

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

| | | | | |
|---------------------------------|--|-----------------------------|------------------------------|---------------------|
| 1. File Number: 14856 | 2. Status Change Date: 9-27-2023 | 3. Change Num: C1 | 4. Field Office: 4 | 5. GMD: 3 |
|---------------------------------|--|-----------------------------|------------------------------|---------------------|

| | |
|--|---|
| 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: 9/14/2023 |
|--|---|

| | |
|--|--|
| 8a. Landowner, New to system <input type="checkbox"/> ROCKING T RANCH LLC 2670 D RD RISING CITY, NE 68658-3857 | 8c. Landowner(s), New to system <input type="checkbox"/> Person ID <u>64933</u> Add Seq# _____ |
|--|--|

| | |
|---|---|
| 8b. Landowner(s), New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ | 8d. WUC, New to system <input type="checkbox"/> CIRCLE LAND & CATTLE CORPORATION PO BOX 369 HOLCOMB, KS 67851 |
|---|---|

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2023** N & P Date to Comply: **12/31/2024**

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: **9/27/2023** By: **MAM**
 Date Entered: _____ By: _____

File No. **14856** 11. County: FI Basin: ARK RIVER Stream: Formation Code: 211 Special Use:

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

DEL 5078

| | | | | | | | | | | | | | | |
|------------|---------------|-----------|-----------|------------|------------|-------------|--|--|--|------------|------------|------------|------------|-------------|
| ENT | SWSWSE | 24 | 25 | 32W | 552 | 2366 | | | | 935 | 252 | 935 | 252 | NONE |
|------------|---------------|-----------|-----------|------------|------------|-------------|--|--|--|------------|------------|------------|------------|-------------|

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

14. Limitation: _____ af/ 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 3388 | | | | | | | | | | | | | | | | | | | | | | | | | | |
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Base Acres: **126** Year: Minimum Reasonable Quantity:
 Comments:

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



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

Mike Beam, Secretary

Laura Kelly, Governor

September 27, 2023

CIRCLE LAND & CATTLE CORPORATION
PO BOX 369
HOLCOMB, KS 67851

RE: Field Office Application for Change
Water Right, File No. 14856

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 these approvals for change. A condition of these approvals 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.

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: Rocking T Ranch LLC
GMD3

CERTIFICATE OF SERVICE

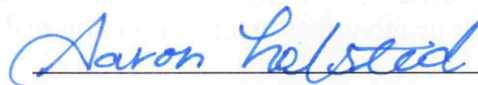
On this 27th day of September 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 14,856 dated 27th day of September 2023 was mailed postage prepaid, first class, US mail to the following:

CIRCLE LAND & CATTLE CORPORATION
PO BOX 369
HOLCOMB, KS 67851

pc:

ROCKING T RANCH LLC
2670 D RD
RISING CITY, NE 68658-3857

GMD3



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.

RECEIVED
 1:00 pm
 SEP 14 2023

File No. 14856

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: Circle Land and Cattle Corporation

PO Box 369, Holcomb, KS 67851

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: same as above

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: _____

ADDRESS: _____

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

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

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

Owner of Land ---- NAME: _____

ADDRESS: _____

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

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

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 9-14-23 Check # 1981

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC _____ Quarter of the _____ SE _____ Quarter
 of Section _____ 24 _____, Township _____ 25 _____ South, Range _____ 32 _____ W,
 in Finney County, Kansas, 1155 feet North 1255 feet West of Southeast corner of section.
 Authorized Rate 935 gpm Authorized Quantity 252 AF Depth of well 360 (feet)
(DWR use only: Computer ID No. 1 GPS 1200 feet North 1312 feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the SW Quarter of the SW Quarter of the SE Quarter
 of Section _____ 24 _____, Township _____ 25 _____ South, Range _____ 32 _____ W,
 in Finney County, Kansas, 552 feet North 2366 feet West of Southeast corner of section.
 Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) 340
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (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 _____ (W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

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

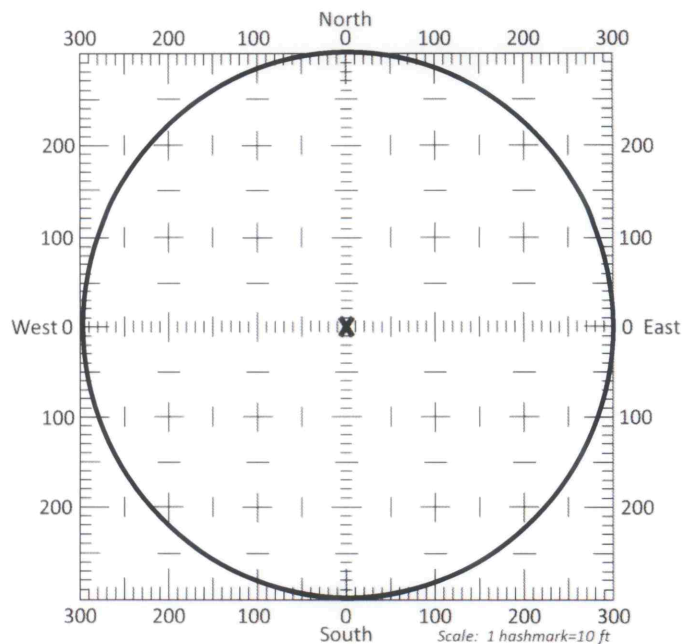
9. The change(s) (was)(will be) completed by?
As soon as possible

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug
 (b) When will this be done? As soon as possible

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by CI, 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 Rising City, ^{NEBRASKA} Kansas, this 6th day of SEPTEMBER, 20 23.

[Signature]
(Owner)

(Spouse)

Tom Tuls
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of ~~Kansas~~ NEBRASKA }
County of BUTLER } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6th day of SEPTEMBER, 20 23.



Teresa L. Andel
Notary Public

My Commission Expires JANUARY 24, 2025.

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. 14856

1. A change application was received on September 14, 2023 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, 2023**, 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, 2023**, or within any authorized extension of time. By March 1, 2024 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11. Additional Conditions are attached. Yes No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

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

For Use by Register of Deeds

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

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

(Print Name): MICHAEL A. MEYER
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: September 27, 2023

State of Kansas)
) SS

County of Linney)

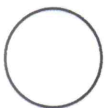
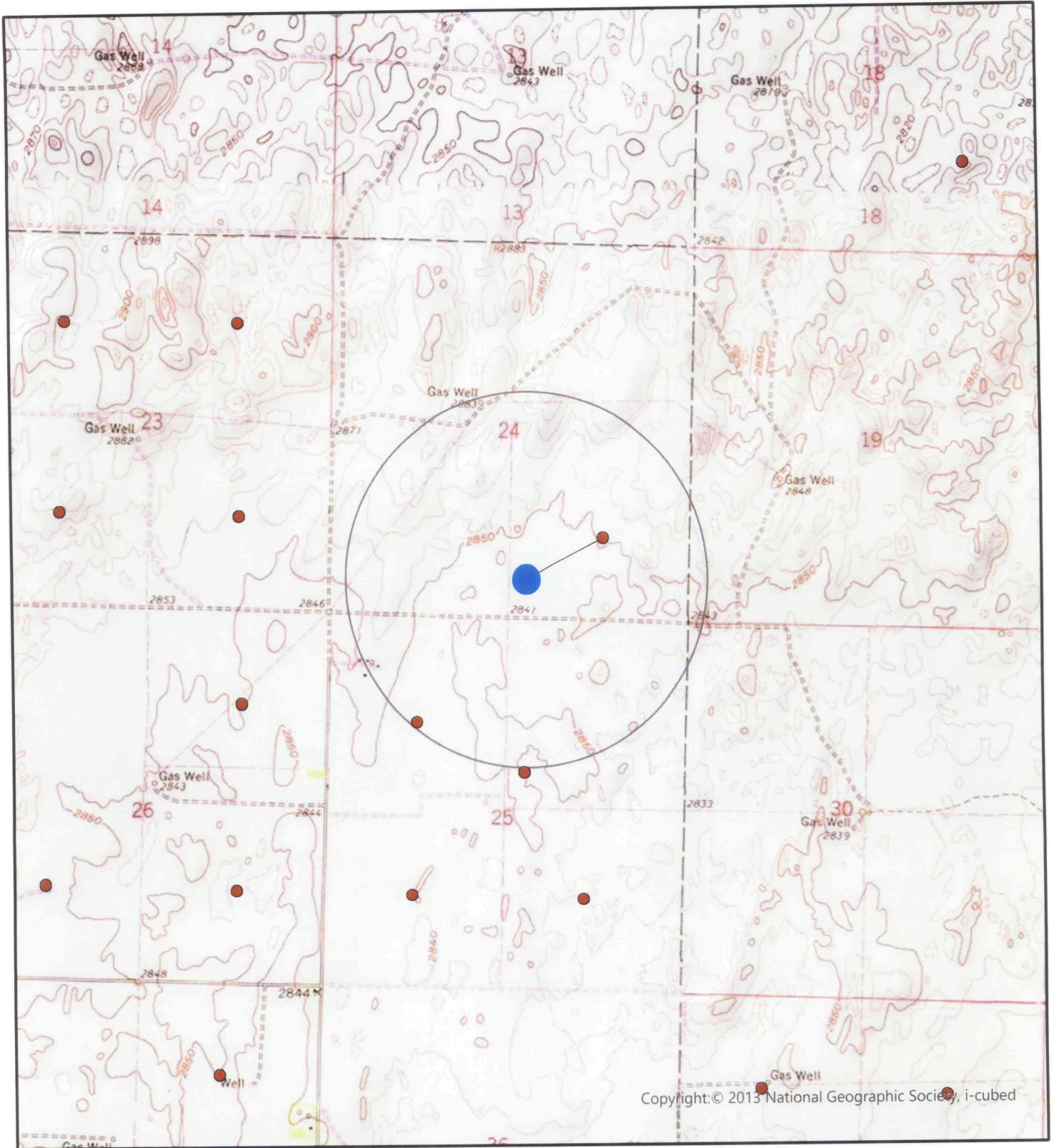
Acknowledged before me on September 27, 23
 by Michael A. Meyer

Signature: Aaron Holsted

My commission expires: _____
 (Notary Sept, 2027)



WR 14856 Change in Point of Diversion



1/2 Mile from Proposed Well



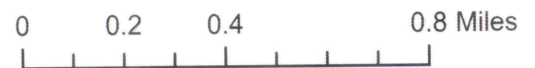
Existing Well



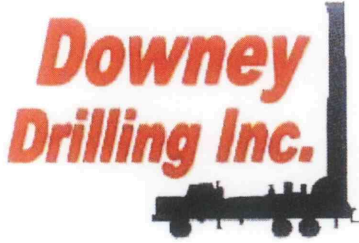
Proposed Well

All wells within 1/2 mile are shown.

X _____



Created By: CI/GCFO



CUSTOMER NAME: TRINITY FEEDYARD

TH#1

LEGAL: SE 24-25S-32W

COUNTY: FINNEY CO, KS

GPS: 37.859753

-100.782435

DRILLER: DIEGO

WO: 23-665

| V | FROM | TO | TYPE | HARDNESS | COLOR | SPEED | PULL DOWN | OTHER / DRILLING ACTION |
|---|------|-----|--|----------|------------|-----------|-----------|-------------------------|
| | 0 | 4 | SURFACE SAND | SOFT | DARK BROWN | FAST | | SMOOTH |
| | 4 | 15 | BROWN SILTY CLAY | SOFT | DARK BROWN | FAST | | SMOOTH |
| | 15 | 24 | FINE-MED-COARSE SAND | FIRM | | FAST | | FAST CHATTER |
| | 24 | 35 | SANDY CLAY | SOFT | TAN | FAST | | SMOOTH |
| | 35 | 50 | FINE-MED-COARSE SAND | FIRM | | FAST | | FAST CHATTER |
| | 50 | 68 | FINE-MED GRAVEL W/ FINE-MED-COARSE SAND | FIRM | | FAST | | CHATTER |
| | 68 | 77 | SANDY CLAY | SOFT | TAN | FAST | | SMOOTH |
| | 77 | 84 | FINE-MED-COARSE GRAVEL | HARD | | SEMI SLOW | | CHATTER |
| | 84 | 128 | FINE-MED GRAVEL | STIFF | | FAST | | CHATTER |
| | 128 | 141 | SANDY CLAY | SOFT | TAN | FAST | | SMOOTH |
| | 141 | 145 | CEMENTED SAND | STIFF | WHITE | SLOW | | CHATTER |
| | 145 | 181 | FINE-MED-COARSE SAND W/ LIME ROCK | FIRM | WHITE | FAST | | FAST CHATTER |
| | 181 | 192 | SANDY CLAY | SOFT | TAN | FAST | | SMOOTH |
| | 192 | 209 | FINE-MED-COARSE SAND | FIRM | | FAST | | FAST CHATTER |
| | 209 | 225 | WHITE SANDY CLAY | SOFT | WHITE | SLOW | | SMOOTH |
| | 225 | 240 | BROWN CLAY W/ FINE SAND | SOFT | BROWN | FAST | | SMOOTH & VIBRATION |
| | 240 | 253 | FINE-MED SAND | SOFT | | FAST | | CHOPPY |
| | 253 | 259 | LIME ROCK W/ WHITE SANDY CLAY | STIFF | WHITE | FAST | | CHOPPY & SMOOTH |
| | 259 | 290 | FINE SAND W/ BROWN CLAY LEDGES | SOFT | BROWN | FAST | | VIBRATION |
| | 290 | 321 | FINE-MED-COARSE SAND W/ BROWN ROCK & SANDSTONE | FIRM | BROWN | FAST | | FAST CHATTER |
| | 321 | 340 | SHALE | SOFT | BLUE | VERY SLOW | | SMOOTH |
| | | | QG - 3 | | | | | |
| | | | WATER LOADS - 1 | | | | | |
| | | | SA - 1/4 | | | | | |
| | | | HOLE PLUG - 2 | | | | | |
| | | | CS - 1 | | | | | |



Century GEOPHYSICAL CORP.

TRINITY FEEDYARD

COMPANY : DOWNEY DRILLING INC
WELL : TRINITY FEEDYAR
LOCATION/FIELD : TH#1
COUNTY : FINNEY
LOCATION : SE
SECTION : 24

OTHER SERVICES:

TOWNSHIP : 25S RANGE : 32W

DATE : 08/15/23
DEPTH DRILLER : 340
LOG BOTTOM : 341.40
LOG TOP : 0.90

PERMANENT DATUM : GL

LOG MEASURED FROM: GL
DRL MEASURED FROM: GL

KB :
DF :
GL :

CASING DIAMETER : 10.
CASING TYPE :
CASING THICKNESS:

LOGGING UNIT : 1903
FIELD OFFICE : DDI
RECORDED BY : DIEGO

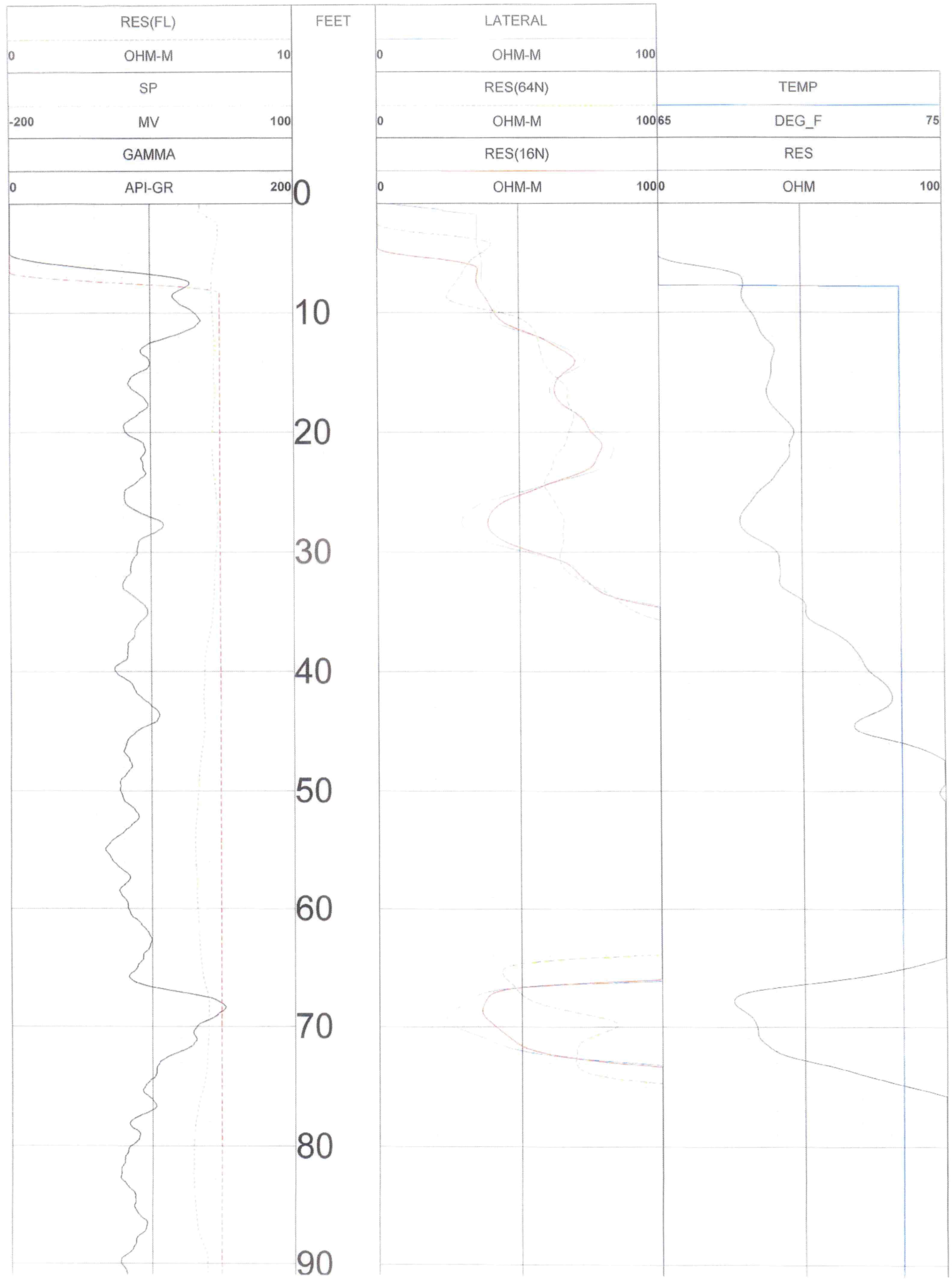
BIT SIZE : 6.25 "
MAGNETIC DECL. : 0
MATRIX DENSITY : 2.71
NEUTRON MATRIX : LIMESTON

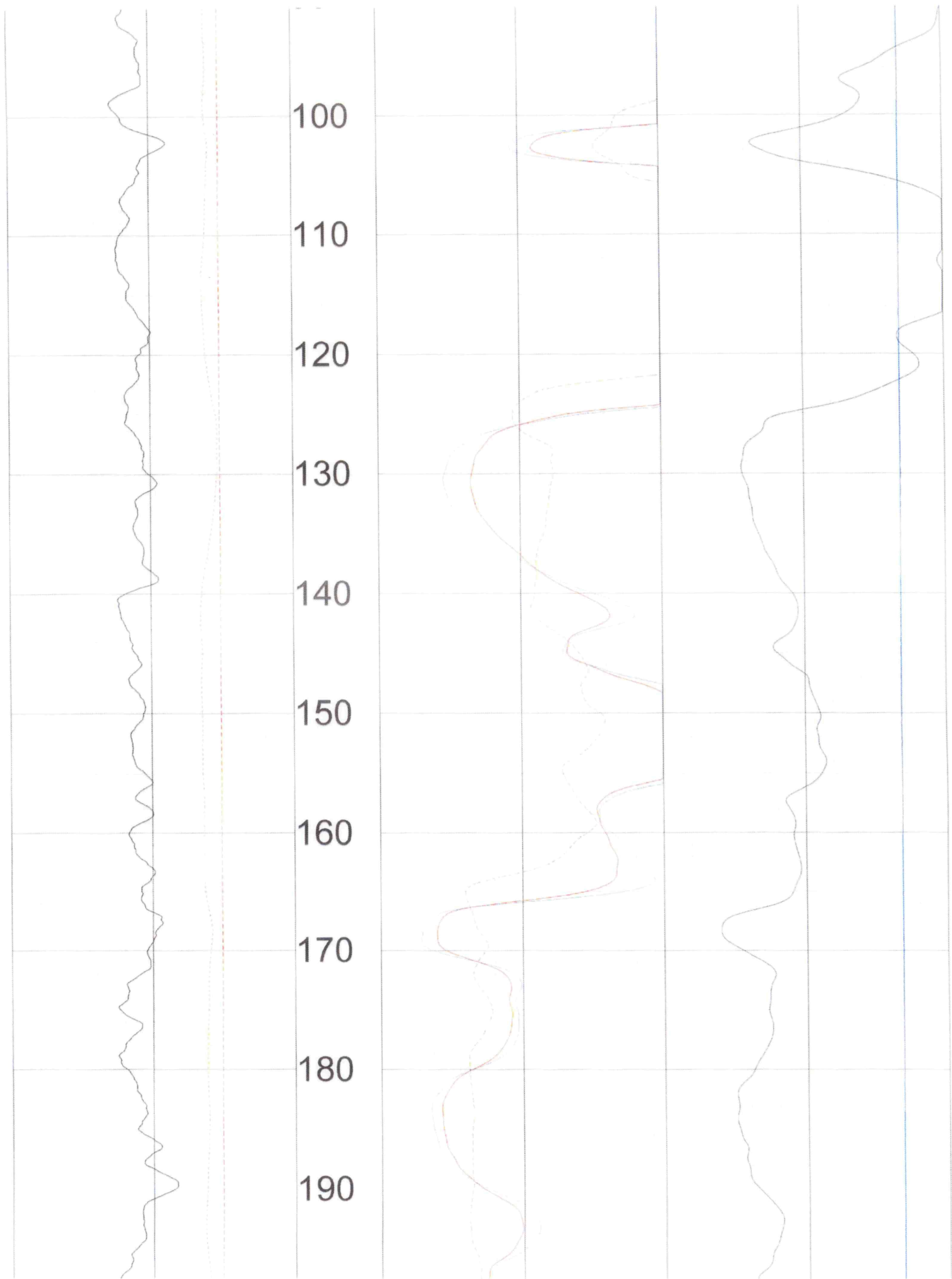
BOREHOLE FLUID : MUD
RM :
RM TEMPERATURE :
MATRIX DELTA T : 49

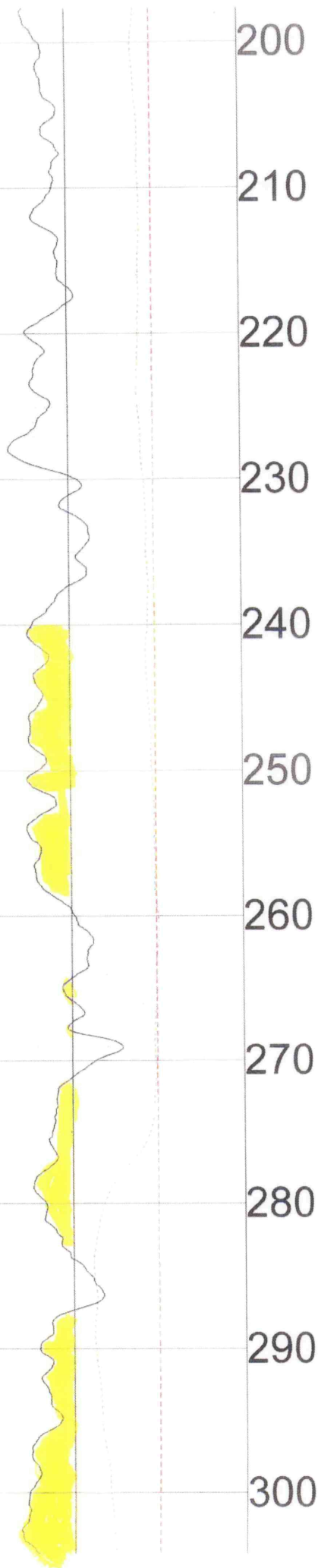
FILE : ORIGINAL
TYPE : 8144A
LGDATE: 08/15/23
LGTIME : 13:44:
THRESH: 99999

N 37.85975
W -100.78243

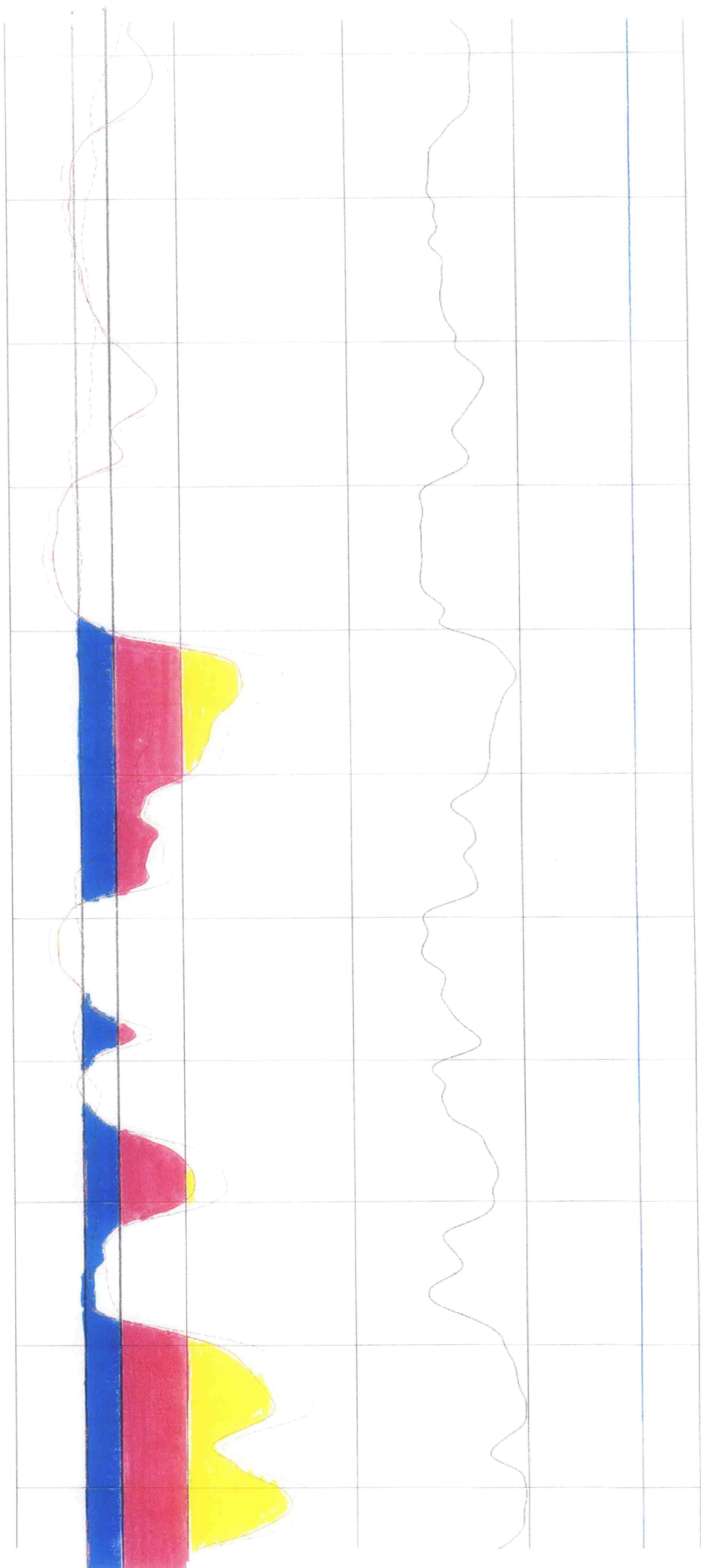
ALL SERVICES PROVIDED SUBJECT TO STANDARD TERMS AND CONDITIONS

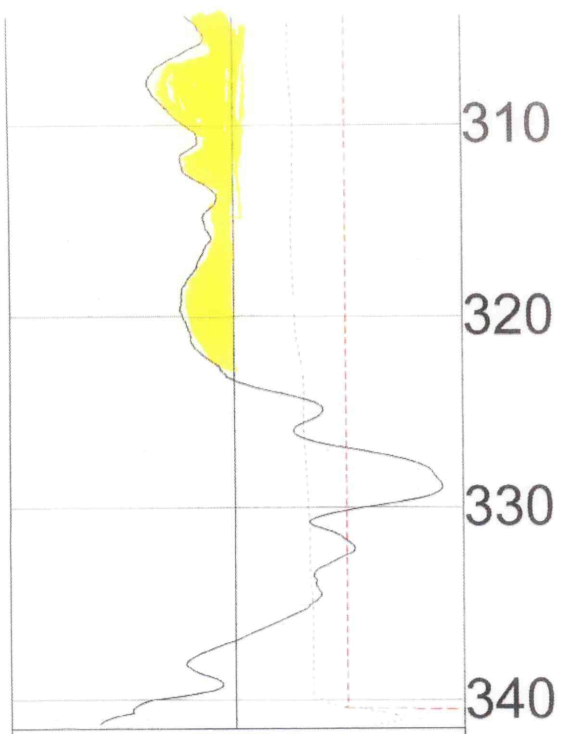






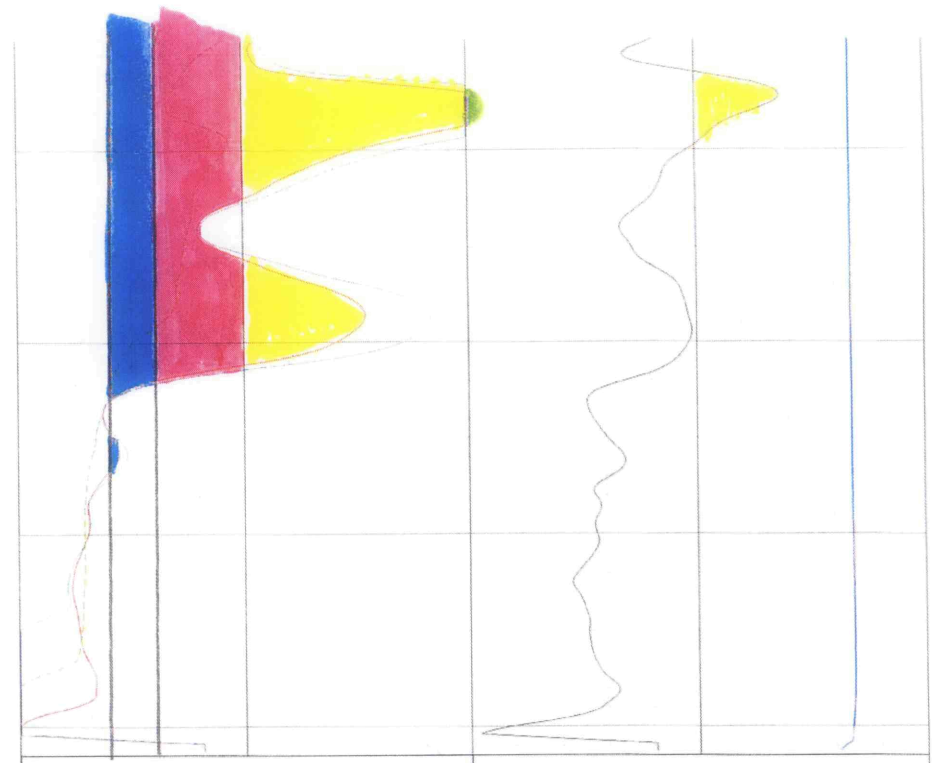
200
210
220
230
240
250
260
270
280
290
300





| | | |
|------|---------|-----|
| 0 | API-GR | 200 |
| | GAMMA | |
| -200 | MV | 100 |
| | SP | |
| 0 | OHM-M | 10 |
| | RES(FL) | |

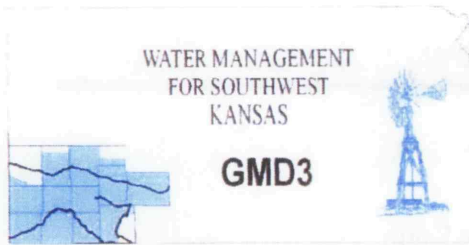
FEET



| | | | | |
|---|----------|-------|-------|-----|
| 0 | OHM-M | 1000 | OHM | 100 |
| | RES(16N) | | RES | |
| 0 | OHM-M | 10065 | DEG_F | 75 |
| | RES(64N) | | TEMP | |
| 0 | OHM-M | 100 | | |
| | LATERAL | | | |

TOOL CALIBRATION TRINITY FEEDYARD 08/15/23 13:44
 TOOL 8144A TM VERSION 1
 SERIAL NUMBER 365

| | DATE | TIME | SENSOR | STANDARD | RESPONSE | |
|---|----------|----------|----------|-------------------|------------|-------|
| 1 | Feb08,18 | 07:51:35 | GAMMA | 1.000 [API-GR] | 4.000 | [CPS] |
| | Feb08,18 | 07:51:35 | GAMMA | 340.000 [API-GR] | 290.000 | [CPS] |
| 2 | Jul12,17 | 13:24:17 | RES(FL) | 1.330 [OHM-M] | 7595.000 | [CPS] |
| | Jul12,17 | 13:24:17 | RES(FL) | 42.700 [OHM-M] | 64820.000 | [CPS] |
| 3 | May18,23 | 15:57:16 | SP | 0.000 [MV] | 327729.000 | [CPS] |
| | May18,23 | 15:57:16 | SP | 350.000 [MV] | 155368.000 | [CPS] |
| 4 | May18,23 | 15:54:50 | RES(16N) | 0.000 [OHM-M] | 3400.000 | [CPS] |
| | May18,23 | 15:54:50 | RES(16N) | 1956.000 [OHM-M] | 448017.000 | [CPS] |
| 5 | May18,23 | 15:56:27 | RES(64N) | 0.000 [OHM-M] | 3000.000 | [CPS] |
| | May18,23 | 15:56:27 | RES(64N) | 1991.800 [OHM-M] | 446675.000 | [CPS] |
| 6 | Jul12,17 | 13:17:49 | TEMP | 33.400 [DEG_F] | 66910.000 | [CPS] |
| | Jul12,17 | 13:17:49 | TEMP | 102.200 [DEG_F] | 270930.000 | [CPS] |
| 7 | May18,23 | 15:55:41 | RES | 0.000 [OHM] | 21264.000 | [CPS] |
| | May18,23 | 15:55:41 | RES | 945.000 [OHM] | 190131.000 | [CPS] |



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

September 27, 2023

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

RE: Application for Change in Points of Diversion
Water Right, File No. 14856

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 minimum spacing to neighboring wells and distance moved.

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 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 with saturated thickness is between 150-200ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that none of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed no further evaluation. No critical wells were determined in the area. We did not receive any comments from neighboring well owners. Therefore, GMD3 sees this move as meeting current area rules and would recommend approval. 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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SEP 27 2023

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 14856 DWR office: GC

App filed to change: PD

Is Landowner(s) correct in WRIS: Circle Land & Cattle Corp

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?

If NO, is documentation included?

Regulation(s) Reviewed: KAR

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

| | ft. North | ft. West | |
|---------------|-----------|----------|-----------------------|
| Authorized PD | 1155 | 1255 | Sect 24-25-32 |
| Proposed PD | 552 | 2366 | |
| Difference | 603 s | -1111 w | |
| a2 + b2 = c2 | 363609 | 1234321 | 1264.093 foot move SW |

GPS for proposed PD: Lat: 37.859753 Long: -100.782435

Is proposed PD stacking on existing WRs? No

Is Proposed PU overlapping existing WRs? No Change

Neighboring certified well(s) notified:

Name DDR Farm LLC %Donna Lightner (6844 B, 22571, 23059)

Address 2501 E Pawnee RD

Zip Garden City, KS 67846

Email: donna.lightner@cox.net Phone: 620-287-5619

Name James L & Sidni Staley (12226)

Address 8430 S County Road 15

Zip Garden City, KS 67846

Email: jimstaley52@icloud.com Phone: 620-271-8747

Name RF Let It Ride LLC (14855)

Address 11480 S Beefland RD

Zip Garden City, KS 67846

Email: glightner57@gmail.com Phone: 620-271-3866

Domestic well(s) notified:

Name Deanne Koehn Living Trust (NW sect 25)

Address 108 Sagebrush Ln

Zip Montezuma, KS 67867-6500

Base Acres:

Perfected Acres:

Irr. Return-Flow %

GMD3 Change Review

Finney County

14856 authorized: 252gpm @ 935gpm

Active in WCA

Avg. reported use (2013-2022): 192.4AF/year

600gpm reported on 2016 WUR

No log on current well.

Proposed depth 340'

2022 GMD3 inspection calculated 218gpm

Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears to be met. Analysis shows possible effects well within limits, no critical wells.

Recommendation: After review of all available information, it appears current area rules are met. Staff therefore recommends approval of the application.



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Division of Water Resources

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

552 Feet N and 2366 Feet W of the Southeast Corner of Section 24 Twp 25S Rng 32W
 Located at: 100.782436 West Longitude and 37.859754 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__ 6844 B | IRR | NK | G | 4760 | ← | -- | NC | SW | 1320 | 3960 | 25 | 25 | 32W | 1 | | 450.00 | 450.00 |
| AF | | | | | | | | | | | | | | | | | |
| A__ 12161 00 | IRR | NK | G | 4311 | ← | -- | NC | SE | 1305 | 1320 | 23 | 25 | 32W | 1 | | 252.00 | 252.00 |
| AF | | | | | | | | | | | | | | | | | |
| A__ 12226 00 | IRR | NK | G | 4567 | ← | NW | SE | NE | 3940 | 1225 | 26 | 25 | 32W | 5 | | 252.00 | 252.00 |
| AF | | | | | | | | | | | | | | | | | |
| A__ 14855 00 | IRR | NK | G | 4624 | -- | -- | NC | SE | 1295 | 1320 | 25 | 25 | 32W | 2 | | 252.00 | 252.00 |
| AF | | | | | | | | | | | | | | | | | |
| A__ 14856 00 | IRR | NK | G* | 1261 | ← | -- | NC | SE | 1155 | 1255 | 24 | 25 | 32W | 1 | | 252.00 | 252.00 |
| AF | | | | | | | | | | | | | | | | | |
| A__ 22571 00 | IRR | NK | G | 2722 | ← | SW | SW | NE | 3080 | 2325 | 25 | 25 | 32W | 5 | | 272.00 | 272.00 |
| AF | | | | | | | | | | | | | | | | | |
| A__ 23059 00 | IRR | NK | G | 2586 | ← | NW | SE | NW | 3776 | 3947 | 25 | 25 | 32W | 6 | | 190.00 | 190.00 |
| AF | | | | | | | | | | | | | | | | | |
| P__ 20230001 00 | IRR | GY | G | 4311 | ← | -- | NC | SE | 1305 | 1320 | 23 | 25 | 32W | 1 | | 10.00 | 10.00 |
| AF | | | | | | | | | | | | | | | | | |

| Total Net Quantities Authorized: | Direct | Storage |
|----------------------------------|---------|---------|
| Total Requested Amount (AF) = | .00 | .00 |
| Total Permitted Amount (AF) = | 10.00 | .00 |
| Total Inspected Amount (AF) = | .00 | .00 |
| Total Pro_Cert Amount (AF) = | .00 | .00 |
| Total Certified Amount (AF) = | 1920.00 | .00 |
| Total Vested Amount (AF) = | .00 | .00 |
| TOTAL AMOUNT (AF) = | 1930.00 | .00 |

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

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

552 Feet North and 2366 Feet West of the Southeast Corner of Section 24 Twp 25S Rng 32W
 Located at: 100.782436 West Longitude and 37.859754 North Latitude
 Both SURFACE WATER and GROUNDWATER
 WATER USE CORRESPONDENTS:

File Number Use ST SR

- > DDR FARM LLC
- > DONNA LIGHTNER
- > 2501 E PAWNEE RD
- > GARDEN CITY KS 67846

68114

- > CIRCLE LAND & CATTLE CORPORATION
- > PO BOX 369
- > HOLCOMB KS 67851

12161

- > JAMES L & SIDNI STALEY
- > 8430 S COUNTY ROAD 15
- > GARDEN CITY KS 67846

12226

- > R F LET IT RIDE LLC

Evaluation of proposed move for Water Right No. 14856

Proposed: Move water right no. 14856 to a new well location, a distance of 1,261 ft to the southwest.



Wells within 1 mile: 12161, 12226, 23059, 6844, 22571, 14855, and six domestic wells, numbered on the above map.

The saturated thickness at the proposed well location is estimated to be 153 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:

$S = 0.2079$, $T = 5165 \text{ ft}^2/\text{day}$, $tp_{\text{current}} = 200 \text{ days}$ (based on average use and observed rate),
 $Q_{\text{current}} = 218 \text{ gpm}$ (based on 2022 field inspection), $tp_{\text{proposed}} = 61 \text{ days}$, $Q_{\text{proposed}} = 935 \text{ gpm}$

Theis drawdowns were calculated as follows:

12161: Drawdown from current location = 1.29 ft

Drawdown from proposed location = 1.94 ft

Net drawdown = **0.6 ft**

12226: Drawdown from current location = 1.23 ft

Drawdown from proposed location = 1.88 ft

Net drawdown = **0.7 ft**

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23059: Drawdown from current location = 1.58 ft
Drawdown from proposed location = 2.73 ft
Net drawdown = **1.1 ft**

6844: Drawdown from current location = 1.23 ft
Drawdown from proposed location = 1.83 ft
Net drawdown = **0.6 ft**

22571: Drawdown from current location = 1.64 ft
Drawdown from proposed location = 2.61 ft
Net drawdown = **1.0 ft**

14855: Drawdown from current location = 1.32 ft
Drawdown from proposed location = 1.87 ft
Net drawdown = **0.5 ft**

Domestic 1: Drawdown from current location = 1.44 ft
Drawdown from proposed location = 2.33 ft
Net drawdown = **0.9 ft**

Domestic 2: Drawdown from current location = 1.96 ft
Drawdown from proposed location = 2.77 ft
Net drawdown = **0.8 ft**

Domestic 3: Drawdown from current location = 1.53 ft
Drawdown from proposed location = 1.73 ft
Net drawdown = **0.2 ft**

Domestic 4: Drawdown from current location = 1.61 ft
Drawdown from proposed location = 2.86 ft
Net drawdown = **1.3 ft**

Domestic 5: Drawdown from current location = 1.68 ft
Drawdown from proposed location = 3.21 ft
Net drawdown = **1.5 ft**

Domestic 6: Drawdown from current location = 1.71 ft
 Drawdown from proposed location = 1.99 ft
 Net drawdown = 0.3 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 appears unlikely to cause impairment. Any concerned neighbors should contact GMD3 at (620) 275-7147 or the Division of Water Resources at (620) 276-2901.

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Garden City Field Office
Division of Water Resources

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



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

Mike Beam, Secretary

Laura Kelly, Governor

September 14, 2023

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

Re: Request for Recommendation
Water Right, File No. 14856

Dear Mr. Norquest:

This is to advise you that Circle Land and Cattle Corp 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,

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

Michael A. Meyer
Water Commissioner

MAM
Enclosures