

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JAN 11 2018
Division of Water

13682: Drawdown from current location = 0.69 ft
Drawdown from proposed location = 2.13 ft
Net drawdown = **1.4 ft**

21994: Drawdown from current location = 1.46 ft
Drawdown from proposed location = 4.12 ft
Net drawdown = **2.7 ft**

3289: Drawdown from current location = 0.81 ft
Drawdown from proposed location = 2.43ft
Net drawdown = **1.6 ft**

21588: Drawdown from current location = 0.85 ft
Drawdown from proposed location = 2.36 ft
Net drawdown = **1.5 ft**

26575: Drawdown from current location = 0.73 ft
Drawdown from proposed location = 2.22 ft
Net drawdown = **1.5 ft**

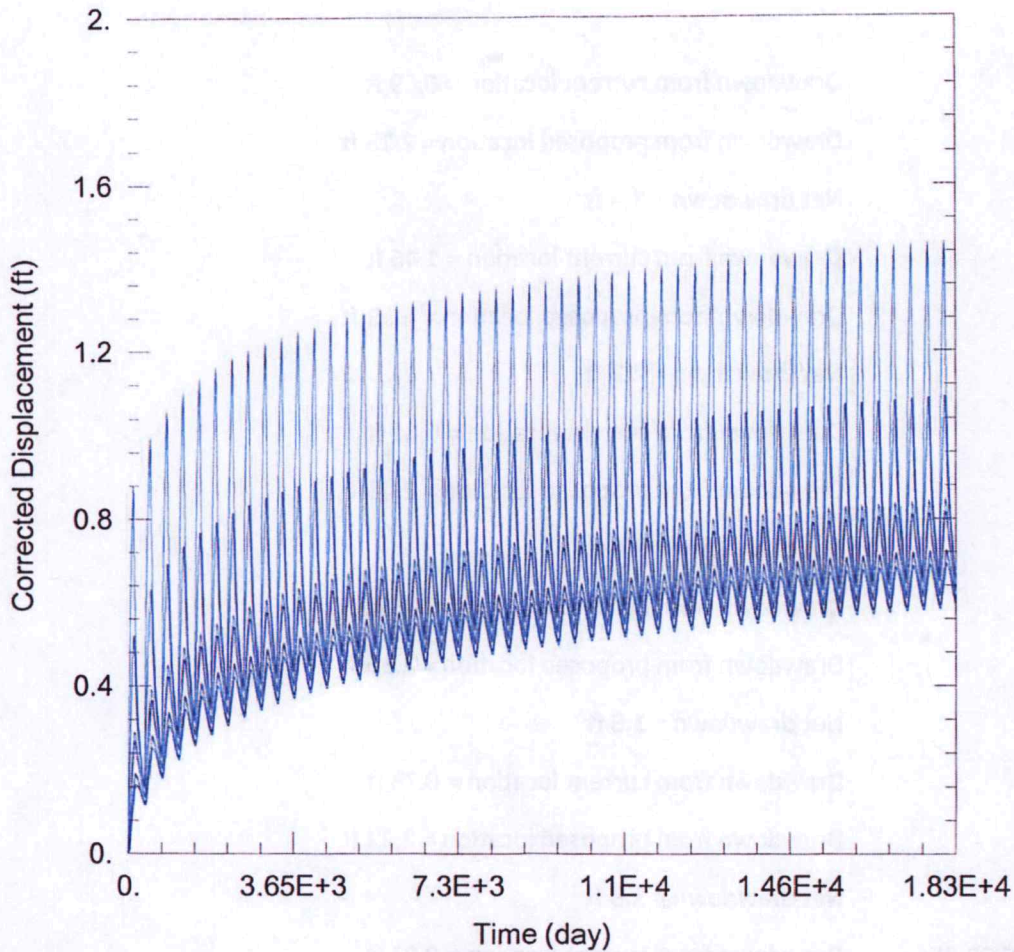
Domestic 6-28-35: Drawdown from current location = 0.82 ft
Drawdown from proposed location = 2.36 ft
Net drawdown = **1.5 ft**

Net drawdown does not exceed the drawdown allowance of 3.0 ft for any wells within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

Conclusion:

Based upon information from the GMD3 model, this proposal will cause minimal effects on neighboring wells, and is unlikely to create an impairment. GMD3 staff recommends approval of the application.

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Garden City Field Office
Division of Water Resources



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020_moves\16629\16629 Current.aqt
 Date: 12/28/20 Time: 14:17:55

PROJECT INFORMATION

Company: GMD 3
 Project: 16629
 Location: Grant County
 Test Well: 16629

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
16629	-119446	281392

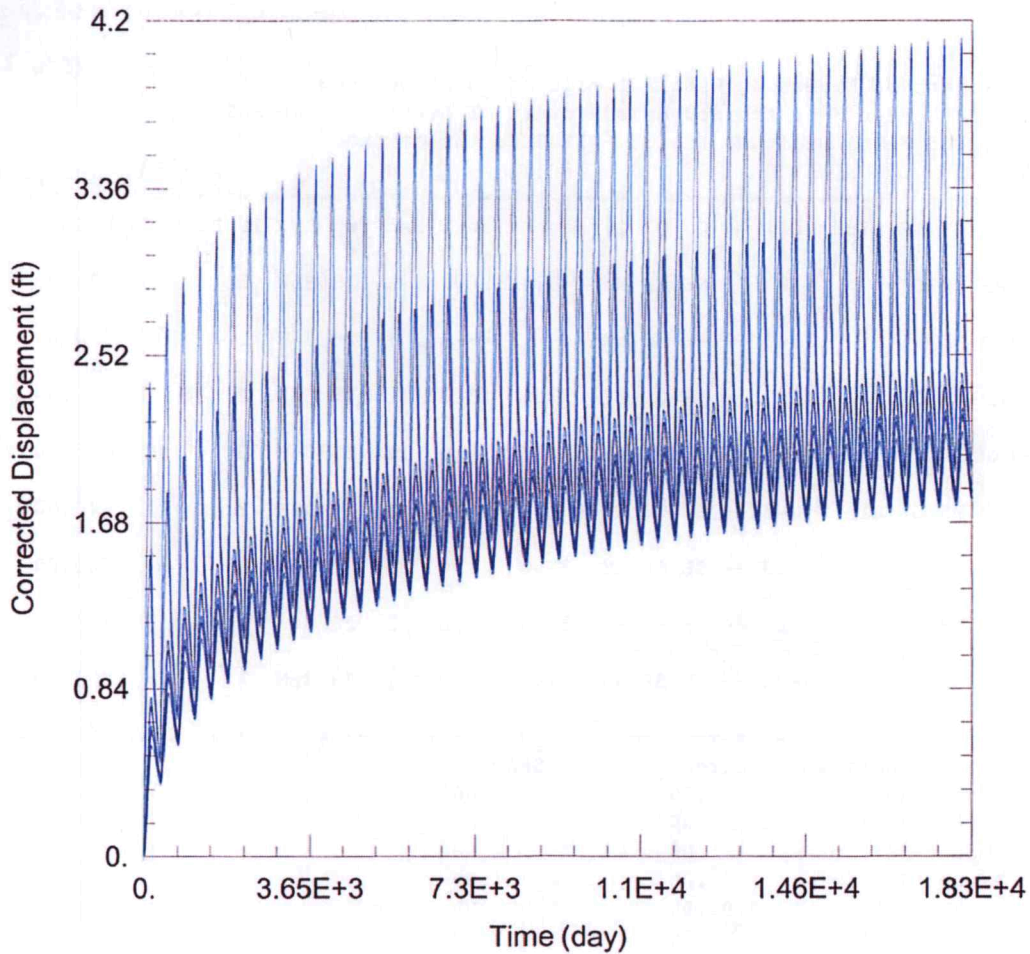
Observation Wells

Well Name	X (ft)	Y (ft)
□	-119446	281392
□ 13680	-116962	280722
□ 15408	-121184	276663
□ 13682	-116944	276658
□ 21994	-120870	282040
□ 3289	-123541	281749
□ 21588	-120854	285011
□ 26575	-124035	279450
□ Domestic 6-28-35	-115368	281736

SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020_moves\16629\16629 Proposed.aqt

Date: 12/28/20

Time: 14:17:48

PROJECT INFORMATION

Company: GMD 3
 Project: 16629
 Location: Grant County
 Test Well: 16629

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JAN 11 2021

Garden City Field Office
 Division of Water Resources

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
16629	-119547	280981

Observation Wells

Well Name	X (ft)	Y (ft)
□	-119547	280981
□ 13680	-116962	280722
□ 15408	-121184	276663
□ 13682	-116944	276658
□ 21994	-120870	282040
□ 3289	-123541	281749
□ 21588	-120854	285011
□ 26575	-124035	279450
□ Domestic 6-28-35	-115368	281736

SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

Water Rights and Points of Diversion Within 1 mile of point defined as: *Proposed 16629*
 4211 Feet N and 3867 Feet W of the Southeast Corner of Section 1 Twp 28S Rng 36W
 Located at: 101.212335 West Longitude and 37.645970 North Latitude
 Both SURFACE WATER and GROUNDWATER *2300' on all*

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	
A__ AF	3289 00	IRR	NK	G	4127	/	NE	NE	NW	4923	2692	2	28	36W	5	320.00	320.00	
A__ AF	13680 00	IRR	NK	G	2540	/	--	NC	NE	-----	-----	1	28	36W	1	640.00	640.00	
A__ AF	13682 D2	IRR	NK	G	4959	/	--	CN	NE	5215	1340	12	28	36W	2	640.00	640.00	
A__ AF	15408 00	IRR	NK	G	4645	/	--	CN	NE	NE	5215	350	11	28	36W	3	275.00	275.00
A__ AF	16629 00	IRR	NK	G*	432 893	/	--	SE	NE	NW	-----	-----	1	28	36W	2	640.00	640.00
A__ AF	21588 00	IRR	NK	G	4109	/	--	SE	SE	NE	2750	100	35	27	36W	2	640.00	640.00
A__ AF	21994 00	IRR	NK	G	1726	/	--	--	--	5260	30	2	28	36W	3	320.00	320.00	
A__ AF	26575 00	IRR	NK	G	4874	/	--	SE	SE	NW	2712	3220	2	28	36W	6	320.00	320.00

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) =	3795.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3795.00	.00

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:
 4211 Feet North and 3867 Feet West of the Southeast Corner of Section 1 Twp 28S Rng 36W
 Located at: 101.212335 West Longitude and 37.645970 North Latitude
 Both SURFACE WATER and GROUNDWATER
 WATER USE CORRESPONDENTS:

- > DONNIE YOUNG *3289*
- > 829 N MCCALL ST
- > ULYSSES KS 67880
- > MARSHALL K & SHAWNA B SMITH
- > 14548 E ROAD 5 *13680*
- > SATANTA KS 67870
- > DENNIS B LEIGHTY REV TRUST
- > DENNIS B LEIGHTY *13682*
- > PO BOX 445
- > ULYSSES KS 67880
- > MARSHALL K & SHAWNA B SMITH *15408*
- > 14548 E ROAD 5

> SATANTA KS 67870

 > R & R BERT LC
 > DAVID L & DONNA K SCHELL
 > 4331 E HWY 160
 > ULYSSES KS 67880

16629 App: count

 > JAMIE MOYER METCALF
 >
 > 6372 N HWY 25
 > ULYSSES KS 67880

✓ 21588

 > KIPP SMITH
 >
 > 14548 E ROAD 5
 > SATANTA KS 67870

21999

 > DONNIE YOUNG
 >
 > 829 N MCCALL ST
 > ULYSSES KS 67880

✓ 26575

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Garden City Field Office
Division of Water Resources

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 16629 00

Current

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 16629 00 IRR

Water Right and Points of Diversion Within 1.00 of a point defined as:

0 Feet North and 0 Feet West of the Southeast Corner of Section 1 Twp 28S Rng 36W

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	1997 00	IRR	NK	G	4768	--	NW	SE	NW	3850	3300	6	28	35W	5	640.00	640.00
A__ AF	3289 00	IRR	NK	G	4985	--	NE	NE	NW	4923	2692	2	28	36W	5	320.00	320.00
A__ AF	13680 00	IRR	NK	G	1681	--	--	NC	NE	-----	-----	1	28	36W	1	640.00	640.00
A__ AF	13682 D2	IRR	NK	G	4661	--	--	CN	NE	5215	1340	12	28	36W	2	640.00	640.00
A__ AF	15408 00	IRR	NK	G	5118	--	CN	NE	NE	5215	350	11	28	36W	3	275.00	275.00
A__ AF	16629 00	IRR	NK	G*	0	--	SE	NE	NW	-----	-----	1	28	36W	2	640.00	640.00
A__ AF	21588 00	IRR	NK	G	4436	--	SE	SE	NE	2750	100	35	27	36W	2	640.00	640.00
A__ AF	21994 00	IRR	NK	G	2462	--	--	--	--	5260	30	2	28	36W	3	320.00	320.00

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) =	4115.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	4115.00	.00

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The number in the Batt column is the number of wells in the battery.

Water Right and Points of Diversion Within 1.00 of a point defined as:

0 Feet North and 0 Feet West of the Southeast Corner of Section 1 Twp 28S Rng 36W

Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

- > DENNIS B LEIGHTY REV TRUST
- > DENNIS B LEIGHTY
- > PO BOX 445
- > ULYSSES KS 67880
-
- > DONNIE YOUNG
- >
- > 829 N MCCALL ST
- > ULYSSES KS 67880
-
- > MARSHALL K & SHAWNA B SMITH
- >
- > 14548 E ROAD 5
- > SATANTA KS 67870
-
- > DENNIS B LEIGHTY REV TRUST
- > DENNIS B LEIGHTY

12/28/2020

Water Right Amount Statistics

> PO BOX 445
> ULYSSES KS 67880

> MARSHALL K & SHAWNA B SMITH
>
> 14548 E ROAD 5
> SATANTA KS 67870

> R & R BERT LC
> DAVID L & DONNA K SCHELL
> 4331 E HWY 160
> ULYSSES KS 67880

> JAMIE MOYER METCALF
>
> 6372 N HWY 25
> ULYSSES KS 67880

> KIPP SMITH
>
> 14548 E ROAD 5
> SATANTA KS 67870
>-----
=====

#####

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Garden City Field Office
Division of Water Resources

INPUTS		
	Longitude	Latitude
Point 1	-101.212333	37.645970
Point 2	-101.216980	37.648780

Proposed 16629
21994, GMD3 Insp

Degrees Longitude per Foot 3.45368582E-06
Degrees Latitude per Foot 2.74625892E-06
Distance Between Points (ft) 1690

110' Improvement

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.

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JAN 1 2006
Division of Water Resources
Garden City Field Office

INPUTS		
	Longitude	Latitude
Point 1	-101.211970	37.647070
Point 2	-101.216980	37.648780

Current 16629, GMD3 Insp

21994, GMD3 Insp

Degrees Longitude per Foot 3.45371128E-06
 Degrees Latitude per Foot 2.74625866E-06

Distance Between Points (ft) 1579

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.

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 JAN 11 2021
 Garden City Field Office
 Division of Water Resources

Meyer, Mike [KDA]

From: Meyer, Mike [KDA]
Sent: Monday, December 28, 2020 7:33 AM
To: 'Norquest, Jason (Norquest@gmd3.org)'
Subject: request for recommendation, File No. 16629
Attachments: 20201228072109354.pdf

good morning

I hope you had and continue to have a Merry Christmas

attached is a request for recommendation for an application to change the point of diversion. please review and provide a recommendation within 15 days.

thank you

Mike

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



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

Mike Beam, Secretary

Laura Kelly, Governor

December 28, 2020

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

Re: Water Right, File No. 16629

Dear Mr. Norquest:

This is to advise you that R & R Bert LC 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 file.

We are delaying action on the change application 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.

Michael A. Meyer
Water Commissioner

MAM
Enclosures

Garden City Field Office
2508 Johns Street
Garden City, KS 67846-2804



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

December 8, 2020

JERRELL D & ALFREDA P NIGHTINGALE
7600 E ROAD 8
ULYSSES, KS 67880-8043

RE: Water Right, File No. 16629

Dear Sir and Madam:

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

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

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

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

Sincerely,

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

Michael A. Meyer
Water Commissioner

MAM
Pc:

MARSHALL K & SHAWNA B SMITH
14548 E ROAD 5
SATANTA, KS 67870-8700

Groundwater Management District No. 3

SCANNED

Garden City Field Office
2508 Johns Street
Garden City, KS 67846-2804



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

December 8, 2020

KIPP SMITH
14548 E ROAD 5
SATANTA, KS 67870

RE: Water Right, File No. 16629

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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