

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

1. File Number: <b>17469</b>	2. Status Change Date:	3. Change Num: <b>C2</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>	
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>5/4/2021</b>	
8a. Applicant(s) New to system <input type="checkbox"/>  <b>KENNETH COX 1111 ROAD 90 SUBLETTE, KS 67877-8033</b>		Person ID <b>3398</b> Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>COX LAND 1111 RD 90 SUBLETTE, KS 67877</b>		Person ID <b>60323</b> Add Seq# _____	8d. WUC New to system <input type="checkbox"/>  <b>8a</b>  Person ID _____ Add Seq# _____		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/2021</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>3/1/2022</b>					
<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 checked="" 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: <b>6/4/2021</b> By: <b>AM</b> Date Entered: _____    By: _____					

File No. **17469**      11. County: HS      Basin: ARKANSAS RIVER      Stream:      Formation Code: **211/331**      Special Use:

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

**DEL 29188**

**ENT**      **NW SW NW**      **23 27S 33W**      **3441 5194**      **2030 320**      **2030 320**      **NONE**

**CHK 84408**      **NW NW NW**      **14 27S 33W 5**      **2383 248**      **1570 320**      **1570 320**      **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) **2940GPM WHEN BOTH WELLS ARE PUMPING SIMULTANEOUSLY ASDESCRIBED IN CERT (NO CHANGE)**

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				
<b>CHK 20508</b>																									
<b>CHK 38183</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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

June 4, 2021

KENNETH COX  
1111 ROAD 90  
SUBLETTE, KS 67877-8033

RE: Water Right, File No. 17469

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3


**CERTIFICATE OF SERVICE**

On this 4<sup>th</sup> day of June, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 17,469 dated 4<sup>th</sup> day of June, 2021 was mailed postage prepaid, first class, US mail to the following:

KENNETH COX  
1111 ROAD 90  
SUBLETTE, KS 67877-8033

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. 17469

RECEIVED  
 9:00 A.M.  
 MAY 04 2021

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: KENNETH COX

1111 ROAD 90 SUBLETTE KS 67877 - 8033

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: COX LAND - NO CHANGE

ADDRESS: 1111 ROAD 90 SUBLETTE KS 67877 - 8033

(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 5-4-21 Check # 7001

5. **Presently authorized point of diversion:**  
 One in the     NW     Quarter of the     NW     Quarter of the     NW     Quarter  
 of Section     23    , Township     27     South, Range     33     (W),  
 in HASKELL County, Kansas,     5150     feet North     5120     feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 03 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the     NW     Quarter of the     SW     Quarter of the     NW     Quarter  
 of Section     23    , Township     27     South, Range     33     (W),  
 in HASKELL County, Kansas,     3441     feet North     5194     feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet)     545'    .  
 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     NE     Quarter of the     NE     Quarter of the     SE     Quarter  
 of Section     14    , Township     27     South, Range     33     (W),  
 in HASKELL County, Kansas,     2383     feet North     248     feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 05 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 \_\_\_\_\_ (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

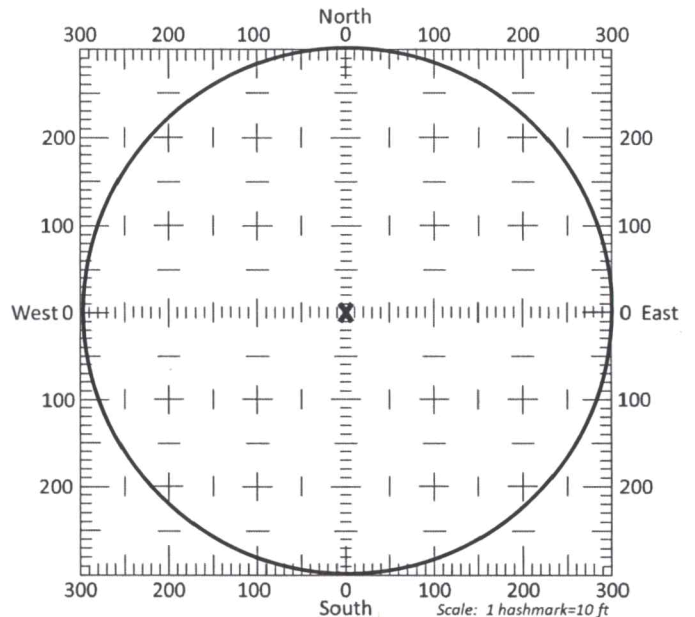
9. The change(s) (was)(will be) completed by?  
UPON APPROVAL

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AM / GCFO

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



13b. If the proposed point of diversion will be relocated within 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 GARDEN CITY, Kansas, this 3RD day of MAY, 2021.

<u>Kenneth Cox</u> (Owner)	_____ (Spouse)
<u>KENNETH COX</u> (Please Print)	_____ (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 3RD day of MAY, 2021.



Catherine Reinert  
 Notary Public

My Commission Expires 9-14-22

**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. 17469.

- 1. A change application was received on May 4, 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 ~~50~~ 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, 2021 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable  Not Applicable
- 9. **The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
- 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.  Applicable  Not Applicable
- 11. Additional Conditions are attached.  Yes  No
- 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

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

*For Use by Register of Deeds*

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

By: Austin McColloch  
Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: June 4, 2021

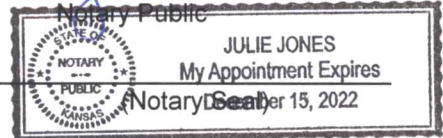
State of Kansas )

County of Finney ) SS

Acknowledged before me on June 4, 2021  
by Austin McColloch

Signature: Julie Jones

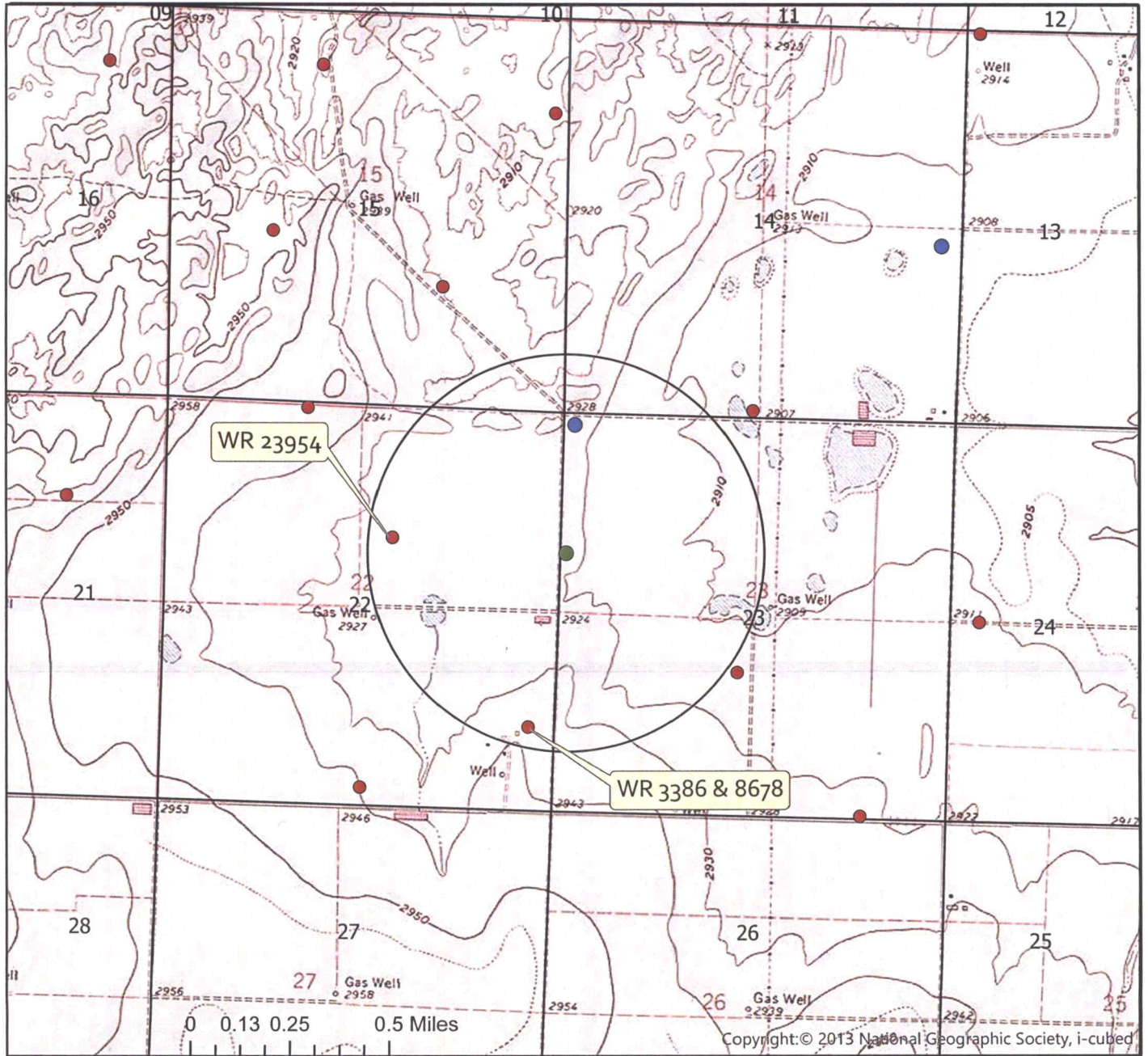
My commission expires: \_\_\_\_\_  
Notary Seal





# CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 17469

NW1/4 of Section 23 Township 27 South Range 33 West Haskell 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 23954: F & E CPX FARMS INC  
 1111 RD 90 SUBLETTE KS 67877-8033

WR 3386 & 8678: SOUTHWEST FARMS LLC  
 15857 BEAR MOUNTAIN BLVD BAKERSFIELD CA 93311



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

AM/GCFO  
 1:24,000 Scale

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



P.O. Box 636  
Garden City, KS 67846  
Fax: 620-277-0224

Kenny Cox 620-272-1671

Customer Name: Kenny Cox Farms WO#: 21419 Date: 4-14-21  
 Street Address: 450 US HWY 83 Test #: 3 E LOG: Yes  
 City, State: SUBLETTE KS. 67877 Driller: Dale Grinn  
 County: Haskell Quarter: NW Section: 23 Township: 27 Range: 33  
 Location: GPS: N37.68794 W100.90694  
 Rig #: 10002 Elevation: 2908' Static WL: 350' Estimated?  
 Proposed Well Depth 545'  
 WELL LOCATION 20' SUMP

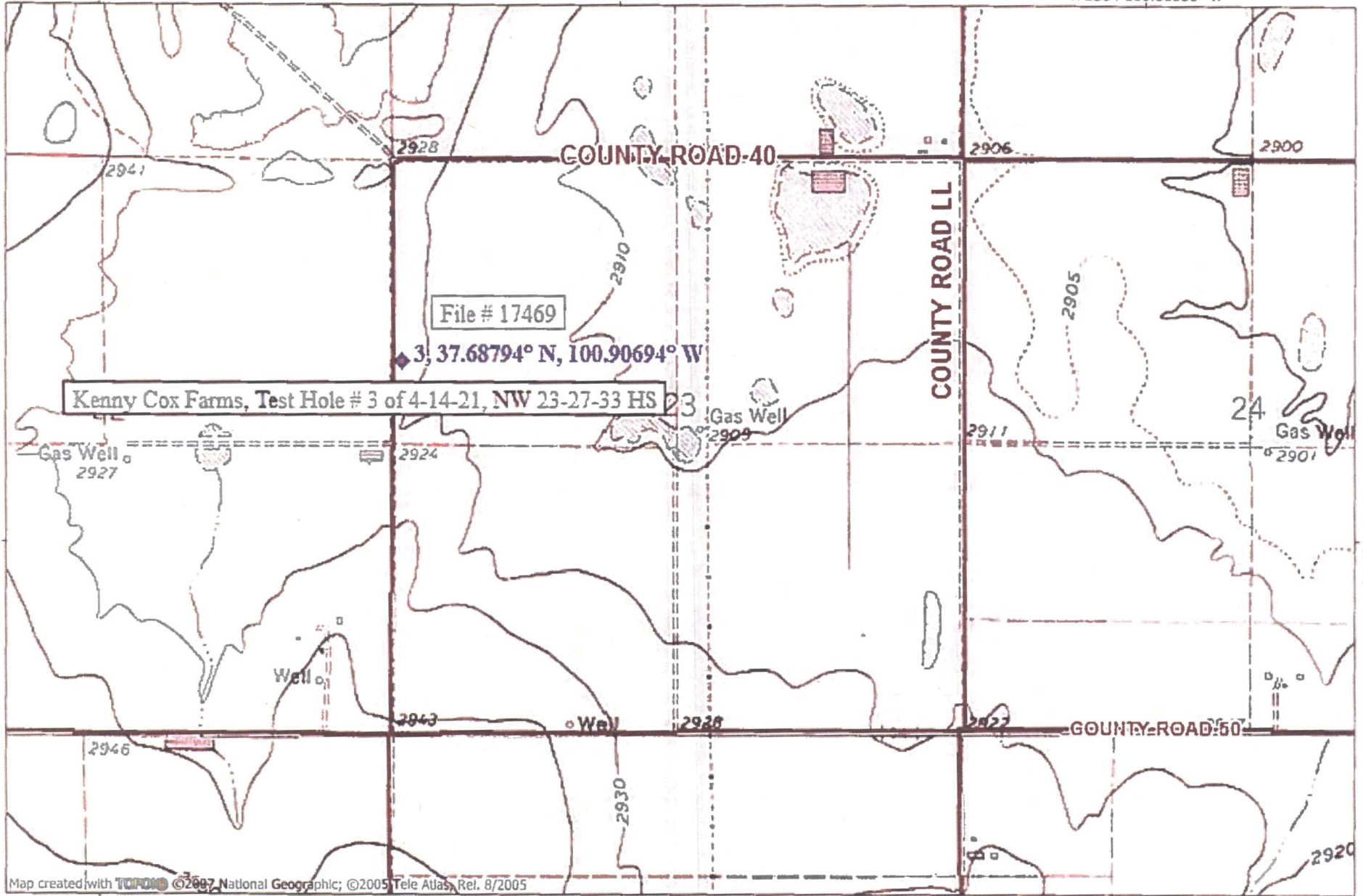
%	Footage			Description of Strata
	From	Pay	To	
	0		2	Top Soil
	2		18	Brown Sandy Clay
	18		28	Fine Sand w/ some clay stringers
	28		39	Brown Sandy Clay w/ some Caliche & some Fine Sand Mixed
	39		64	Fine Med Sand w/ few clay stringers
	64		124	Fine Med Course Sand Small Med Large Gravel
	124		253	Fine Med Course Sand Small Gravel w/ some Clay Layers
	253		269	Brown Sandy Clay
	269		289	Fine Med Course Sand some small Gravel w/ some clay Layers
	289		306	Blue Clay
	306		340	Fine Med Course Sand Small Gravel
	340		348	Brown Sandy Clay
25	348	10	360	Fine Med Course Sand Small Gravel
20	360	11	371	Fine Med Course Sand w/ few clay stringers
25	371	29	400	Fine Med Course Sand
	400		409	Brown Sandy Clay
15	409	12	421	Fine Med Sand
	421		432	Brown Sandy Clay
15	432	19	451	Fine Sand
5	451	39	490	Sandstone & Spongstone w/ some Brown Rock
	490		495	Shale
5	495	30	525	Sandstone
	525		570	Shale
10	570	20	580	Sandstone
	580		700	Shale
				Super Gel X - 7
				Platinum Pac - 1/3 Bag
				Hole Plug - 7
				Perma Plug - 1
				5" Drag Blade - 1
				4 3/4" Drag Blade - 1

17469

100.91667° W

100.90000° W

WGS84 100.88333° W



37.68333° N

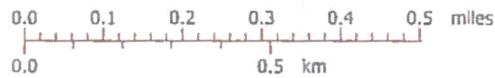
37.68333° N

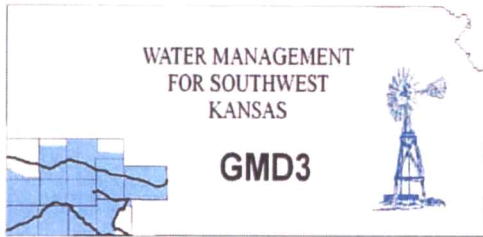
Map created with TOPO! ©2007 National Geographic; ©2005 Tele Atlas, Rel. 8/2005

100.91667° W

100.90000° W

WGS84 100.88333° W





**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

June 3, 2021

Austin J McColloch  
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. 17469

Dear Austin:

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 any of the other 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

## GMD3 Change Review

---

File No(s): 17469. DWR office: GC.

App filed to change: PD.

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

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?   .

If NO, is documentation included?

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

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

	ft. North	ft. West	
Authorized PD	5150	5120	Sect 23-27-33
Proposed PD	3441	5194	
Difference	1709 s	-74 w	
a2 + b2 = c2	2920681	5476	1710.601 foot move SW

GPS for proposed PD: Lat: 37.68794 Long: -100.90694.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified:   .

Name Eugene R & Cheryl F Davis (2600, 8178, 33637).

Address 121 Road LL.

Zip Sublette, KS 67877.

Email: dirtrider76@me.com. Phone: 620-272-1497.

Name Southwest Farms LLC (3386, 8678, 27633 & domestic SE 22-27-33).

Address 15857 Bear Mountain Blvd.

Zip Bakersfield, CA 93311.

Email: josh\_tevelde@yahoo.com. Phone: 559-805-3271.

Name Premier 4 Farms (34643).

Address PO Box 518.

Zip Hugoton, KS 67951.

Email: kshaddix@cox.net. Phone: 620-544-4545.

Domestic well(s) notified: possibly SE 14-27-33 is Cox land.

Name   .

Address   .

Zip   .

Base Acres:   .

Perfected Acres:   .

Irr. Return-Flow   %

## GMD3 Change Review

---

17426 authorized 320AF @ 2030gpm.

10 reported use (2011-2020): 147.1AF/Average

200gpm reported on 2020WUR

185.14gpm calculated during 2020 field inspection.

Proposed depth 545'.

No log found on current well. Only well in WWC5 for section was to a depth of 568', drilled in 1996.

Is a waiver needed: Move less than half mile and minimum spacing appears met.

Analysis shows possible effects well within the guidelines for the area.

Recommendation: After review of all available information, it appears current area rules are met and analysis is favorable for the move. We did not receive any response from neighbor notices. Staff therefore recommends approval of the application.





34643: Drawdown from current location = 1.25 ft  
Drawdown from proposed location = 2.22 ft  
Net drawdown = **1.0 ft**

33637: Drawdown from current location = 1.29 ft  
Drawdown from proposed location = 2.68 ft  
Net drawdown = **1.4 ft**

27633: Drawdown from current location = 1.04 ft  
Drawdown from proposed location = 2.20 ft  
Net drawdown = **1.2 ft**

23954: Drawdown from current location = 1.18 ft  
Drawdown from proposed location = 3.45 ft  
Net drawdown = **2.3 ft**

3386: Drawdown from current location = 0.80 ft  
Drawdown from proposed location = 2.14 ft  
Net drawdown = **1.3 ft**

3386 & 8678: Drawdown from current location = 0.97 ft  
Drawdown from proposed location = 3.38 ft  
Net drawdown = **2.4 ft**

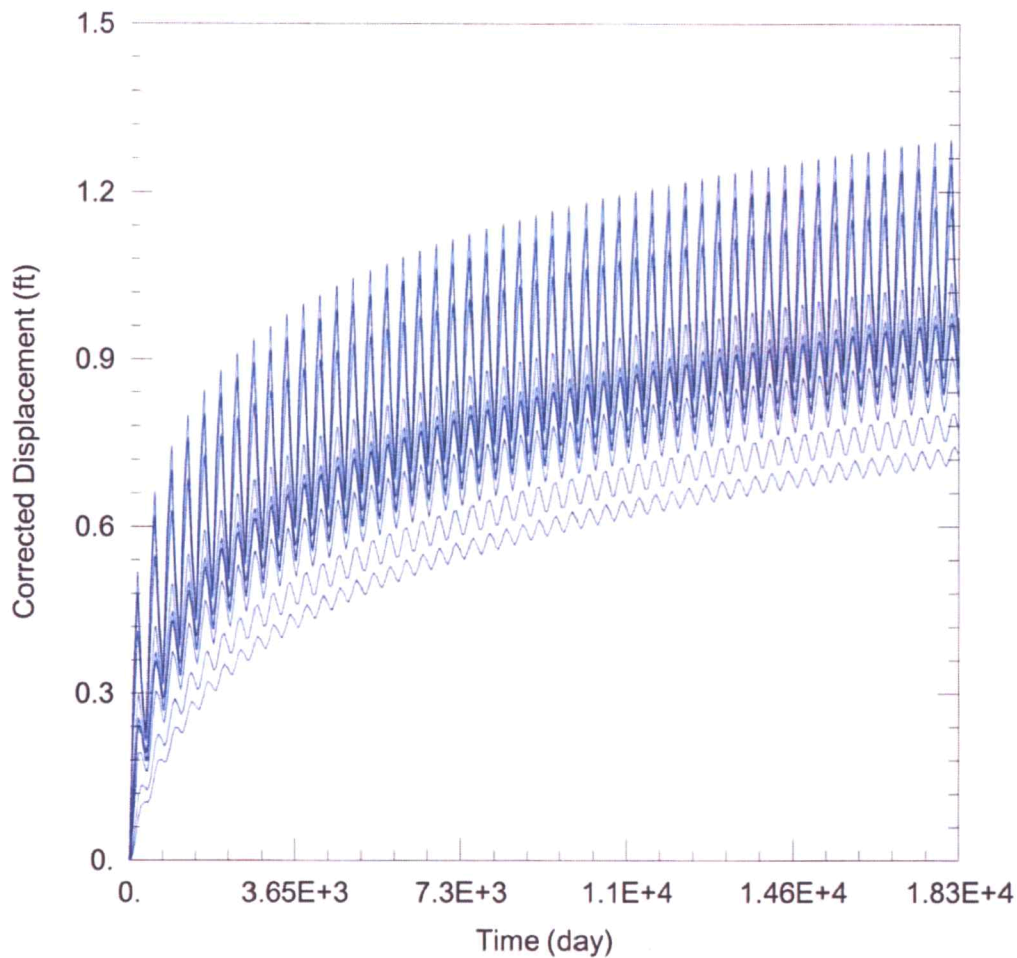
Domestic 22-27-33: Drawdown from current location = 0.91 ft  
Drawdown from proposed location = 2.84 ft  
Net drawdown = **1.9 ft**

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\17469\17469 Current.aqt  
 Date: 05/25/21 Time: 15:26:36

**PROJECT INFORMATION**

Company: GMD 3  
 Project: 17469  
 Location: Haskell County

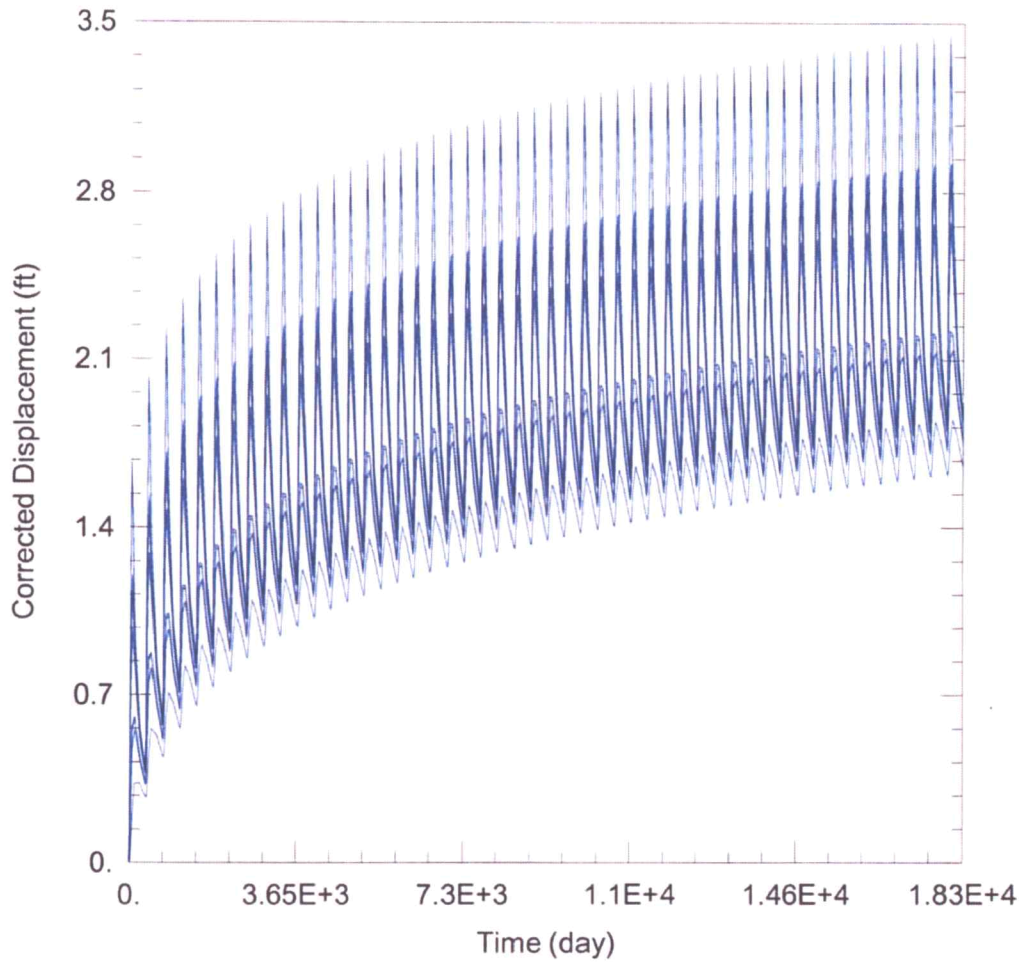
**WELL DATA**

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
17469	-31035	297734	□	-31035	297734
			□ 2600 & 8178	-28782	294487
			□ 14933	-27096	292610
			□ 34643	-32856	299535
			□ 33637	-28662	297987
			□ 27633	-34612	297870
			□ 23954	-33439	296168
			□ 3386	-33789	292820
			□ 3386 & 8678	-31555	293682
			□ Domestic 22-27-33	-31826	293215

**SOLUTION**

Aquifer Model: Unconfined

Solution Method: Theis



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021\_Moves\17469\17469 Proposed.aqt  
 Date: 05/25/21 Time: 15:26:29

PROJECT INFORMATION

Company: GMD 3  
 Project: 17469  
 Location: Haskell County

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
17469	-31107	296019	□	-31107	296019
			□ 2600 & 8178	-28782	294487
			□ 14933	-27096	292610
			□ 34643	-32856	299535
			□ 33637	-28662	297987
			□ 27633	-34612	297870
			□ 23954	-33439	296168
			□ 3386	-33789	292820
			□ 3386 & 8678	-31555	293682
			□ Domestic 22-27-33	-31826	293215

SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

Water Rights and Points of Diversion Within 1 mile of point defined as:

3441 Feet N and 5194 Feet W of the Southeast Corner of Section 23 Twp 27S Rng 33W  
 Located at: 100.906940 West Longitude and 37.687941 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	2600 00	IRR	NK	G	2785	--	SE	NE	SW	1913	2867	23	27	33W	4	2100 <sup>4184</sup> 320.00	320.00
A__ AF	3386 00	IRR	NK	G	2380	--	NE	SE	SE	1114	407	22	27	33W	5	2100 <sup>4176.94</sup> 284.34	284.34
A__ AF	3386 00	STK	NK	G	4175	--	--	--	CS	250	2640	22	27	33W	6	1900	150.01
A__ AF	8178 00	IRR	NK	G	2785	--	SE	NE	SW	1913	2867	23	27	33W	4	164.00	164.00
A__ AF	8678 00	IRR	NK	G	2380	--	NE	SE	SE	1114	407	22	27	33W	5	192.00	192.00
A__ AF	14933 00	IRR	NK	G	5161	--	SW	SE	SE	45	1308	23	27	33W	2	2300	640.00
A__ AF	14933 00	REC	NK	G	5161	--	SW	SE	SE	45	1308	23	27	33W	2	640.00	640.00
A__ AF	17469 00	IRR	NK	G*	1716	--	NW	NW	NW	5150	5120	23	27	33W	3	1900	320.00
A__ AF	23954 00	IRR	NK	G	2337	--	NW	SW	NE	3600	2300	22	27	33W	2	260.00	260.00
A__ AF	27633 00	IRR	NK	G	4148	--	NW	NE	NW	5227	3722	22	27	33W	4	287.00	287.00
A__ AF	33637 00	IRR	NK	G	3220	--	SE	SE	SW	80	2673	14	27	33W	2	262.00	262.00
A__ AF	34643 00	IRR	NK	G	3927	--	SE	NW	SE	1639	1735	15	27	33W	2	260.00	260.00

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) =	3779.35	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3779.35	.00

Spacing Appears.  
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:

3441 Feet North and 5194 Feet West of the Southeast Corner of Section 23 Twp 27S Rng 33W  
 Located at: 100.906940 West Longitude and 37.687941 North Latitude  
 Both SURFACE WATER and GROUNDWATER  
 WATER USE CORRESPONDENTS:

- File Number Use ST SR
- > EUGENE R & CHERYL F DAVIS
- >
- > 121 ROAD LL
- > SUBLETTE KS 67877
- 
- > SOUTHWEST FARMS LLC
- >
- > 15857 BEAR MOUNTAIN BLVD
- > BAKERSFIELD CA 93311
- 

2600 ✓  
3386 ✓

> SOUTHWEST FARMS LLC  
>  
> 15857 BEAR MOUNTAIN BLVD 3386 /  
> BAKERSFIELD CA 93311  
-----  
> EUGENE R & CHERYL F DAVIS  
>  
> 121 ROAD LL 8178 /  
> SUBLETTE KS 67877  
-----  
> SOUTHWEST FARMS LLC  
>  
> 15857 BEAR MOUNTAIN BLVD 8678 /  
> BAKERSFIELD CA 93311  
-----  
> KENNETH COX  
>  
> 450 US HWY 83 14933  
> SUBLETTE KS 67877 > Applicant  
-----  
> KENNETH COX  
>  
> 450 US HWY 83 14933  
> SUBLETTE KS 67877  
-----  
> KENNETH COX  
>  
> 1111 ROAD 90 17469 Application  
> SUBLETTE KS 67877  
-----  
> KENNETH COX  
>  
> 1111 ROAD 90 23954 Applicant  
> SUBLETTE KS 67877  
-----  
> SOUTHWEST FARMS LLC  
>  
> 15857 BEAR MOUNTAIN BLVD 27633 /  
> BAKERSFIELD CA 93311  
-----  
> EUGENE R & CHERYL F DAVIS  
>  
> 121 ROAD LL 33637 /  
> SUBLETTE KS 67877  
-----  
> PREMIER 4 FARMS  
>  
> PO BOX 518 34643  
> HUGOTON KS 67951  
-----  
=====

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

May 24, 2021

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

Change Application,  
File No. 17469

Dear Sir or Madam:

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

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin McColloch".

Austin McColloch  
Assistant Water Commissioner

Enclosure  
pc:

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



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

May 5, 2021

SOUTHWEST FARMS LLC  
15857 BEAR MOUNTAIN BLVD  
BAKERSFIELD, CA 93311

RE: Water Right, File No. 17469

Dear Sir or Madam:

This is to advise you that Kenneth Cox has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 23, Township 27 South, Range 33 West, Haskell County.

You can find the complete applications posted by water right file number as referenced above at: [www.Agriculture.ks.gov/DWRNotices](http://www.Agriculture.ks.gov/DWRNotices)

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

**SCANNED**