

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

1. File Number: 22023	2. Status Change Date: <i>2-27-2023</i>	3. Change Num: C1	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: 2/10/2023
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8a. Applicant(s), WUC New to system <input type="checkbox"/> L H & THAIS J BROWN PO BOX 126 PLAINS, KS 67869-0126	8c. Landowner(s) New to system <input type="checkbox"/> 8a
Person ID <u>404741</u> Add Seq# _____	Person ID _____ Add Seq# _____

8b. Landowner(s) New to system <input type="checkbox"/> THELMA JEAN LAMBERT LIVING TR 19115 ROAD P KISMET, KS 67859-6033	8d. WUC New to system <input type="checkbox"/>
Person ID <u>64705</u> Add Seq# _____	Person ID _____ Add Seq# _____

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2023 N & P Date to Comply: 3/1/2024

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: **2/27/2023** By: **MAM**
 Date Entered: _____ By: _____

File No. **22023**

11. County: SW

Basin: **CIMARRON RIVER**

Stream:

Formation Code: **331**

Special Use: **211/331**

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 9903

ENT NWNWNW 32 31 32W 5003 5204 1000 320 1000 320 NONE

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

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

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	13116																								
CHK	25039																								

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

February 27, 2023

L H & THAIS J BROWN
PO BOX 126
PLAINS, KS 67869-0126

RE: Field Office Application for Change
Water Right, File No. 22023

Dear Sir or Madam:

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

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: Thelma Jean Lambert Living Trust (with enclosures)
GMD3

CERTIFICATE OF SERVICE

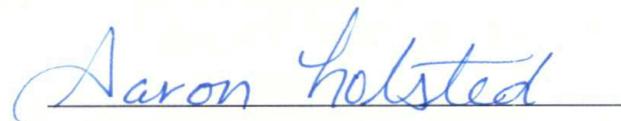
On this 27th day of February 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 22,023 dated 22th day of February 2023 was mailed postage prepaid, first class, US mail to the following:

L H & THAIS J BROWN
PO BOX 126
PLAINS, KS 67869-0126

pc:

THELMA JEAN LAMBERT LIVING TR
19115 ROAD P
KISMET, KS 67859-6033

GMD3

A handwritten signature in blue ink that reads "Aaron Holsted". The signature is written in a cursive style and is positioned above a horizontal line.

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. 22023

RECEIVED
 1:40
 FEB 10 2023

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: L H BROWN

PO BOX 126, PLAINS KS 67869

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: SAME NO CHANGE

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: 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	

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 2-10-23 Check # 4229

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ CE Quarter of the _____ NE Quarter
 of Section _____ 31 _____, Township _____ 31 _____ South, Range _____ 32 _____ W,
 in SW _____ County, Kansas, _____ 4090 _____ feet North _____ 50 _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ 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 _____ NW Quarter
 of Section _____ 32 _____, Township _____ 31 _____ South, Range _____ 32 _____ W,
 in SW _____ County, Kansas, _____ 5003 _____ feet North _____ 5204 _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____ 560 _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

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

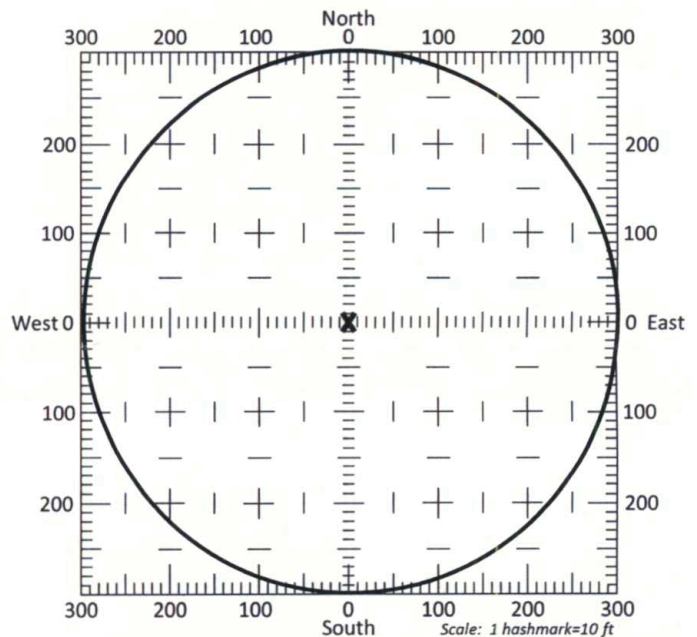
9. The change(s) (was)(will be) completed by?
ASAP

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? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by MM

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 Plains, Kansas, this 6th day of February, 2023.

<u>Thelma Jean Lambert</u>	
(Owner)	(Spouse)
<u>Thelma Jean Lambert</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
 County of Meade } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6th day of February, 2023.

Linda K. Lynn
 Notary Public



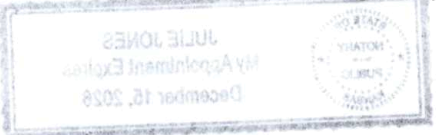
My Commission Expires 1/25/2024.

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. 22023.

1. A change application was received on February 10, 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: February 27, 2023

State of Kansas)
) SS

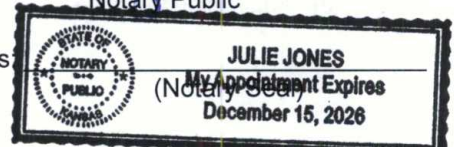
County of Finney)

Acknowledged before me on February 27, 2023

by Michael A. Meyer

Signature: Julie Jones
 Notary Public

My commission expires:

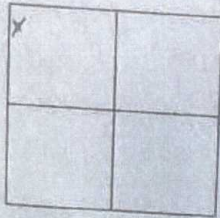


Date: 1-13-23
 Customer: LH Brown

P.O. Box 1525
 Dalhart, Texas 79022
 (806) 249-4585

1416

Crew: Justin
Texas
Celso



Survey: T31S R32W
 Block: _____
 Section: 32

County: SEWARD

GPS N 37° 18' 51.9"
 W 100° 50' 04.0"

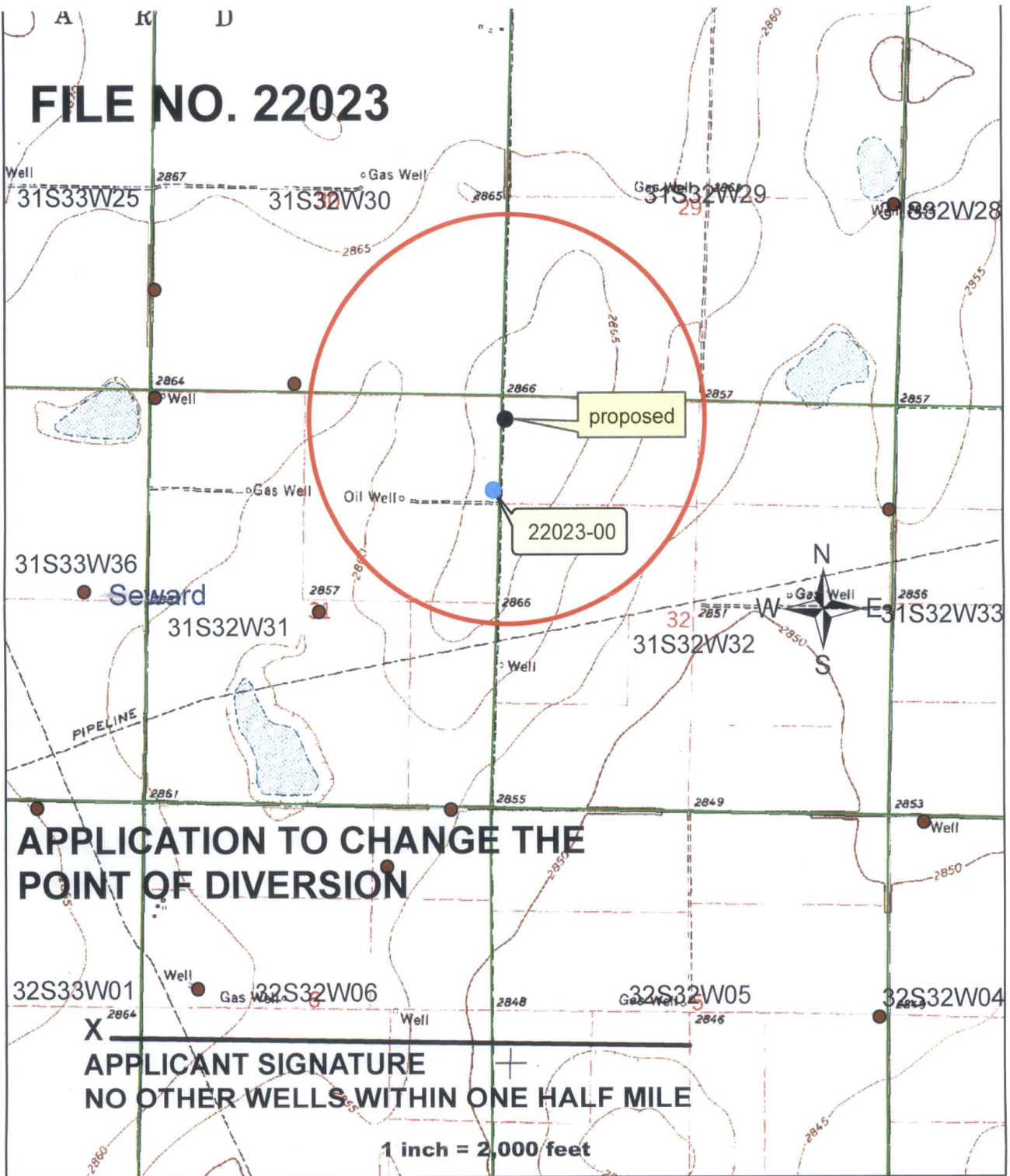
Super Gel: HT
 Bit: 5 1/4
 Concrete: 1
 Bran: HT 1
 Other: _____

Test No. 2

From	To	Description	Sand
0	20	Top Soil Fine Sand	
20	40	Fine Sand	18
40	60	Fine Sand caliche	20
60	80	Fine sand caliche Brown clay	18
80	100	Brown clay	14
100	120	Course Sand Per Gravel	16
120	140	Per Gravel Course Sand	17
140	160	Course Sand Per Gravel	14
160	180	Course Sand Per Gravel	10
180	200	Course Sand Per Gravel Brown clay	5
200	220	Course/Fine Sand Per Gravel Brown clay	10
220	240	Brown/Blue clay	
240	260	Blue/Brown clay	
260	280	Blue clay	
280	300	Blue clay Per Gravel	
300	320	Per Gravel Blue clay strip's	
320	340	Blue Fine Sand	20
340	360	Blue Fine Sand	20
360	380	Fine/course Sand	20
380	400	medium Fine Sand	20
400	420	Fine Sand Brown clay	15
420	440	Fine Sand Brown clay	17
440	460	Fine Sand	20
460	480	Fine Sand	20
480	500	Fine Sand Brown clay	15
500	520	Per Gravel	20
520	540	Brown clay MED SAND	15
540	560	Red clay	



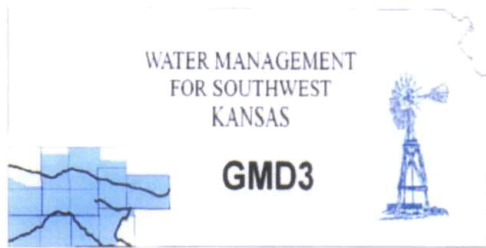
FILE NO. 22023



APPLICATION TO CHANGE THE POINT OF DIVERSION

APPLICANT SIGNATURE
NO OTHER WELLS WITHIN ONE HALF MILE

1 inch = 2,000 feet



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

February 27, 2023

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. 22023

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 (4.0 ft with saturated thickness is greater than 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 further evaluation. No critical wells were determined in the area. We did receive one comment from a neighboring well owner. He has an older well and has seen a drop-off in rate over the years. We discussed our evaluation. A copy of his response is attached for the record. After our review, 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

GMD3 Change Review

File No(s): 22023. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: LH Brown.

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	4090	50	Sect 31-31-32
Proposed PD	5003	5204	Sect 32-31-32
Difference	-913 n	126 e	
a2 + b2 = c2	833569	15876	921.6534 foot move NE

GPS for proposed PD: Lat: 37.314416 Long: -100.83444.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name Jim B Vaughan (11732, 28797).

Address 21501 Road O.

Zip Kismet, KS 67859.

Email: Vaughan.jasonb@gmail.com Phone: 620-629-5716.

Name Austin Eakes (20224).

Address 25543 Road V.

Zip Plains, KS 67869.

Email: gtndrty@gmail.com Phone: 620-408-6946.

Name John Stonestreet (26330, 26331).

Address 23918 Road N.

Zip Kismet, KS 67859.

Email: stonestreet.farms@gmail.com Phone: 620-629-742.

John Stonestreet responded to our notice and mentioned he does have concerns. We discussed the analysis and his well set up. He feels this could cause him to have to redrill his well sooner than he would like. His response is attached to our review.

Name Hamlin Farms Partnership (11732).

Address 1503 Road 26.

Zip Hugoton, KS 67951.

Email: hfpl@pld.com Phone: 620-544-6473.

> 1503 ROAD 26
> HUGOTON KS 67951

> AUSTIN EAKES

> 25543 ROAD V
> PLAINS KS 67869

20224

> L H & THAIS J BROWN

> PO BOX 126
> PLAINS KS 67869

22023 Application

> JOHN STONESTREET

> 23918 ROAD N
> KISMET KS 67859

26330

> JOHN STONESTREET

> 23918 ROAD N
> KISMET KS 67859

26331

> JIM B VAUGHAN

> 21501 ROAD O
> KISMET KS 67859

28797

=====

Jason Norquest

From: John Stonestreet <stonestreet.farms@gmail.com>
Sent: Tuesday, February 21, 2023 1:39 PM
To: Jason Norquest
Subject: RE: Notice: Change Application 22023

Jason Norquest, In response to L H Brown's to re-drill the well ½ mile east of ours, When he re-drilled the one ½ mile south of us several years ago it diminished our capacity noticeably. We had to nozzle down another 100 Gallons per minute. Our well has gone from 1200 gallons per minute to 700 gallons per minute over the last 25 years so it may fit your definition of a critical well. We are on a limited irrigation program of half corn half milo rotation with reduced populations so we may be forced to re-drill our wells almost any time but we haven't yet because we don't own the south half of our section and may be forced to buy it when our aunt dies and hate to increase value of that ground with that in mind. Our wells on this section are 50 years old so we are aware we may be forced to re-drill them almost any time.

Thank you for reaching out to us on this mater. We can still pump a solid 700 gallons per minute when we are the only ones pumping but when the neighbors all start up we pump more air.

Sent from [Mail](#) for Windows

Sincerely, John Stonestreet

From: [Jason Norquest](#)
Sent: Friday, February 17, 2023 2:24 PM
To: stonestreet.farms@gmail.com
Subject: Notice: Change Application 22023

RE: Application for Change in Point of Diversion
Water Right, File No. 22023

Dear John Stonestreet:

This is to inform you that LH Brown has applied to relocate their well 921 feet NE of their current well location in Section 31, Township 31s, Range 32w, in Seward county. 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 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. An analysis was 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 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. 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.

A copy of the full change application can be found on the Division of Water Resources site: <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices> The results of the analysis can be found at: <http://www.gmd3.org/what-we-do/well-to-well-analysis/> Please review the analysis for the proposed change to Water Right 22023. If you have any questions or wish to provide better information, please contact our office. If no response is provided to our office, we will proceed with our recommendation to the Chief Engineer.

Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Jason Norquest

Assistant Manager, GMD3

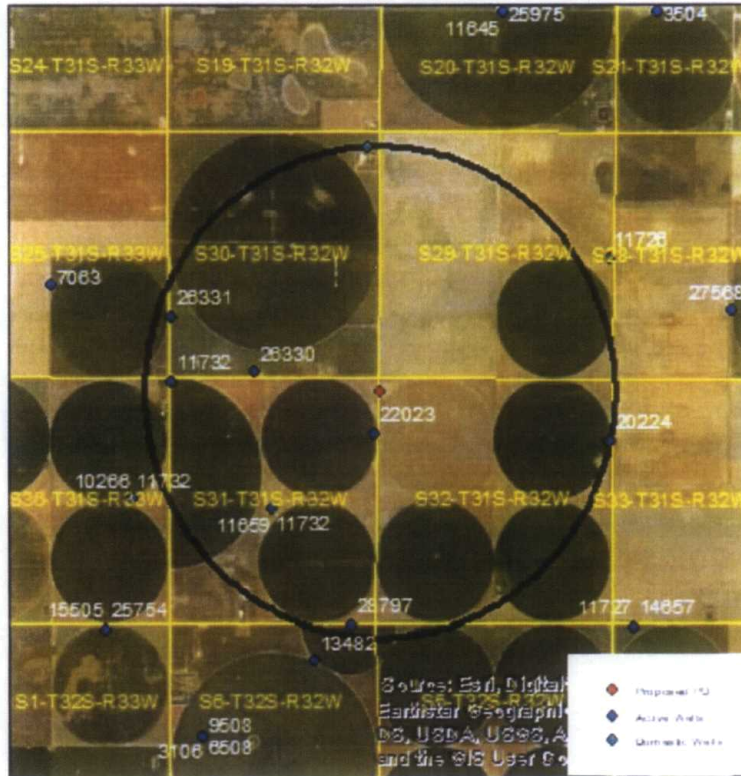
Cell: 620-271-1289

Office: 620-275-7117

www.gmd3.org

Evaluation of proposed move for Water Right No. 22023

Proposed: Move water right no. 22023 to a new well location, a distance of 915 ft to the northeast.



Wells within 1 mile: 26311, 26330, 11732, 11659 & 11732, 27897, 20224, and a domestic well in section 30-31-32.

The saturated thickness at the proposed well location is estimated to be 254 ft, based upon the driller’s log and an observation well in section 31-31-32. For saturated thickness greater than 200 ft, the drawdown allowance is 4.0 ft.

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

$S = 0.188$, $T = 6617 \text{ ft}^2/\text{day}$, $t_{p_{\text{current}}} = 87 \text{ days}$ (based on average use and observed rate),
 $Q_{\text{current}} = 727 \text{ gpm}$ (based on 2020 field inspection), $t_{p_{\text{proposed}}} = 72 \text{ days}$, $Q_{\text{proposed}} = 1000 \text{ gpm}$

Theis drawdowns were calculated as follows:

- 26311:
 - Drawdown from current location = 1.66 ft
 - Drawdown from proposed location = 1.94 ft
 - Net drawdown = **0.3 ft**

- 26330:
 - Drawdown from current location = 2.39 ft
 - Drawdown from proposed location = 2.85 ft
 - Net drawdown = **0.5 ft**

11732: Drawdown from current location = 1.78 ft
Drawdown from proposed location = 2.02 ft
Net drawdown = **0.2 ft**

11659 & 11732: Drawdown from current location = 2.50 ft
Drawdown from proposed location = 2.44 ft
Net drawdown = **-0.1 ft**

27897: Drawdown from current location = 1.92 ft
Drawdown from proposed location = 1.92 ft
Net drawdown = **0.0 ft**

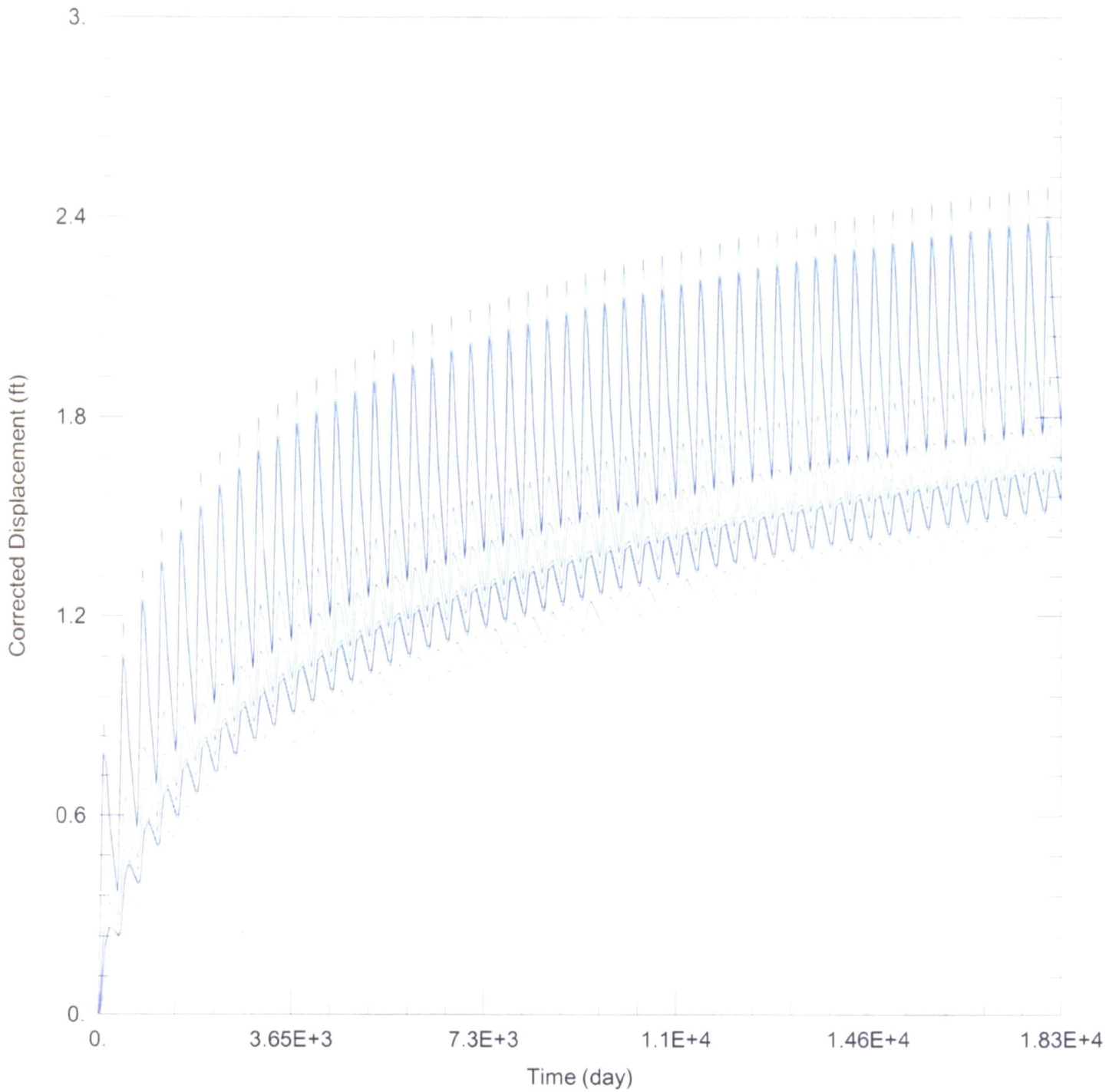
20224: Drawdown from current location = 1.64 ft
Drawdown from proposed location = 1.88 ft
Net drawdown = **0.2 ft**

Domestic 30-31-32: Drawdown from current location = 1.50 ft
Drawdown from proposed location = 1.88 ft
Net drawdown = **0.4 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 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.



WELL TEST ANALYSIS

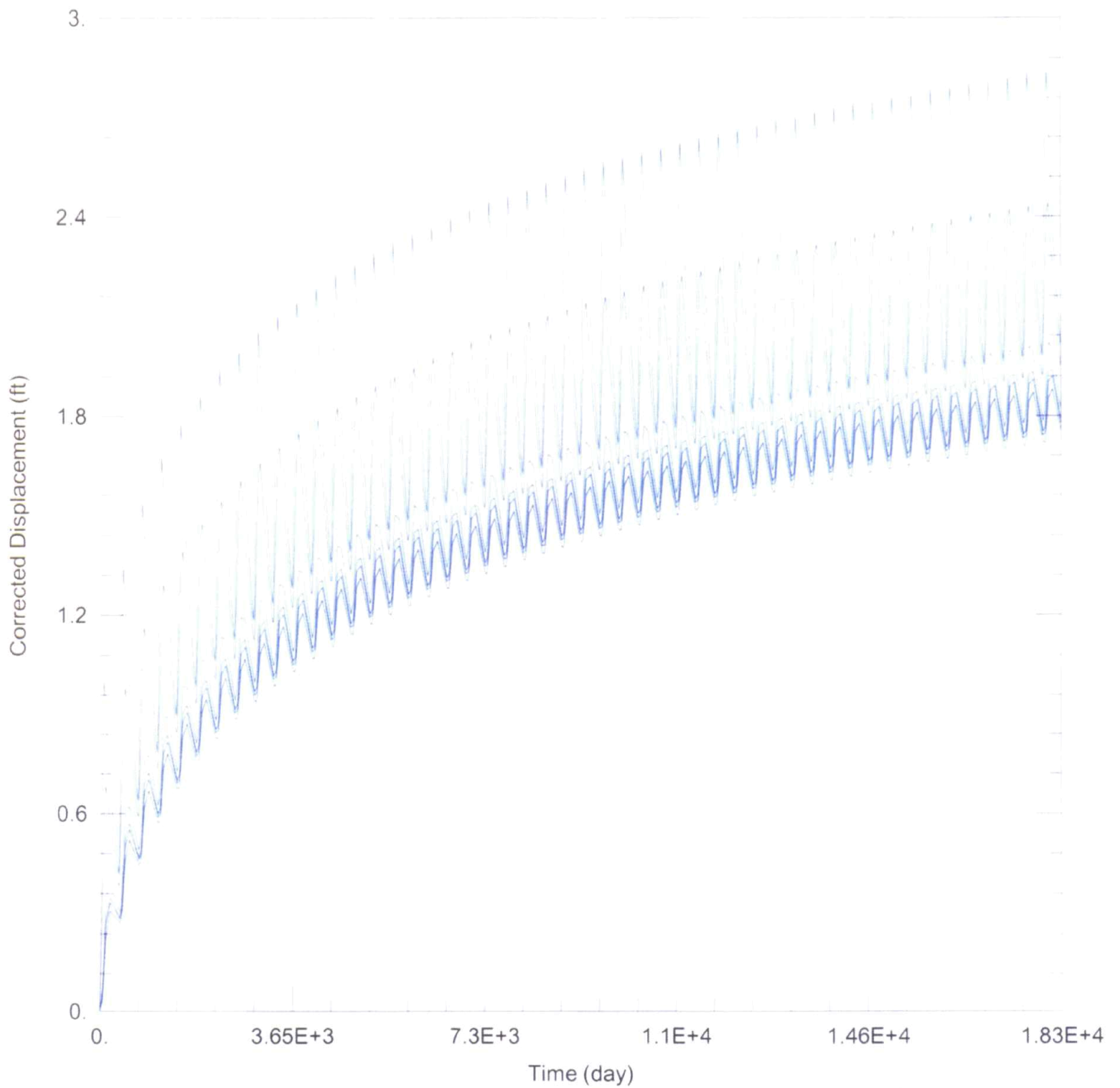
Data Set: C:\Users\trevora\Documents\2023_moves\22023\22023 Current.aqt
 Date: 02/16/23 Time: 14:47:22

PROJECT INFORMATION

Company: GMD 3
 Project: 22023
 Location: Seward County

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
22023	-10312	159085		-10312	159085



WELL TEST ANALYSIS

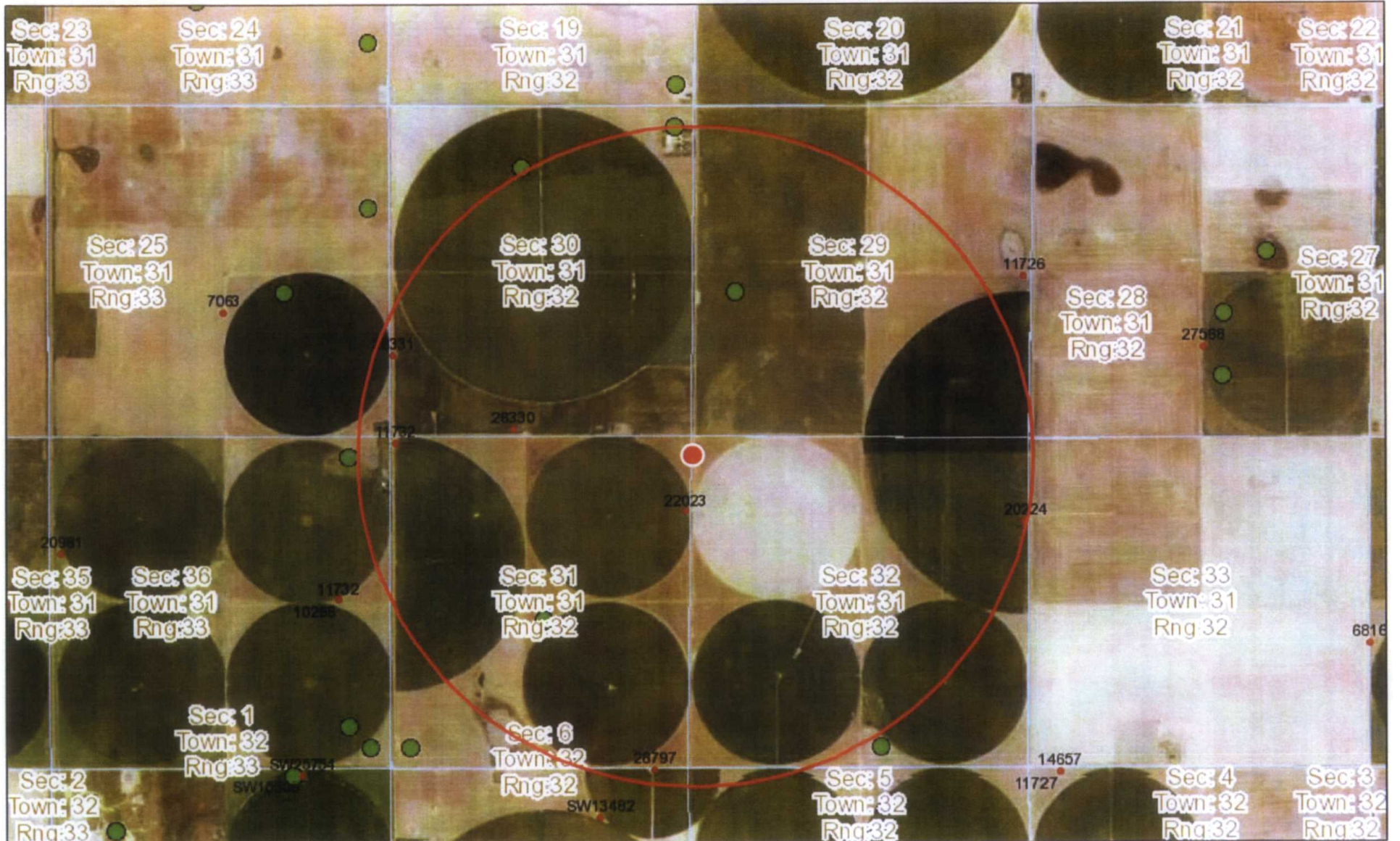
Data Set: C:\Users\trevora\Documents\2023_moves\22023\22023 Proposed.aqt
 Date: 02/16/23 Time: 14:47:15

PROJECT INFORMATION

Company: GMD 3
 Project: 22023
 Location: Seward County

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
22023	-10179	159991	□	-10179	159991

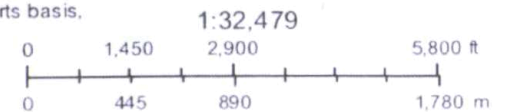


February 15, 2023
09:04 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

Wells	+	CON	●	FPR	▲	MUN	⚡	THX	
?	Other	⊗	DEW	●	HYD	▬	REC	?	Empty
●	IRR	●	DOM	★	IND	⊙	STK	●	WVC5 WELLS GMD3

Sections



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

5003 Feet N and 5204 Feet W of the Southeast Corner of Section 32 Twp 31S Rng 32W
 Located at: 100.834400 West Longitude and 37.314421 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	11659	00	IRR	NK	G	3512	--	NW	NW	SE	2473	2354	31	31	32W	4	2300 619 320.00	320.00
A__ AF	11732	00	IRR	NK	G	3512	--	NW	NW	SE	2473	2354	31	31	32W	4	299.00	299.00
Same AF						4774	--	--	--	--	5200	5000	31	31	32W	1	210 ¹ 409.00	409.00
A__ AF	20224	00	IRR	NK	G	5260	--	CE	NE		3940	50	32	31	32W	2	2300 514.00	514.00
A__ AF	22023	00	IRR	NK	G*	919	--	CE	NE		4090	50	31	31	32W	2	320.00	320.00
A__ AF	26330	00	IRR	NK	G	2851	--	SE	SE	SW	100	2800	30	31	32W	1	2300 550.00	550.00
A__ AF	26331	00	IRR	NK	G	4813	--	--	--	--	800	4660	30	31	32W	2	2300 576.00	576.00
A__ AF	28797	00	IRR	NK	G	5080	--	--	--	--	5235	650	6	32	32W	3	2300 640.00	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) =	3308.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3308.00	.00

*Minimum 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:

5003 Feet North and 5204 Feet West of the Southeast Corner of Section 32 Twp 31S Rng 32W
 Located at: 100.834400 West Longitude and 37.314421 North Latitude
 Both SURFACE WATER and GROUNDWATER
 WATER USE CORRESPONDENTS:

- File Number Use ST SR
- > L H & THAIS J BROWN
- >
- > PO BOX 126
- > PLAINS KS 67869
-
- > JIM B VAUGHAN
- >
- > 21501 ROAD O
- > KISMET KS 67859
-
- > L H & THAIS J BROWN
- >
- > PO BOX 126
- > PLAINS KS 67869
-
- > HAMLIN FARMS PARTNERSHIP
- >

11659 Applicant

11732

11732

11732

GMD3 Change Review

Domestic well(s) notified: __.

Name Thelma Jean Lambert Trust (NE of 36).

Address 22860 Road M.

Zip Kismet, KS 67859.

Base Acres: __.

Perfected Acres: __.

Irr. Return-Flow __%

Seward County

Authorized: 320AF @ 1000gpm

2020 GMD3 inspection calculated 726gpm.

650gpm reported on 2017 WUR

Average reported use (2012-2021): 279.6AF/year

Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears met. Proposed move is within guidelines with no critical wells determined. We did receive a response from one neighboring well.

Recommendation: After review of all available information, it appears current area rules are met. Our analysis did not show any critical wells in area and do not believe that the proposed change would have effects in the area outside the guidelines.



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

February 10, 2023

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

Re: Request for Recommendation
Water Right, File No. 22023

Dear Mr. Norquest:

This is to advise you that LH Brown 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 that reads "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael A. Meyer
Water Commissioner

MAM
Enclosures