

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

1. File Number: 6869	2. Status Change Date: 5-25-2021	3. Change Num: C6	4. Field Office: 4	5. GMD: 3
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 4/19/2021
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8a. Applicant(s)/Landowner/WUC
 New to system

Person ID **62701**
 Add Seq# _____

W PATRICK ROONEY
PO BOX 276
SATANTA, KS 67870

8c. Landowner(s)
 New to system

Person ID **15023**
 Add Seq# _____

JUDITH ROONEY
PO BOX 276
SATANTA, KS 67870

8b. Landowner(s)
 New to system

Person ID **15022**
 Add Seq# _____

ROONEY RANCH INC
PO BOX 276
SATANTA, KS 67870

8d. Landowner(s)
 New to system

Person ID **57830**
 Add Seq# _____

MICHAEL ROY SANTALA ET AL
18500 1/2 RD 9
FLAGLER, CO 80815

8e. Landowner(s)
 New to system

Person ID **60485**
 Add Seq# _____

ROONEY PROPERTIES LLC
PO BOX 276
SATANTA, KS 67870

8f. Landowner(s)
 New to system

Person ID **14660**
 Add Seq# _____

JOHN RICHARDS
1007 MANCHESTER RD
LIBERTY, MO 64068

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

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: **5/24/2021** By: **MAM**
 Date Entered: _____ By: _____

File No. **6869** 11. County: **HS** Basin: **CIMARRON RIVER** Stream: Formation Code: **211/331** Special Use:

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

DEL 24085
MOD 77685 LOT 4 NWNW 5 30 34W 08 4157 5001 900 1240 900 1240 NONE

***note reduced diversion rate**

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 1446	9	30S	34W	2																					
CHK 6221	33	29S	34W	1																					
CHK 17081	4	30S	34W	2																					
CHK 27262	9	30S	34W	3																					
CHK 31586	4	30S	34W	3																					
CHK 33237	5	30S	34W	1																					
CHK 37118	9	30S	34W	1																					
CHK 50481	33	29S	34W	4																					
CHK 52531	5	30S	3W	4																					
CHK 52532	5	30S	34W	5																					

Comments: **OVERLAPPING PU FILES: 6869; 19030; 21248; 28572; 31836. OTHER COMMENT, NOTE OWNERSHIP LETTER, NO ACTION NEEDED**

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

May 24, 2021

W PATRICK ROONEY
PO BOX 276
SATANTA, KS 67870

RE: Water Right, File No. 6869

Dear Sir:

Enclosed is an 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. Please note the additional conditions attached to the order.

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

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

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

Sincerely,

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

Michael A. Meyer
Water Commissioner

MAM
enclosures

pc: ROONEY PROPERTIES LLC
JUDITH ROONEY
ROONEY RANCH INC
JOHN RICHARDS
MICHAEL ROY SANTALA ET AL
GMD3

CERTIFICATE OF SERVICE

On this 25th day of May 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 6,869 dated 25th day of May 2021 was mailed postage prepaid, first class, US mail to the following:

W PATRICK ROONEY
PO BOX 276
SATANTA, KS 67870

Pc:

MICHAEL ROY SANTALA ET AL
18500 1/2 RD 9
FLAGLER, CO 80815


JUDITH ROONEY
1961 RD CC
SATANTA, KS 67870

JOHN RICHARDS
1007 MANCHESTER RD
LIBERTY, MO 64068

ROONEY RANCH INC
PO BOX 276
SATANTA, KS 67870

ROONEY PROPERTIES LLC
PO BOX 276
SATANTA, KS 67870

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. 6869

RECEIVED
 2:00 pm
 APR 19 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: William Patrick Rooney

PO Box 276, Satanta, KS 67870

Phone Number: (620)353-4395 Email address: _____

Name and address of Water Use Correspondent: SAME

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 \$ <u>200.00</u> TR # _____ Receipt Date <u>4-12-21</u> Check # <u>12886</u>

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the NW Quarter of Section 5, Township 30 South, Range 34 W, in HASKELL County, Kansas, 5240 feet North 5040 feet West of Southeast corner of section.
 Authorized Rate 1925gpm Authorized Quantity 1240AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 01 GPS _____ feet North _____ feet West)
 X 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 NW Quarter of the LOT 4 (NW NW) Quarter of Section 5, Township 30 South, Range 34 W, in HASKELL County, Kansas, 4157 feet North 5001 feet West of Southeast corner of section.
 Proposed Rate 1900 ~~1925~~gpm Proposed Quantity 1240AF Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

**letter dated 5-17-2021 request*

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 in current well

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

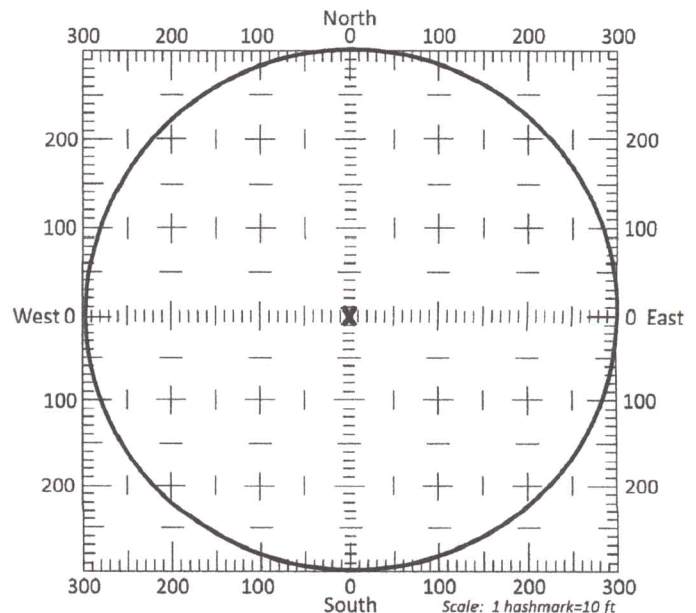
9. The change(s) (was)(will be) completed by?
As soon as approved, moving to a past location

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
cap
 (b) When will this be done? After completion

11. Groundwater Management District recommendation attached?
 X Yes No

12. Assisted by GMD3/JLN

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 Saratoga KS, Kansas, this 22 day of February, 2021.

W. Patrick Rooney
(Owner)

W Patrick Rooney
(Please Print)

[Signature]
(Owner)

Bret Rooney
(Please Print)

[Signature]
(Owner)

[Signature]
(Please Print)

Jeanette Rooney
(Spouse)

Jeanette Rooney
(Please Print)

Carlie Rooney
(Spouse)

Carlie Rooney
(Please Print)

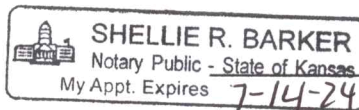
[Signature]
(Spouse)

[Signature]
(Please Print)

State of Kansas }
County of Haskell } SS

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

My Commission Expires 7-14-24.



Shellie Barker
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

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.)
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 Yes No (If yes, all owners must sign this application.)
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Dated at Schubuta, Kansas, this 22 day of February, 2021.

<u>W. Patrick Rooney</u>	
(Owner)	(Spouse)
<u>Rooney Properties by W Patrick Rooney</u>	
(Please Print)	(Please Print)
<u>W. Patrick Rooney</u>	
(Owner)	(Spouse)
<u>Rooney Ranch by W Patrick Rooney</u>	
(Please Print)	(Please Print)
<u>W. Patrick Rooney</u>	
(Owner)	(Spouse)
<u>Judith Rooney by W Patrick Rooney</u>	
(Please Print)	(Please Print)

State of Kansas }
 County of WASKELL } SS

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

My Commission Expires 7-14-24



Shellie Barker
 Notary Public

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Yes No (If no, all owners must sign this application.)
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Yes No (If yes, all owners must sign this application.)
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Yes No (If no, all owners must sign this application.)

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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 2-02-2021-Flagler, Colorado, ~~Kansas~~, this 2 day of February, 2021.

Mike Santala
(Owner)

(Spouse)

(Please Print)

(Please Print)

MIKE SANTALA
(Owner)

(Spouse)

(Please Print)

(Please Print)

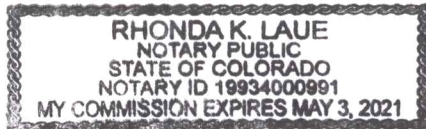
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Colorado }
~~Kansas~~ } SS
County of Kit Carson }



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2 day of February, 2021.

Rhonda K. Laue
Notary Public

My Commission Expires 5-03-2021.

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.

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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 _____, Kansas, this _____ day of _____, 20_____.

<p><u>Bryan S. Richards</u> (Owner)</p> <p><u>Bryan S. Richards (Son)</u> (Please Print)</p> <p>_____</p> <p>(Owner)</p> <p>_____</p> <p>(Please Print)</p> <p>_____</p> <p>(Owner)</p> <p>_____</p> <p>(Please Print)</p>	<p><u>John W. Richards</u> (Spouse) <u>N/A (deceased)</u></p> <p>_____</p> <p>(Please Print)</p> <p>_____</p> <p>(Spouse)</p> <p>_____</p> <p>(Please Print)</p> <p>_____</p> <p>(Spouse)</p> <p>_____</p> <p>(Please Print)</p>
--	--

X State of ~~Kansas~~ Missouri)
County of Clay) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5th day of March, 2021

SANDY D. KIRKHAM
Notary Public-Notary Seal
STATE OF MISSOURI
Clinton County

Sandy D. Kirkham
Notary Public

My Commission Expires _____
My Commission Expires: July 9, 2022

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

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(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. 6869.

1. A change application was received on April 19, 2021 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than ---- feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 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.

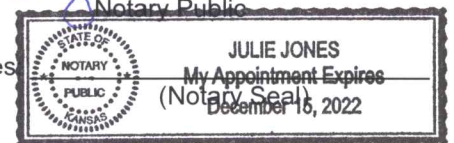
Administrative Appeal and Effective Date of Order

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 Designer of the Chief Engineer
(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: May 25, 2021
State of Kansas)
County of Finney) SS
Acknowledged before me on May 25, 2021
by Michael A. Meyer
Signature: Julie Jones
Notary Public
My commission expires _____



ADDITIONAL CONDITIONS TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS,
Water Right, File Nos. 6,869

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the following condition is included as a condition of the approval of this application for change in point of diversion.

This order effectively reduces the authorized maximum rate of diversion to a rate not to exceed 900 gallons per minute (2.00 c.f.s.) from the authorized point of diversion described herein.

By: Michael A. Meyer
(Duly Authorized Designee of the Chief Engineer)

(Print Name): Michael A. Meyer
Division of Water Resources Kansas Department of Agriculture

Dated of Issuance: May 25, 2021

State of Kansas)
County of Finney) SS

Acknowledged before me on the 25th day of May 2021

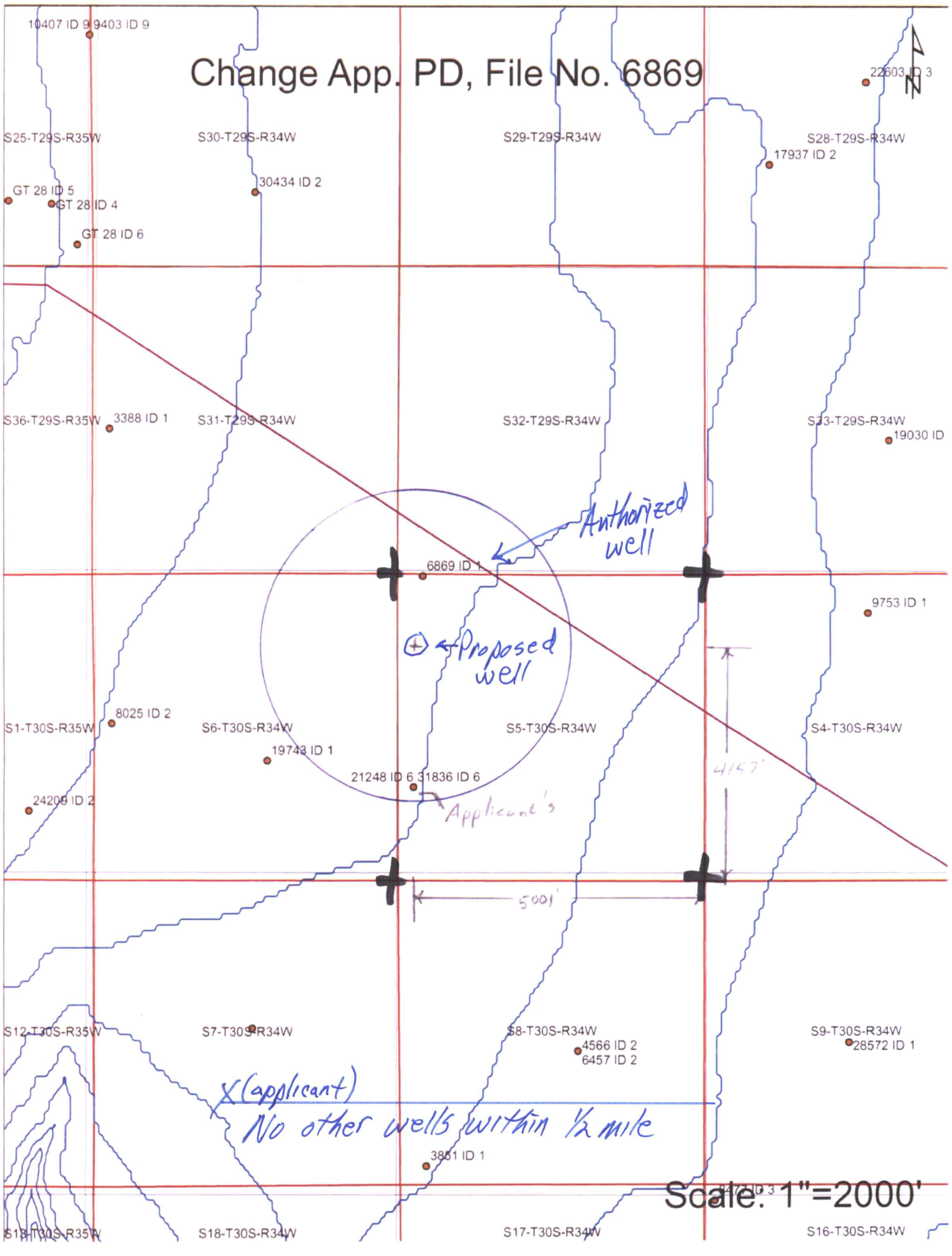
By Michael A. Meyer

Signature Julie Jones
Notary Public

My Commission expires:



Change App. PD, File No. 6869



William Patrick and Jeanette Rooney
PO Box 276
Satanta, KS 67870

May 17, 2021

Kansas Department of Agriculture
Division of Water Resources - Garden City Field Office
4532 W. Jones Ave, Suite B
Garden City, KS 67846

To whom it may concern,

In order to ease some of the concern raised in the matter of a change in point of diversion on WR 6869, we are providing an outline of the ownership and succession of the property involved. The two files that are relevant are 6869 and 21248. The current owner of 6869 is Rooney Ranch. Rooney Ranch is owned completely by W. Patrick and Jeanette Rooney and dissolves upon their death into the Rooney Legacy Trust. The current owner of 21248 is Rooney Properties, which is owned completely by W Patrick and Jeanette Rooney. The property will also move into the Rooney Legacy Trust upon the death of the owners. Bret Rooney is named as the trustee of the Rooney Legacy Trust and will have operational control of the properties thereafter.

The concern of possible effects that the change in point diversion of 6869 will have on 21248 is understood by the owners of the property. We are willing to accept the limitations set forth in the analysis provided by GMD3. Those limitations are understood to be a maximum rate 900 GPM and annual quantity of 1240 AF.

Thank you for you time and if there are any questions regarding this matter, please contact us.

Sincerely,



William Patrick Rooney

Jeanette Rooney



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MAY 19 2021

Garden City Field Office
Division of Water Resources

D. Engelhaupt
5/3/2021

This analysis of change in point of diversion, File No. 6,869

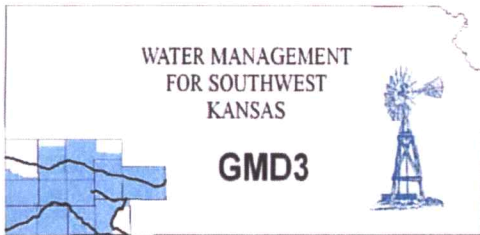
A fifty-year Theis analysis was used to evaluate the potential impacts of a change in point of diversion, File No. 6,869. The change proposes relocating one well approximately 2,300 feet east-northeast of its current location. The average projected 2066 transmissivity (1,372 ft²/day) and average saturated thickness (120 feet) from the GMD No. 3 groundwater model for Sections 5 and 6, Township 30 South, Range 34 West were used. The specific storage was assumed to be 10⁻⁵, which resulted in an assumed storage coefficient of 0.0012. Maximum drawdown at File No. 21,248 under the proposed pumping scenario was compared to the average pumping over the past ten years (318 acre-feet) at the current location at the recent pumping rate of 700 gallons per minute. With these assumptions the drawdown at File No. 21,248 increases by 90.7 feet, which is 75.6% of the projected saturated thickness (Table 1). If the proposed pump rate is reduced to 900 gallons per minute and the annual quantity is limited to 559 acre-feet the net drawdown increases by 24.0 feet, or 20.0% of the projected saturated thickness (Table 2).

Table 1: This analysis of drawdown at File No. 21,248; T = 1,372 ft²/day; S = 0.0012

Scenario	Distance (Feet)	Quantity (Acre-Feet)	Rate (GPM)	Drawdown (Feet)	Drawdown (%ST)
Proposed	2,530	1240	1925	123.6	103.0%
Baseline	3,648	318	700	32.9	27.4%
			Net:	90.7	75.6%

Table 2: This analysis of drawdown at File No. 21,248; T = 1,372 ft²/day; S = 0.0012

Scenario	Distance (Feet)	Quantity (Acre-Feet)	Rate (GPM)	Drawdown (Feet)	Drawdown (%ST)
Proposed	2,530	559	900	56.9	47.4%
Baseline	3,648	318	700	32.9	27.4%
			Net:	24.0	20.0%



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

April 20, 2021

Michael A. Meyer
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

RE: Applications for Change in Point of Diversion
Water Right, File No. 6869

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposed changes in points of diversion are 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 again 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 (2.5 ft in cases where saturated thickness is between 10-200 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.

not - Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed multiple neighboring wells exceeded the net effect above the maximum allowable threshold and required further evaluations. The main effects would be from the new proposed well would be to another well owned/operated by the applicant. The analysis shows that if that well was limited to a rate of 900gpm, the neighboring wells would no longer be considered critical. Our office did not receive any responses from the neighbor notices that were sent out. Therefore, GMD3 sees this move as reasonable and therefore recommend that the application be approved with the limitation on the new well. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

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

Sincerely,


Jason L. Norquest
Assistant Manager

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APR 20 2021

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 6869. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: William Patrick Rooney.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

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

Point of diversion ID No(s) 01 being changed.

	ft. North	ft. West	
Authorized PD	5240	5040	Sect 5-30-34
Proposed PD	4157	5001	
Difference	1083 s	39 e	
a2 + b2 = c2	1172889	1521	1083.702 foot move S

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name Farmers National Company %Cole Owens (19743).

Address PO Box 1834.

Zip Garden City, KS 67846.

Email: cowens@farmersnational.com. Phone: 620-276-4424.

Domestic well(s) notified: .

Name Bradley V Weeks (SE NE of 31).

Address PO Box 1.

Zip Satanta, KS 67870.

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

We assisted the applicant with the application.

6869 currently authorized 1240AF @ 1925gpm.

10 year average reported use: 317.6AF/year

Proposed move is move back to a well/test that was done in prior years.

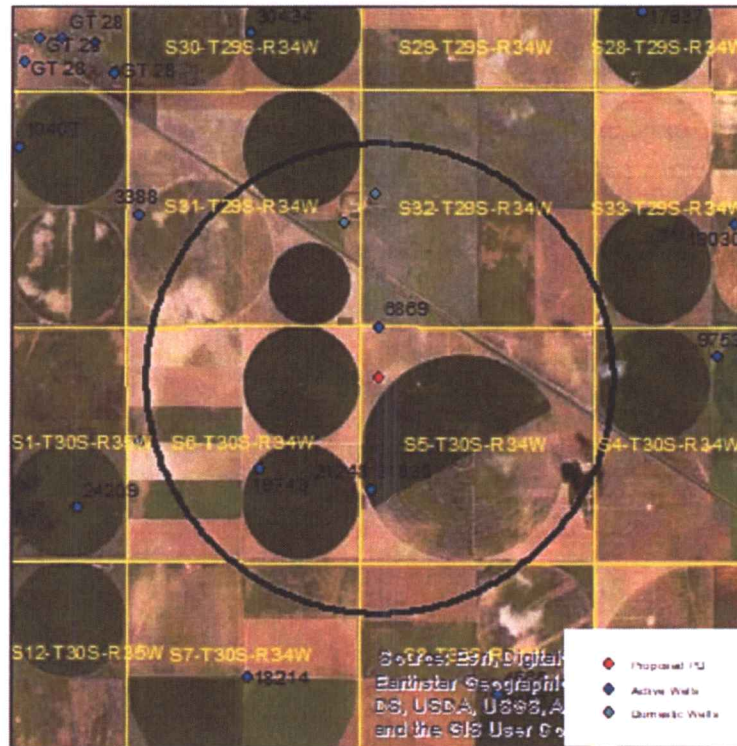
Is a waiver needed: Move less than half mile and minimum spacing appears met. No response from neighbor notices.

Recommendation: After review of all available information, it appears current area rules are met. Staff recommends approval of the application with the limitation of 1240AF @ 900gpm would mitigate effects to area wells. Should be noted that the well with the biggest effect is owned/operated by applicant.



Evaluation of proposed move for Water Right No 6869

Proposed: Move water right no. 6869 a distance of 1,122 ft to the south.



Wells within 1 mile: 212418 & 31836, 19743, a domestic well in section 31-29-34, and a domestic well in section 32-29-34.

The saturated thickness at the proposed well location is estimated to be 261 ft, based upon the driller's log and an observation well in section 5-30-34. For saturated thickness greater than 200 ft, the drawdown allowance is 4.0 ft. The saturated thickness in section 6-30-34 is estimated to be 189 ft, based upon the GMD3 model. For saturated thickness between 150 ft and 200 ft, the drawdown allowance is 3.5 ft.

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

$S = 0.2257$, $T = 13,985 \text{ ft}^2/\text{day}$, $tp_{\text{current}} = 157 \text{ days}$ (based upon average use and observed rate),
 $Q_{\text{current}} = 473 \text{ gpm}$ (based upon 2019 field inspection), $tp_{\text{proposed}} = 146 \text{ days}$, $Q_{\text{proposed}} = 1925 \text{ gpm}$

Theis drawdowns were calculated as follows:

212418 & 31836: Drawdown from current location = 1.33 ft
Drawdown from proposed location = 6.27 ft
Net drawdown = **4.9 ft**

19743: Drawdown from current location = 1.23 ft
Drawdown from proposed location = 5.32ft
Net drawdown = **4.1 ft**

Domestic 31-29-34: Drawdown from current location = 1.66 ft
Drawdown from proposed location = 5.18 ft
Net drawdown = **3.5 ft**

Domestic 32-29-34: Drawdown from current location = 1.49 ft
Drawdown from proposed location = 5.18 ft
Net drawdown = **3.7 ft**

Net drawdown exceeds the drawdown allowance for water right numbers 212418 & 31836 and 19743.
Critical well analysis is necessary on those wells.

Critical Well Evaluation:

212418 & 31836:

Water Column = 261 ft

DP = 4.93 ft

DE = 51.8 ft (Water level decline from 2020 through 2045 based upon GMD3 model)

DD = 30.4 ft (S = 0.2257, T = 104,609 gpd/ft, Q = 1179 gpm, tp = 103 days, efficiency = 70%)

DT = 87 ft

Economic Drawdown Constraint (EDC) = 261 ft * 0.4 = 104 ft

Physical Drawdown Constraint (PDC) = 261 ft – 60 ft = 201 ft

Total drawdown (87 ft) is less than both the EDC and PDC, so the well is **not critical**.

19743:

Water Column = 189 ft

DP = 4.09 ft

DE = 55.4 ft

DD = 46.53 ft (S = 0.2297, T = 73,103 gpd/ft, Q = 1303 gpm, tp = 88 days, efficiency = 70%)

DT = 106 ft

Economic Drawdown Constraint (EDC) = 189 ft * 0.4 = 75.6 ft

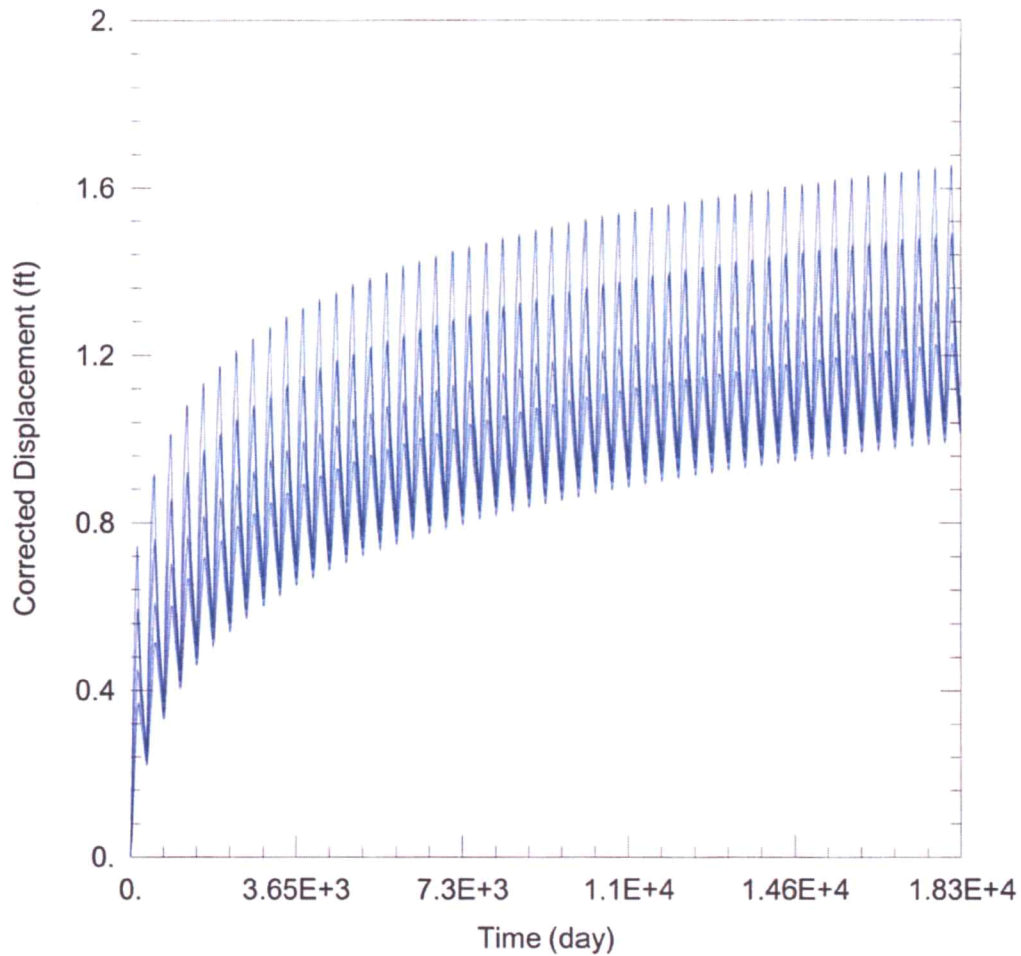
Physical Drawdown Constraint (PDC) = 189 ft – 60 ft = 129 ft

Total drawdown (106 ft) is greater than the EDC, so the well is **critical**.

Conclusion:

This move as proposed is likely to cause a noticeable effect on a nearby critical well. In order to prevent future impairment, GMD3 staff recommends limiting the applicant to a rate of 900 gpm and an annual quantity of 1240 AF from the proposed well location. This would create the following net effects at neighboring critical wells:

212418 & 31836:	Net Drawdown = 3.9 ft
19743:	Net Drawdown = 3.5 ft
Domestic 31-29-34:	Net Drawdown = 3.0 ft
Domestic 32-29-34:	Net Drawdown = 2.8 ft



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\6869\6869 Current.aqt

Date: 01/21/21

Time: 16:12:57

PROJECT INFORMATION

Company: GMD 3

Project: 6869

Location: Haskell County

Test Well: 6869

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
6869	-78519	218549

Observation Wells

Well Name	X (ft)	Y (ft)
□	-78519	218549
□ 21248 & 31836	-78677	214905
□ 19743	-81206	215368
□ Domestic 31-29-34	-79268	220897
□ Domestic 32-29-34	-78603	221559

SOLUTION

Aquifer Model: Unconfined

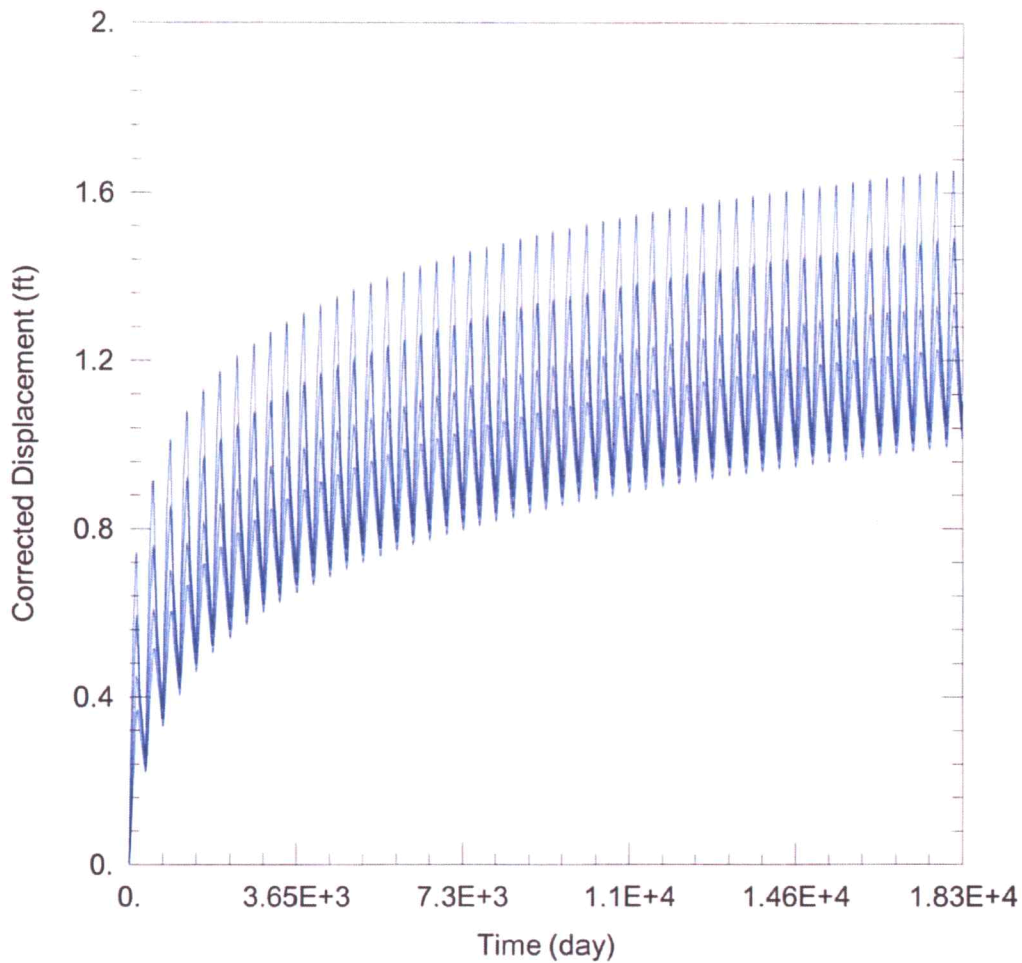
Solution Method: Theis

T = 1.399E+4 ft²/day

S = 0.2257

Kz/Kr = 1.

b = 138. ft



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\6869\6869 Proposed.aqt
 Date: 01/21/21 Time: 16:13:04

PROJECT INFORMATION

Company: GMD 3
 Project: 6869
 Location: Haskell County
 Test Well: 6869

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
6869	-78519	218549	□	-78519	218549
			□ 21248 & 31836	-78677	214905
			□ 19743	-81206	215368
			□ Domestic 31-29-34	-79268	220897
			□ Domestic 32-29-34	-78603	221559

SOLUTION

Aquifer Model: Unconfined
 $T = 1.399E+4 \text{ ft}^2/\text{day}$
 $Kz/Kr = 1.$

Solution Method: Theis
 $S = 0.2257$
 $b = 138. \text{ ft}$

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

April 20, 2021

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

Re: Water Right, File No. 6869

Dear Mr. Norquest:

This is to advise you that William Patrick Rooney, 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 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,

Michael A. Meyer
Water Commissioner

MAM
Enclosures