

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

October 31, 2024

BNB FARMS LLC
Attn: BRADFORD BARNHARDT
244 VILLA POINT DRIVE
NEWPORT BEACH, CA 92660

RE: Filed Office Application for Change
Water Right, File Nos. 19577

Dear Sir or Madam:

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

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

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

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 "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GMD 3

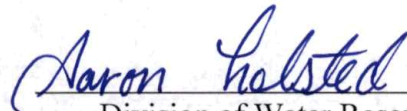
CERTIFICATE OF SERVICE

On this 31st day of October, 2024, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 19,577 dated 31st day of October, 2024 was mailed postage prepaid, first class, US mail to the following:

BNB FARMS LLC
Attn: BRADFORD BARNHARDT
244 VILLA POINT DRIVE
NEWPORT BEACH, CA 92660

Pc:

GMD 3

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. 19577

RECEIVED
 1:00 pm
 OCT 16 2024

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

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: BNB FARMS LLC, Attn: BRADFORD BARNHARDT

244 VILLA POINT DRIVE, NEWPORT BEACH, CA 92660

Phone Number: (404) 587-6205 Email address: bnbfarmks@gmail.com

Name and address of Water Use Correspondent: Same

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Same

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 10-16-24 Check # 1127

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the NE Quarter of the NW Quarter
 of Section 23, Township 31 South, Range 31 W,
 in SW County, Kansas, 4402 feet North 3915 feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well 510 (feet)
 (DWR use only: Computer ID No. 2 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 NE Quarter of the NE Quarter of the SW Quarter
 of Section 23, Township 31 South, Range 31 W,
 in SW County, Kansas, 1800 feet North 3300 feet West of Southeast corner of section.
 Proposed Rate No change Proposed Quantity No change Proposed well depth (feet) 540
 This point is: Additional Well Geo Center List other water rights that will use this point N/A

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) Improve old well which
is blowing air.

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

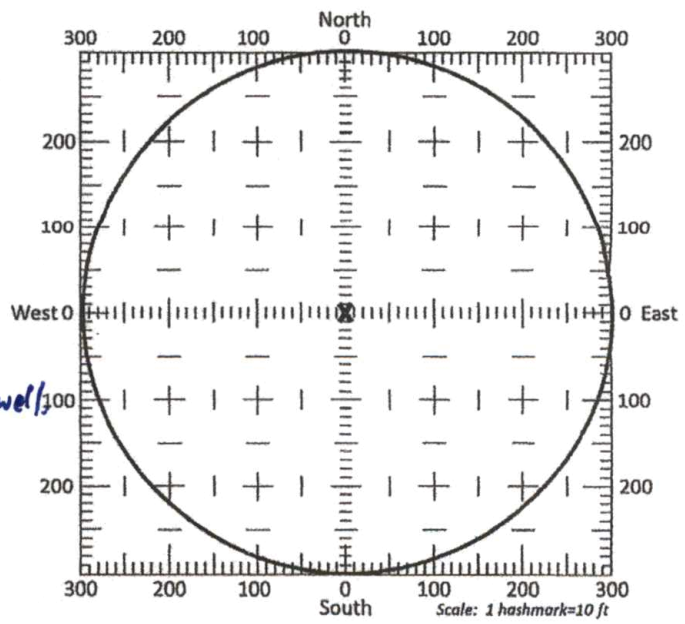
9. The change(s) (was)(will be) completed by?
ASAP

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

11. Groundwater Management District recommendation attached?
 Yes No No.

12. Assisted by mdf/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 Newport Beach, ~~Kansas~~, this 5 day of October, 2024.

Bradford N. Barnhardt California

(Owner) (Spouse)

Bradford N. Barnhardt

(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

State of Kansas }
County of _____ } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this _____ day of _____, 20____.

**SEE ATTACHED
NOTARIAL CERTIFICATE**

My Commission Expires _____
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

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

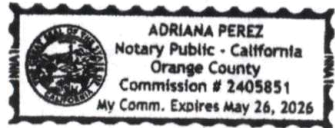
Signature of Document Signer No. 1 Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of ORANGE

Subscribed and sworn to (or affirmed) before me
 on this 5TH day of OCTOBER, 2024
 by Date Month Year

(1) BRADFORD N. BARNHARDT
 (and (2) _____),
 Name(s) of Signer(s)



proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature [Handwritten Signature]
 Signature of Notary Public

Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document APP. FOR APPROVAL TO CHANGE THE PLACE OF USE
 Title or Type of Document: DWR FIELD OFFICE 9/02 THE PLACE OF DIVERSION Document Date: 10.5.2024
 Number of Pages: 6 Signer(s) Other Than Named Above: N/A

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. 19577.

1. A change application was received on October 16, 2024 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than 2640 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2025, 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, 2025, or within any authorized extension of time. By March 1, 2026 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
9. The completed well log shall be submitted with the required notice. Applicable Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11. Additional Conditions are attached. Yes No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

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

For Use by Register of Deeds

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

By: Austin McCulloch
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: October 31, 2024

State of Kansas)

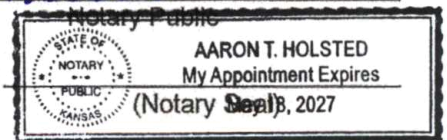
County of Finney) SS

Acknowledged before me on October 31, 2024

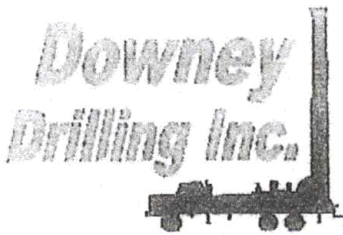
by Austin McCulloch

Signature: Aaron Holsted

My commission expires: _____



DATE: 7/29/2024



CUSTOMER NAME: KELBY ROSS

TH#2-24

LEGAL: W 1/2 23-31S-31W

COUNTY: SEWARD CO, KS

GPS: 37.334708

-100.664462

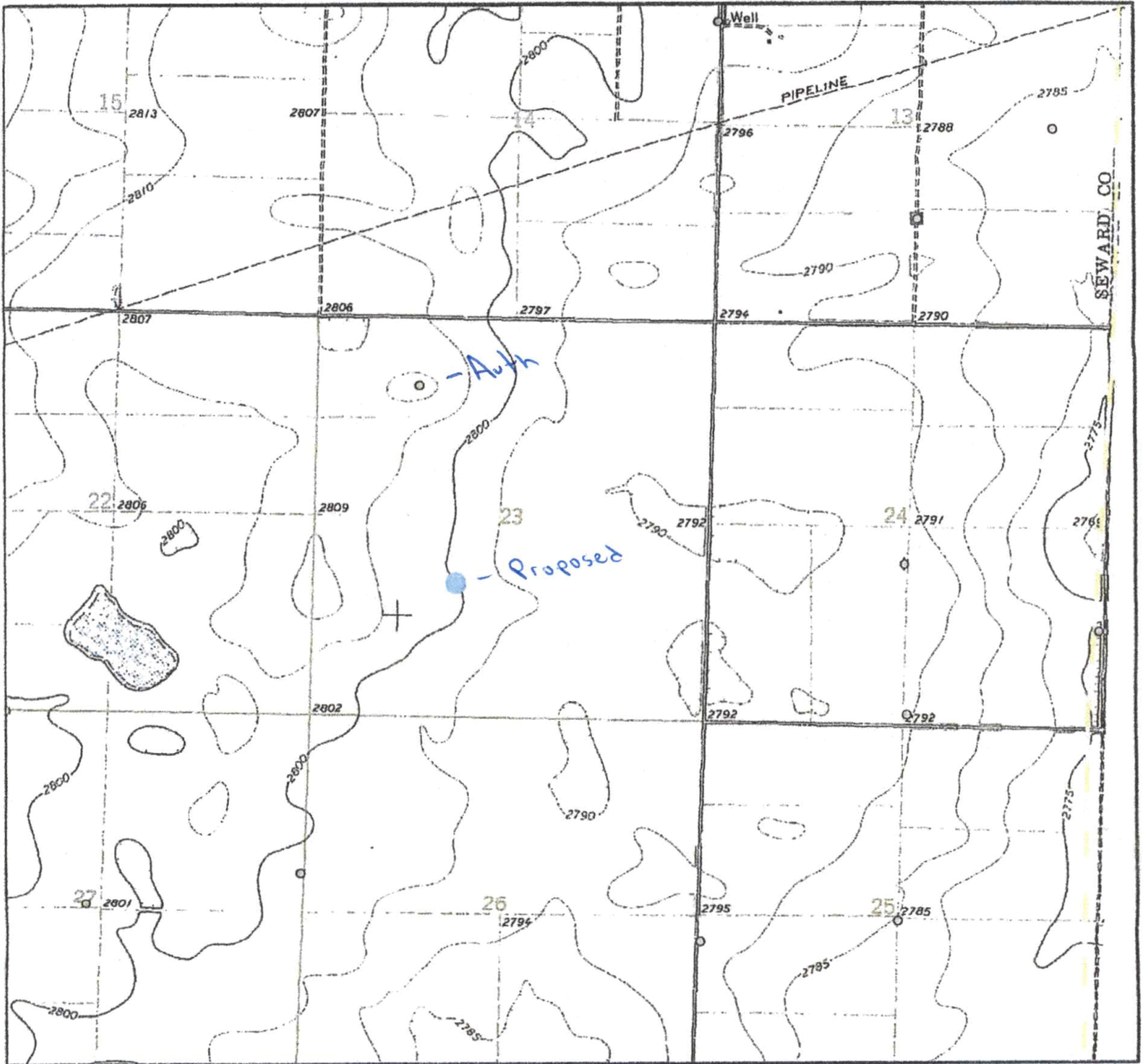
DRILLER: DIEGO

WO: 24-809

V	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	3	TOP SOIL	SOFT	BROWN	FAST		SMOOTH
	3	9	BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
	9	21	SANDY CLAY W/ FINE SAND	SOFT	BROWN	FAST		SMOOTH
	21	47	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	47	58	WHITE SANDY CLAY	SOFT	WHITE	FAST		SMOOTH
	58	85	TAN CLAY	SOFT	TAN	FAST		SMOOTH
	85	90	SANDY CLAY W/ CEMENTED SAND & FINE SAND	FIRM	TAN	SLOW		SMOOTH & CHOPPY
	90	98	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	STIFF		FAST		FAST CHATTER
	98	101	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	101	136	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	136	140	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	140	165	FINE-MED-COARSE SAND W/ BROWN CLAY LEDGES	FIRM	BROWN	FAST		CHOPPY & SMOOTH @ TIMES
	165	168	CEMENTED SAND	HARD		SLOW		CHATTER
	168	175	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	175	196	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	196	219	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	219	235	BROWN CLAY	STICKY	BROWN	FAST		SMOOTH
	235	268	FINE-MED-COARSE SAND W/ BROWN CLAY LEDGES	FIRM	BROWN	FAST		CHOPPY & SMOOTH
	268	270	CEMENTED SAND	HARD		SLOW		CHATTER
	270	371	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	371	409	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH
	409	418	LIME ROCK W/ FINE SAND	STIFF	WHITE BROWN & TAN	FAST		CHATTER
	418	457	BROWN CLAY W/ SANDY CLAY	SOFT		FAST		SMOOTH
	457	481	FINE-MED SAND W/ BROWN ROCK TRACE & SANDY CLAY	FIRM	BROWN	FAST		FAST CHATTER
	481	507	SANDSTONE W/ FINE SAND	FIRM	TAN	FAST		FAST CHATTER
	507	511	BROWN CLAY	SOFT	BROWN	SLOW		SMOOTH
	511	540	RED BED	HARD	RED	SLOW		CHATTER
			QG - 4					
			WATER LOADS - 2					
			SA - 1/2					
			HOLE PLUG - 2					
			CS - 1					
			QUIK TROLL - 1 BAG					

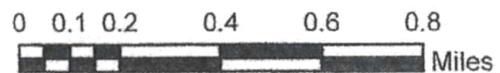
CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 19577

SW 1/4 of Section 23, Township 31 South, Range 31 West, SW County



● Authorized Point of Diversion

● Proposed Point of Diversion



All wells of any kind within 1/2 mile of the requested place of use have been plotted.

(Signature)

Date

mdf/GCFO
09/16/2024

INPUTS	
Target Section Definition	
Section	23
Township	31
Range	31
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-100.664462
Target Latitude	37.334708

Load Data and Compute

Instructions

1. Enter values for section, township, range and range direction.
2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

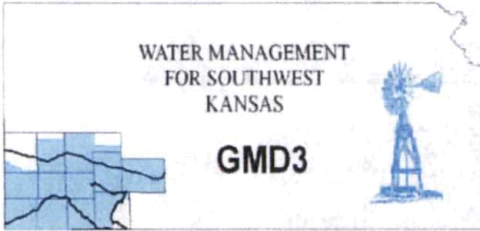
Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.32976367	-100.67122495
NW	37.34418389	-100.67101121
NE	37.34413813	-100.65282265
SE	37.32976384	-100.65311149
Degrees Longitude per Foot		3.43942319E-06
Degrees Latitude per Foot		2.74640463E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	1800	-1966
NW	-3450	-1904
NE	-3434	3384
SE	1800	3300

Target point is In Section

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.32974200	-100.67079200
NW	37.34416200	-100.67057800
NE	37.34411600	-100.65239000
SE	37.32974200	-100.65267900
Degrees Longitude per Foot		3.43942219E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	1808	-1840
NW	-3443	-1778
NE	-3426	3510
SE	1808	3426

Target point is In Section

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00002167	-0.00043295
NW	0.00002189	-0.00043321
NE	0.00002213	-0.00043265
SE	0.00002184	-0.00043249
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-8.16629076	-125.87813137
NW	-7.44503456	-125.95374350
NE	-7.53497789	-125.79245952
SE	-8.22818987	-125.74591572



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

October 31, 2024

Austin McColloch
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

RECEIVED

OCT 31 2024

Garden City Field Office
Division of Water Resources

RE: Application for Change in Point of Diversion
Water Right, File No. 19577

Dear Austin:

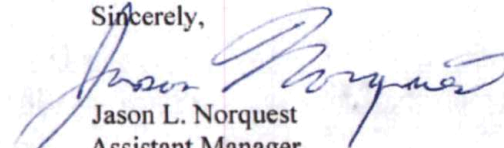
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

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 no further evaluations were needed. 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 of the application. 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): 19577.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: BNB Farms LLC %Bradford Barnhardt.

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	4402	3915	Dect 23-31-31
Proposed PD	1800	3300	
Difference	2602 s	615 w	
$a^2 + b^2 = c^2$	6770404	378225	2673.692 foot move SW

GPS for proposed PD: Lat: 37.334708 Long: -100.664462.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name JAC Enterprises LLC (30801).

Address PO Box 903.

Zip Johnson, KS 67855.

Email: Phone: .

Domestic well(s) notified: .

Name .

Address .

Zip .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Seward County

Authorized 846AF @ 1935gpm

Avg Reported use (2014-2023): 409.014 AF/year

1561gpm reported on 2016 WUR

Proposed depth 540'

Is a waiver needed: GPS shows move less than half mile. Minimum spacing to the one neighboring well more that met. Analysis shows possible effects well within guidelines. no critical wells.

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



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

1800 Feet N and 3300 Feet W of the Southeast Corner of Section 23 Twp 31S Rng 31W

Located at: 100.664462 West Longitude and 37.334707 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	19577	00	IRR NK G*	2674	--	SW	NE	NW	4402	3915	23	31	31W	2		846.00	846.00
A__ AF	30801	00	IRR NK G	4416	--	--	--	--	3180	5250	26	31	31W	1		581.00	581.00

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) =	1427.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1427.00	.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:

1800 Feet North and 3300 Feet West of the Southeast Corner of Section 23 Twp 31S Rng 31W

Located at: 100.664462 West Longitude and 37.334707 North Latitude

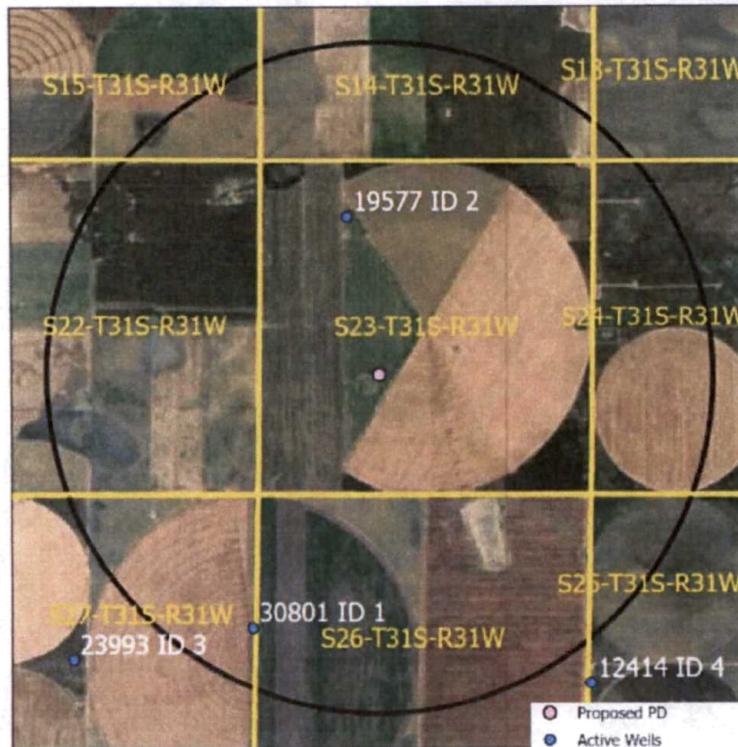
Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

- > File Number Use ST SR
- > BNB FARMS LLC
- > BRADFORD BARNHARDT
- > 244 VILLA POINT DRIVE
- > NEWPORT BEACH CA 92660
- > -----
- > JAC ENTERPRISE LLC
- >
- > PO BOX 903
- > JOHNSON KS 67855
- > -----

Evaluation of proposed move for Water Right No. 19577

Proposed: Move water right no. 19577 a distance of 2,569 ft to the southeast to a new location.



Wells within 1 mile: 30801.

The saturated thickness at the proposed well location is estimated to be 223.3ft, based upon the GMD3 model. 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:

$S = 0.062$, $T = 54,074.3 \text{ ft}^2/\text{day}$, $tp_{\text{current}} = 59 \text{ days}$ (based on average use and observed rate),

$Q_{\text{current}} = 1561 \text{ gpm}$ (based on 2015 field inspection), $tp_{\text{proposed}} = 99 \text{ days}$, $Q_{\text{proposed}} = 1935 \text{ gpm}$

Theis drawdowns were calculated as follows:

30801: Drawdown from current location = 0.81 ft
 Drawdown from proposed location = 1.13ft
 Net drawdown = **0.3 ft**

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.

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

October 17, 2024

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

Re: Request for Recommendation,
File No. 19577

Dear Sir or Madam:

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

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

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

Sincerely,

A handwritten signature in blue ink that reads "Austin McColloch". The signature is fluid and cursive.

Austin McColloch
Assistant Water Commissioner

Enclosure
pc: