

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

| | | | | |
|---------------------------------|--|-----------------------------|-------------------------------|----------------------|
| 1. File Number: 19143 | 2. Status Change Date: 7-16-2021 | 3. Change Num: C3 | 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: 6/24/2021 |
|--|---|

8a. LANDOWNER, applicant Person ID **63761**
 New to system Add Seq# _____

**KMC AG LLC
 P O BOX 279
 PLAINS, KS 67869-0279**

8c. LANDOWNER, correspondent Person ID **57020**
 New to system Add Seq# _____

**CLAWSON LAND PARTNERSHIP
 PO BOX 279
 PLAINS, KS 67869**

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

8d. correspondent, applicant Person ID _____
 New to system Add Seq# _____

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2021** N & P Date to Comply: **3/1/2022**

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

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

Date Prepared: **7/8/2021** By: **MAM**
 Date Entered: _____ By: _____

File No. **19143** 11. County: HS Basin: CIMARRON RIVER Stream: Formation Code: 211/331 Special Use:

| 12. Points of Diversion | | | | | | | | | | Rate and Quantity | | | | |
|--------------------------|-------|--------------|----|----|-----|----|------|------|--------------------|-------------------|-------------|------------|-------------|------------------|
| CHK MOD DEL ENT | PDIV | Qualifier | S | T | R | ID | 'N | 'W | Comment (AKA Line) | Authorized | | Additional | | Overlap PD Files |
| | | | | | | | | | | Rate gpm | Quantity af | Rate gpm | Quantity af | |
| DEL 4499 | | | | | | | | | | | | | | |
| ENT | | NWNWSE | 13 | 29 | 34W | | 2476 | 2419 | | 2000 | 700 | 2000 | 700 | NONE |
| CHK | 74278 | LOT 3 (NWSW) | 7 | 29 | 33W | 03 | 1443 | 5192 | | 1900 | 624 | 1900 | 624 | NONE |
| CHK | 76188 | NENESW | 18 | 29 | 33W | 03 | 2626 | 2949 | | 1700 | 596 | 1700 | 596 | NONE |

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

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

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

| 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 | 3260 | | | | | | | | | | | | | | | | | | | | | 8a | Y | 21944, 22469, | |
| CHK | 14430 | | | | | | | | | | | | | | | | | | | | | 8a | Y | 21944, 22469, | |
| CHK | 15309 | | | | | | | | | | | | | | | | | | | | | 8a | Y | 21944, 22469, | |
| CHK | 28908 | | | | | | | | | | | | | | | | | | | | | 8c | N | 21944, 22469 | |
| CHK | 29209 | | | | | | | | | | | | | | | | | | | | | 8a | Y | 21944, 22469, | |

Base Acres: Year: Minimum Reasonable Quantity:

Comments:

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



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

Mike Beam, Secretary

Laura Kelly, Governor

July 16, 2021

KMC AG LLC
P O BOX 279
PLAINS, KS 67869-0279

RE: Water Right, File No. 19143

Dear Sir:

Enclosed is an 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. Conditions of this approval are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

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

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

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

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
enclosures

pc: CLAWSON LAND PARTNERSHIP
GMD3

CERTIFICATE OF SERVICE

On this 16th day of July 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 19,143 dated 16th day of July 2021 was mailed postage prepaid, first class, US mail to the following:

KMC AG LLC
P O BOX 279
PLAINS, KS 67869-0279

Pc:

CLAWSON LAND PARTNERSHIP
PO BOX 279
PLAINS, KS 67869

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. 19143

RECEIVED
 3:50 pm
JUN 24 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

Garden City Field Office
 Division of Water Resources

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: KMC AG LLC
P O BOX 279 PLAINS KS 67869-0279
 Phone Number: () Email address: _____
 Name and address of Water Use Correspondent: CLAWSON HASKELL CO #3
P O BOX 279 PLAINS KS 67869-0279
 Phone Number: () Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: NO CHANGE
 ADDRESS: _____

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

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

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:
 Owner of Land ---- NAME: _____
 ADDRESS: _____

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

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

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 6-24-21 Check # 6731

5. **Presently authorized point of diversion:**
 One in the LOT 3 Quarter of the NW Quarter of the LOT 3 (NW SW) Quarter
 of Section 18, Township 29 South, Range 33 (W),
 in HASKELL County, Kansas, 2600 feet North 5200 feet West of Southeast corner of section.
 Authorized Rate 2000 GPM Authorized Quantity 700 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 NW Quarter of the NW Quarter of the SE Quarter
 of Section 13, Township 29 South, Range 34 (W),
 in HASKELL County, Kansas, 2476 feet North 2419 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 671'
 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 SW Quarter
 of Section 18, Township 29 South, Range 33 (W),
 in HASKELL County, Kansas, 2626 feet North 2949 feet West of Southeast corner of section.
 Authorized Rate 1700 GPM Authorized Quantity 596 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 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

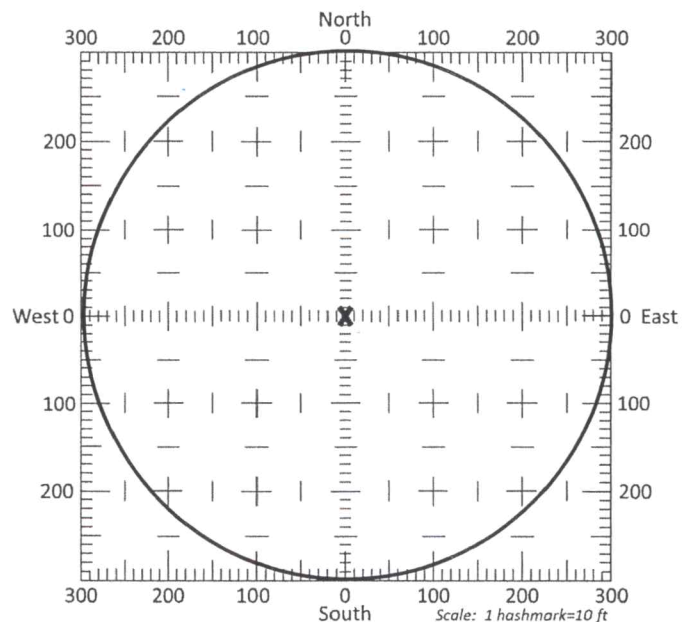
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

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.)**

APPLICATION FOR APPROVAL TO CHANGE
POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 19143

Presently authorized point of diversion:

One in the LOT 3 Quarter of the NW Quarter of the LOT 3 (NW SW) Quarter
of Section 7, Township 29 South, Range 33 (W),
in HASKELL County, Kansas, 1443 feet North 5192 feet West of Southeast corner of section.
Authorized Rate 1900 GPM Authorized Quantity 624 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 _____~~

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.

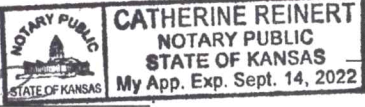
Dated at GARDEN CITY, Kansas, this 24th day of JUNE, 2021.

+ RmcagLE (Owner) By Kirby B. Lawson (Spouse)

| | |
|-------------------------|-------------------------|
| _____ (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 24th day of JUNE, 2021.

My Commission Expires 9-14-22  Catherine Reinert 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. 19143.

1. A change application was received on June 24, 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 2640 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: July 16, 2021

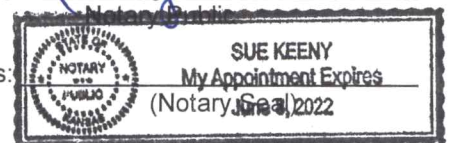
State of Kansas)
) SS
County of Finney)

Acknowledged before me on July 16, 2021

by Michael A. Meyer

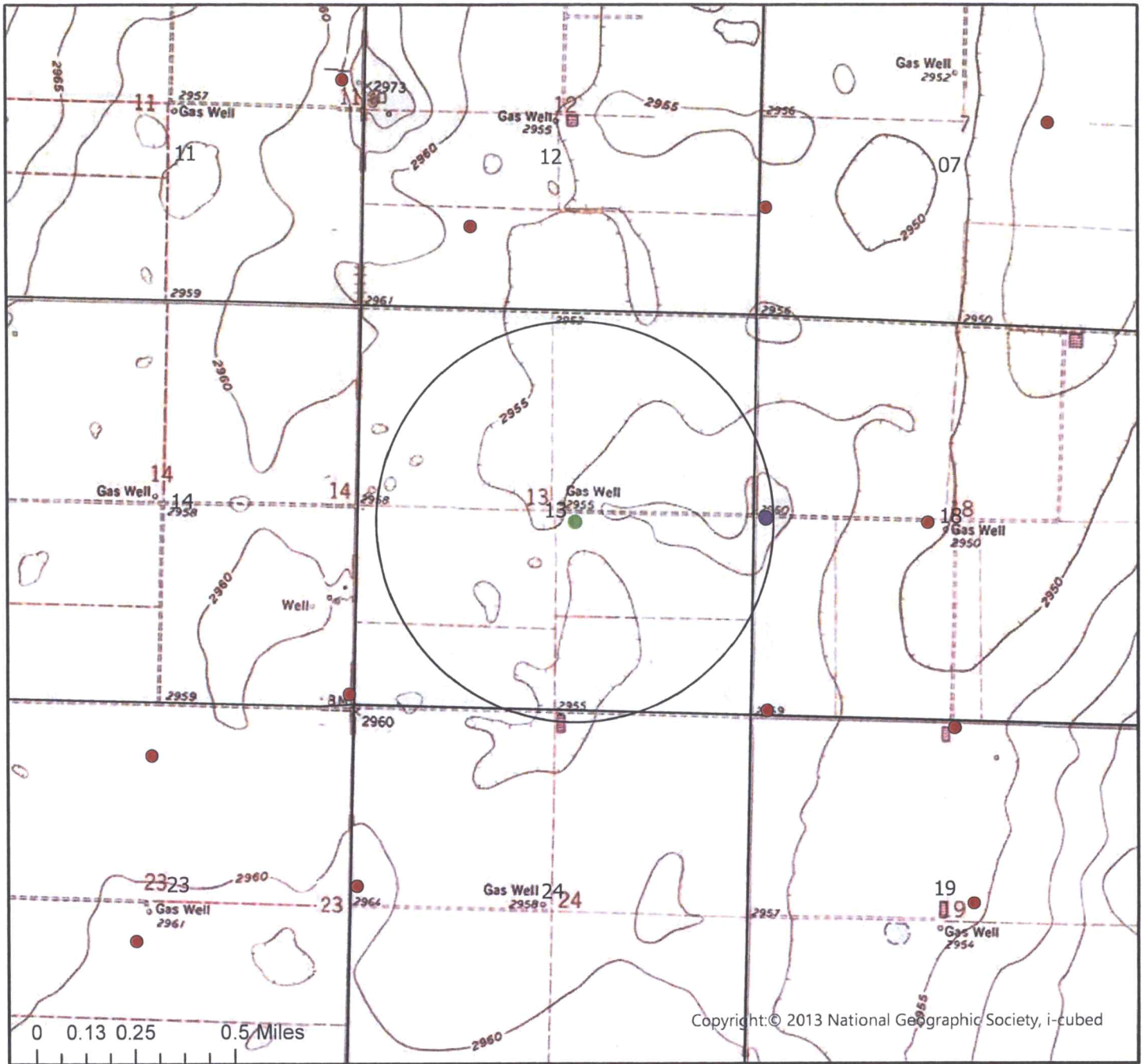
Signature: Sue Keeny






My commission expires: June 30, 2022



CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 19143

Township 29 South Range 34 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:



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

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



PO Box 636
Garden City, KS 67846
Fax: 620-277-0224

KENNY CLAWSON 620-353-9176

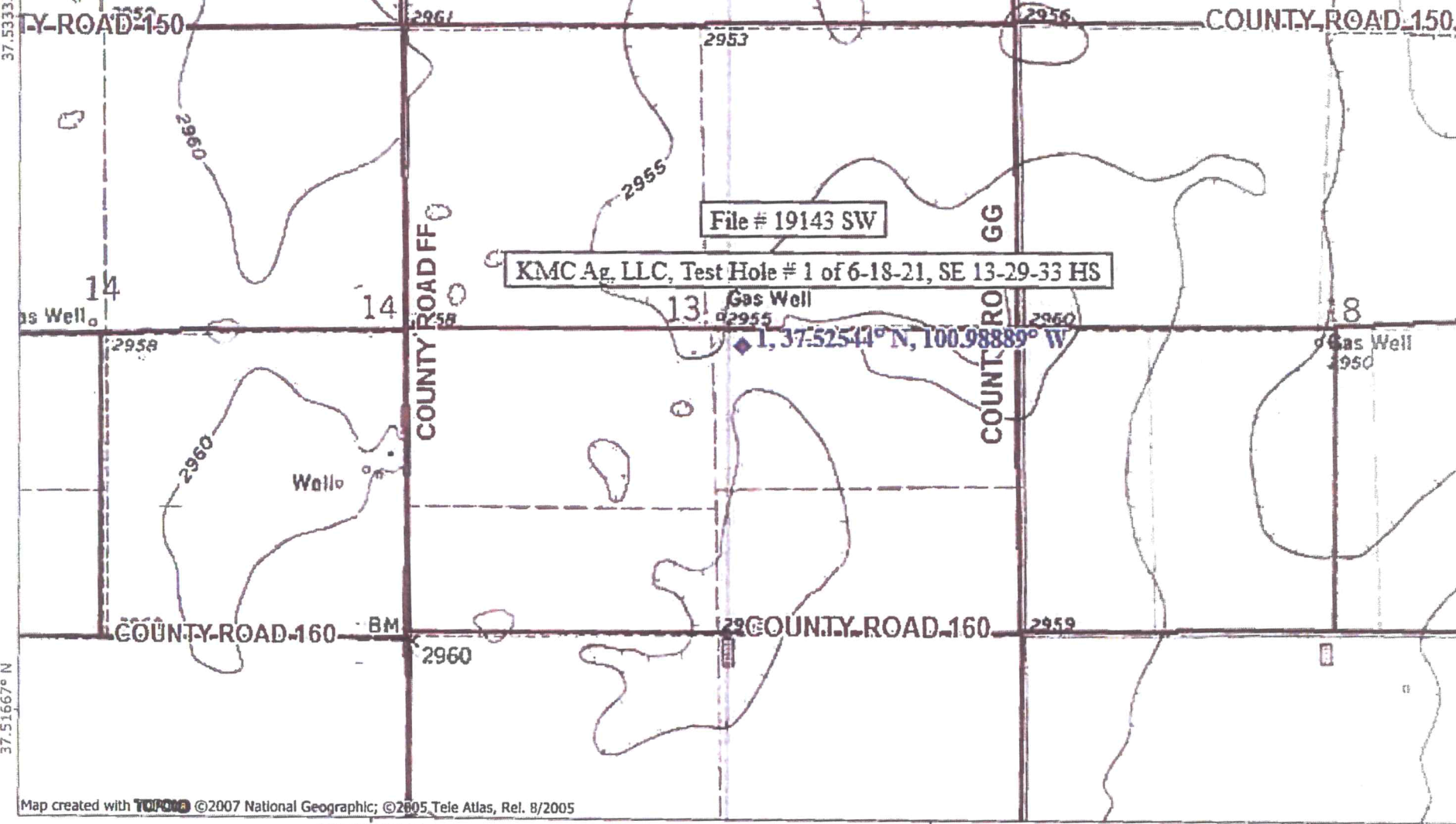
Customer Name: KMC Ag, LLC WD#: 21988 Date: 6-18-21
Street Address: P.O. Box 279 Test #: 1 E LOG: Yes
City, State: PLAINS, Ks. 67869 Driller: _____
County: Haskell Quarter: SE Section: 13 Township: 29 Range: 33
Location: _____ GPS: N37.52544 W100.98889
Rig #: 10003 Elevation: 2965' Static WL: Approx. 270' Estimated? _____
Proposed Well Depth 370' 671'

WELL LOCATION 2054MP

| % | Footage | | | Description of Strata |
|----|---------|-----|-----|---|
| | From | Pay | To | |
| | 0 | | 2 | Top Soil |
| | 2 | | 18 | Brown Sandy Clay w/Little Calich |
| | 18 | | 29 | Brown Sandy Clay & Calich |
| | 29 | | 37 | Fine Sand w/Little Calich Mixed |
| | 37 | | 60 | Fine Med Course Sand Small Med |
| | 60 | | 69 | Fine Med Sand w/Few Clay Stringers |
| | 69 | | 104 | Fine Med Course Sand Small Gravel |
| | 104 | | 116 | Fine Med Course Sand Small Med Large Gravel |
| | 116 | | 124 | Brown Clay |
| | 124 | | 140 | Fine Med Course Sand Small Med Few Large Gravel w/Few Clay Layers |
| | 140 | | 152 | Brown Sandy Clay w/Many Sand Strips |
| | 152 | | 176 | Fine Med Course Sand Small Few Med Gravel |
| | 176 | | 190 | Gray & Little Brown Clay w/Few Sand Strips |
| | 190 | | 234 | Fine Med Course Sand Small Gravel w/Couple Clay Layers |
| | 234 | | 246 | Brown Clay |
| | 246 | | 254 | Blue & Brown Clay |
| | 254 | | 303 | Blue Clay |
| | 303 | | 315 | Blue & Little Brown Clay |
| | 315 | | 359 | Blue Clay |
| 25 | 359 | 31 | 401 | Fine Med Course Sand Some Small Gravel w/Few Clay Stringers |
| 30 | 401 | 33 | 434 | Fine Med Course Sand Few Small Gravel "Fairly Loose" |
| 5 | 434 | 6 | 439 | Tan Sandy Clay w/some Fine Sand Strips |
| 20 | 439 | 44 | 483 | Fine Sand w/Few Clay Stringers |
| 20 | 483 | 20 | 503 | Fine Few Med w/Few Clay Stringers |
| 35 | 503 | 22 | 525 | Fine Med Course Sand w/Brown & Tan Rock |
| | 525 | | 530 | Soapstone |
| 5 | 530 | 10 | 540 | Soapstone & Sandstone |
| | 540 | | 548 | Shale |
| 5 | 548 | 21 | 569 | Sandstone w/Shale |
| 15 | 569 | 13 | 582 | Sandstone w/Few White Soapstone Stringers "Fairly Loose" |
| 20 | 582 | 69 | 651 | Sandstone "Fairly Loose" |
| | 651 | | 660 | Red Bed |
| | | | | Super Gel X - 8 |
| | | | | Platinum Pac - 1/2 Bags |
| | | | | Grout - 5 |
| | | | | Hole Plug - 6 |
| | | | | Perma Plug - 1 |
| | | | | 4 3/4 Dog Block - 1 |

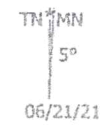
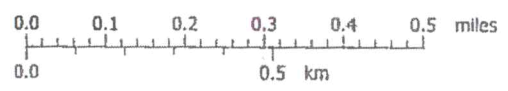
37.53333° N

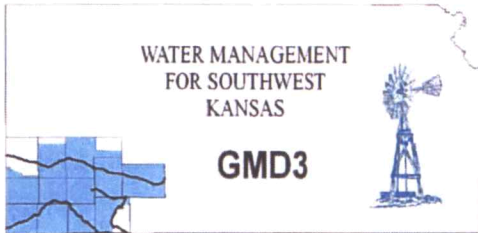
37.53333° N



37.51667° N

37.51667° N





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

July 7, 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. 19143

Dear Mike:

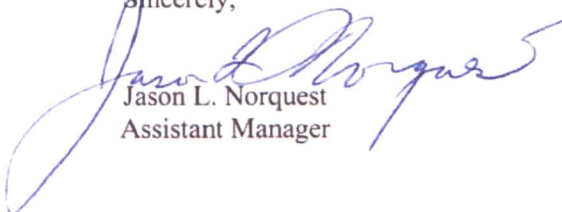
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

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 (4.0 ft in cases where saturated thickness is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that none of the neighboring wells exceeded the net effect above the maximum allowable threshold. Our office received no comments of concern from neighboring well owners. Therefore, GMD3 sees this move as reasonable and therefore recommend that the application be approved. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

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

Sincerely,


Jason L. Norquest
Assistant Manager

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JUL 07 2021

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 19143. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: KMC Ag LLC.

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) 02 being changed.

| | ft. North | ft. West | |
|---------------|-----------|----------|-----------------------|
| Authorized PD | 2600 | 5200 | Sect 18-29-33 |
| Proposed PD | 2476 | 2419 | Sect 13-29-34 |
| Difference | 124 s | 2499 w | |
| a2 + b2 = c2 | 15376 | 6245001 | 2502.075 foot move SW |

GPS for proposed PD: Lat: 37.52544 Long: -100.98889.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name Nicholas York (3272).

Address 872 US Hwy 160.

Zip Satanta, KS 67870.

Email: nyork8504@gmail.com Phone: 620-353-4641.

Domestic well(s) notified: .

Name Douglas & Kelly Delaplane (SE SE 14-29-34).

Address 1593 RD FF.

Zip Satanta, KS 67877.

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Proposed moving one of the three wells, ID02.

ID2 authorized:700AF @ 2000gpm.

2018 inspection showed 430gpm.

Average use (2011-2020): 364AF/year

Is a waiver needed: Move is less than half mile and minimum spacing appears met. All wells within a mile showed possible effects within the guidelines and none came up as critical.

Recommendation: No response from neighbor notices. Analysis shows no critical wells. Current area rules are met. Staff therefore recommends approval of the application.



GMD3 Change Review

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Garden City Field Office
Division of Water Resources

22469: Drawdown from current location = 3.62 ft
Drawdown from proposed location = 6.54 ft
Net drawdown = **2.9 ft**

29786: Drawdown from current location = 2.43 ft
Drawdown from proposed location = 5.82 ft
Net drawdown = **3.4 ft**

3272: Drawdown from current location = 2.31 ft
Drawdown from proposed location = 6.23 ft
Net drawdown = **3.9 ft**

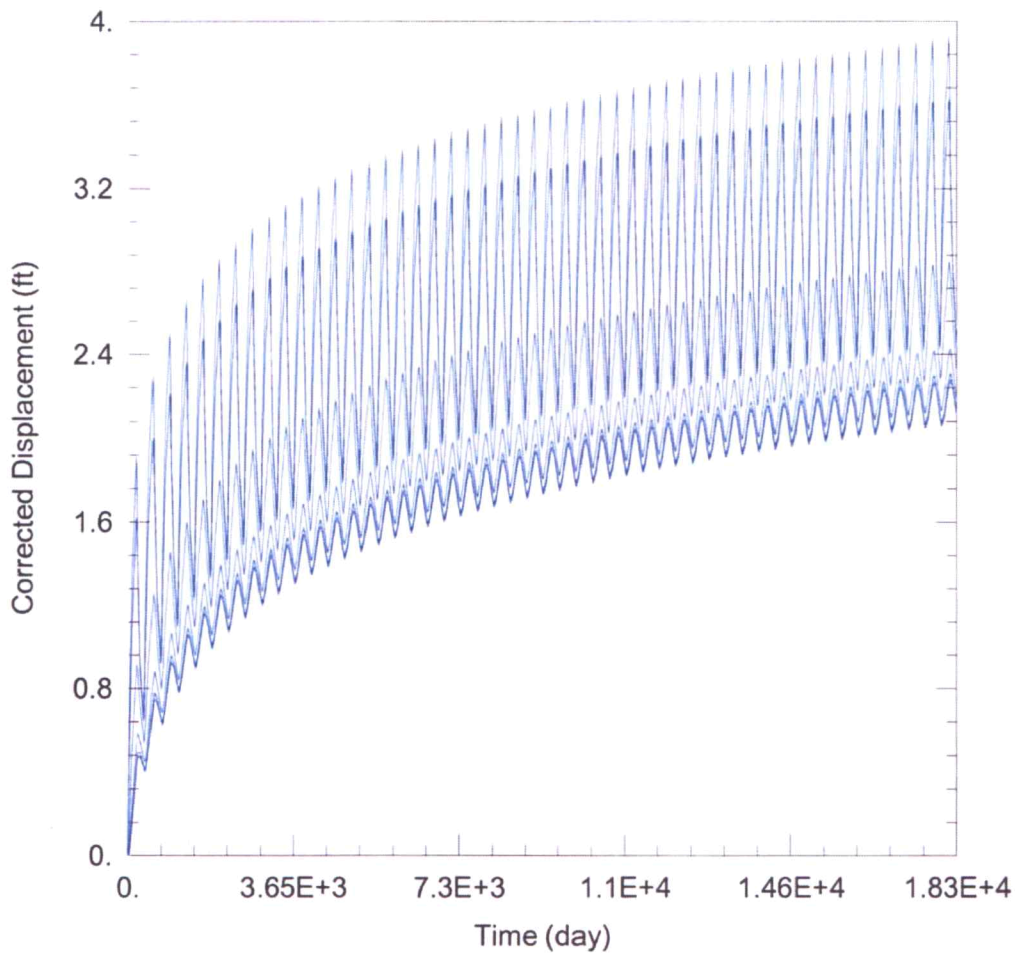
Domestic 14-29-34: Drawdown from current location = 2.28 ft
Drawdown from proposed location = 6.10 ft
Net drawdown = **3.8 ft**

Net drawdown does not exceed the drawdown allowance of 4.0 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.

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Division of Water Resources



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\19143\19143 Current.aqt
 Date: 06/30/21 Time: 10:14:28

PROJECT INFORMATION

Company: GMD 3
 Project: 19143
 Location: Haskell County

WELL DATA

Pumping Wells

| Well Name | X (ft) | Y (ft) |
|-----------|--------|--------|
| 19143 ID2 | -52391 | 237006 |

Observation Wells

| Well Name | X (ft) | Y (ft) |
|---------------------|--------|--------|
| □ | -52391 | 237006 |
| □ 19143 ID3 sec 18 | -50245 | 237006 |
| □ 19143 ID3 sec 7 | -52499 | 241129 |
| □ 22469 | -52309 | 234461 |
| □ 29786 | -56443 | 240769 |
| □ 3272 | -57906 | 234523 |
| □ Domestic 14-29-34 | -58167 | 234726 |

SOLUTION

Aquifer Model: Unconfined

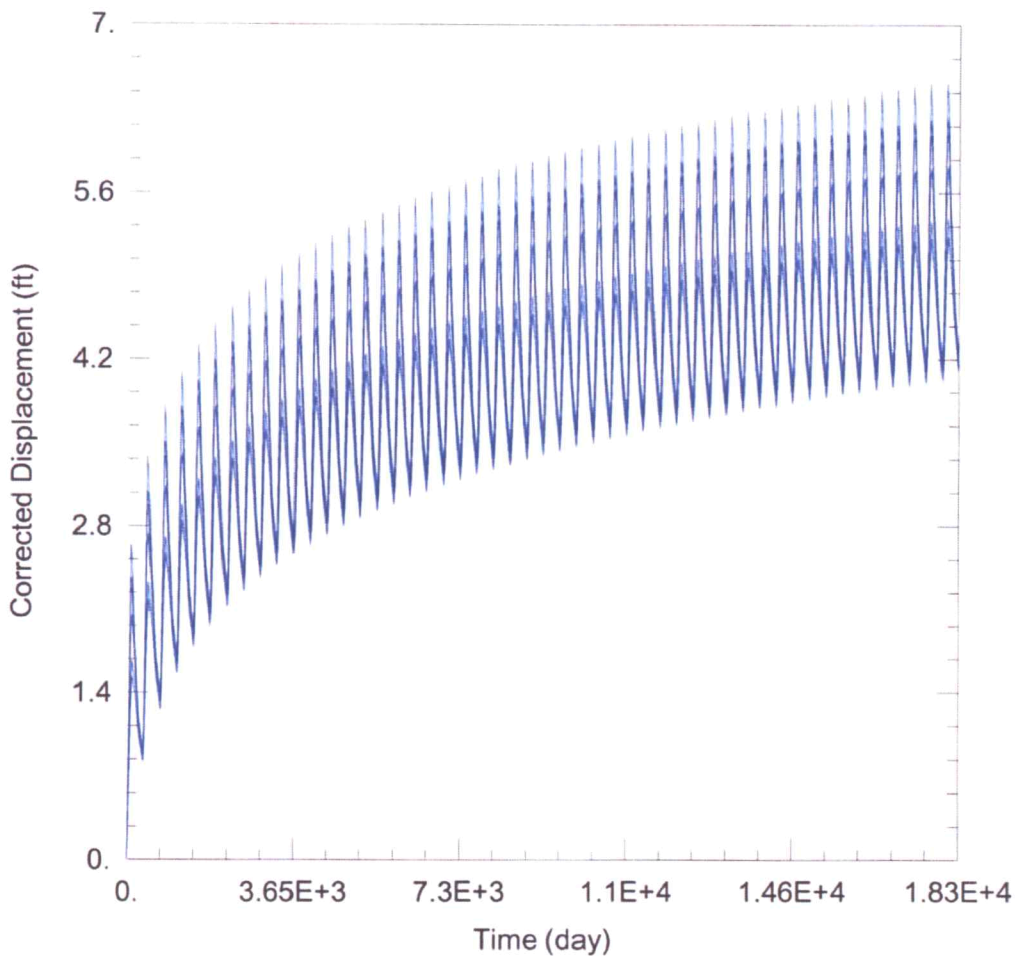
Solution Method: Theis

T = 7019.8 ft²/day

S = 0.09278

Kz/Kr = 1.

b = 252. ft



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\19143\19143 Proposed.aqt
 Date: 06/30/21 Time: 10:14:17

PROJECT INFORMATION

Company: GMD 3
 Project: 19143
 Location: Haskell County

WELL DATA

Pumping Wells

| Well Name | X (ft) | Y (ft) |
|-----------|--------|--------|
| 19143 ID2 | -54940 | 236884 |

Observation Wells

| Well Name | X (ft) | Y (ft) |
|---------------------|--------|--------|
| □ | -54940 | 236884 |
| □ 19143 ID3 sec 18 | -50245 | 237006 |
| □ 19143 ID3 sec 7 | -52499 | 241129 |
| □ 22469 | -52309 | 234461 |
| □ 29786 | -56443 | 240769 |
| □ 3272 | -57906 | 234523 |
| □ Domestic 14-29-34 | -58167 | 234726 |

SOLUTION

Aquifer Model: Unconfined

T = 7019.8 ft²/day
 Kz/Kr = 1.

Solution Method: Theis

S = 0.09278
 b = 252. ft

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JUL 07 2021

Garden City Field Office
 Division of Water Resources

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

2476 Feet N and 2419 Feet W of the Southeast Corner of Section 13 Twp 29S Rng 34W
 Located at: 100.988889 West Longitude and 37.525441 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 | 3272 00 | IRR | NK | G | 3791 | SE | SE | SE | 125 | 65 | 14 | 29 | 34W | 4 | | 540.00 | 540.00 |
| A__ AF | 19143 00 | IRR | NK | G* | 2552 | -- | -- | -- | 2600 | 5200 | 18 | 29 | 33W | 2 | 2300 | 700.00 | 700.00 |
| Same AF | | | | | 4785 | NE | NE | SW | 2626 | 2949 | 18 | 29 | 33W | 3 | | 596.00 | 596.00 |
| Same AF | | | | | 4908 | -- | -- | -- | 1443 | 5192 | 7 | 29 | 33W | 3 | | 624.00 | 624.00 |
| A__ AF | 22469 00 | IRR | NK | G | 3577 | -- | -- | -- | 53 | 5110 | 18 | 29 | 33W | 4 | | 320.00 | 320.00 |
| A__ AF | 29786 00 | IRR | NK | G | 4186 | NW | SE | SW | 1083 | 3873 | 12 | 29 | 34W | 3 | | 685.00 | 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) = | 3100.00 | .00 |
| Total Vested Amount (AF) = | .00 | .00 |
| TOTAL AMOUNT (AF) = | 3100.00 | .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:

2476 Feet North and 2419 Feet West of the Southeast Corner of Section 13 Twp 29S Rng 34W
 Located at: 100.988889 West Longitude and 37.525441 North Latitude
 Both SURFACE WATER and GROUNDWATER
 WATER USE CORRESPONDENTS:

- > File Number Use ST SR
- > NICHOLAS YORK
- >
- > 872 US HWY 160
- > SATANTA KS 67870
- >
- > CLAWSON HASKELL CO #3
- >
- > PO BOX 279
- > PLAINS KS 67869
- >
- > CLAWSON HASKELL CO #3
- >
- > PO BOX 279
- > PLAINS KS 67869
- >
- > CLAWSON GRANT-HASKELL
- >
- > PO BOX 279
- > PLAINS KS 67869

3272

19143 Application ID 2

22469 Applicant's

29786

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

June 24, 2021

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

Re: Water Right, File No. 19143

Dear Mr. Norquest:

This is to advise you that KMC Ag LLC has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,



Michael A. Meyer
Water Commissioner

MAM
Enclosures