Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:	
29807	6-11-2024	C3	4	3	
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:	
				05/08/2024	
8a. landowner New to system □	Person ID 67764 Add Seq#	8c. Landowne		Person ID	
TRL LAND CO LLC 21506 12 ROAD MONTEZUMA, KS 67867					
8b. Landowner(s), applicant New to system □	Person ID 62282 Add Seq#	8d. WUC New to sy	stem □	Person IDAdd Seq#	
MICHAEL R & CAROL A 11235 S WEST FORK RD GARDEN CITY, KS 67846		8a			
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	y: 12/31/2024	N & P Date to €	Comply: 3/1/2025	
☐ Anti-Reverse Meter ☐ Meter	Seal 🛛 Check Valve	☑ N & P Form	⊠ Water Tube ⊠ Dr	iller Copy	
☐ Conservation Plan Date Requir	ed: Da	te Approved:	Date to	Comply:	
10. Use Made of Water From:		To: _			
			Date Prepared: 6/10/2 Date Entered:	024 ву: МАМ Ву:	

File No. 2	29807	•	11. County	y: FI	В	asin: Al	RKAN	ISAS F	RIVER			S	tream:							Fo	ormation Code:	211	Special Use:	
12. Points	of Dive	rsion																uantity						
MOD DEL PD	DIV															1	Authori			A	dditional			
ENT		Qualifier	S	Т	R	ID		'N	ʻW	/	Com	ment	(AKA I	Line)		Rate		Quanti af	ty	Rate		Ove	rlap PD Files	
DEL 47	7192																							
ENT		NWNWNE	14	26S	31W		4	627	249	99						650)	200		650	200	NOI	NE	
					6											Q	and r	ate red	duced					
13. Storage	e: Rate			NF	Qua	antity _					ac/ft	А	ddition	ıal Rat	te				NF	Addi	tional Quantity			_ ac/ft
14. Limitatio	on:		af/yr	at				gpm (_				cfs) w	hen co	mbine	ed with	i file n	umber	(s)					h.	
Limitatio	on:		af/yr	at	-			gpm (_				cfs) w	hen co	mbine	ed with	file n	umber	(s)						
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16. Place o	of Use	** **		v	N	NE¼			NV	N¹/4			sv	V ½			S	E¼		Total	Owner Ch	ng? C	Overlap Files	
MOD DEL ENT PU	JSE	STR	ID	NE	E NW	SW 1/4	SE 1/4	NE ¼	NW 1/4	SW 1/4	SE 1/4	NE ¼	NW 1/4	SW 1/4	SE ¼	NE 1/4	NW 1/4	SW 1/4	SE ¼					
CHK 163	357																							
Base Acres	Base Acres: 132 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

June 11, 2024

TRL LAND CO LLC 21506 12 ROAD MONTEZUMA, KS 67867

RE:

Field Office Application for Change

Water Right, File No. 29807

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 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,

Michael A. Meyer Water Commissioner

MAM: Enclosures

pc:

Michael & Carol Deaver

GMD3

CERTIFICATE OF SERVICE

On this 11th day of June 2024, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 29,807 dated 11th day of June 2024 was mailed postage prepaid, first class, US mail to the following:

TRL LAND CO LLC 21506 12 ROAD MONTEZUMA, KS 67867

pc:

MICHAEL R & CAROL A DEAVER 11235 S WEST FORK RD GARDEN CITY, KS 67846

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

Owner of Land ---- NAME: TLR Land Co LLC

ADDRESS: 21506 Rd 12, Montezuma, KS 67867

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

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.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater

Fee Schedule is on the third page of this application form.

	n 100 feet, or if place of use will be changed, include a diversion and/or place of use.	topographic map or detailed plat showing t	RECEIVED						
	File No. <u>298</u>	307	3:15 pm MAY 0 8 2024						
1.	Application is hereby made for approval of the Chief	Engineer to change the (check one or both): Garden City Field Office						
	☐ Place of Use	Point of Diversion	Divison of Water Resources						
	under the water right which is the subject of this appli	ication in accordance with the conditions d	escribed below.						
	The source of supply is:	Surface water							
2.	Name and address of Applicant: TLR Land Co LLC_								
	21506 Rd 12 Montezuma, KS 67867	· ·							
	Phone Number: 620-846-0223	Email address:							
	Name and address of Water Use Correspondent: TLR Land Co LLC								
	21506 Rd 12 Montezuma, KS 67867								
	Phone Number: 620-846-0223	Email address:							
3.	The presently authorized place of use is:								

SW1/4 SE1/4 TOTAL **ACRES** NE1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NW1/4 Twp. Range Sec.

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.)																		
NE1/4						-	NW1/4					SW1/4				SE1/4			TOTAL
Sec	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
																	/		
														-					

For Office Use Only: Code _____ Fee \$200.00 TR # ____ Receipt Date 5-8-24 Check # 1191

5.	Presently authorized point of diversion:		
٥.	One in the Quarter of the NC	Quarter of the	SW Quarter
	of Section 11 , Township 26		
	in Finney County, Kansas, 1420 feet No		
	Authorized Rate 900 GPM Authorized Quantity 225		
	(DWR use only: Computer ID No GPS		
	☐ This point will not be changed ☐ This point will be changed as follows:		
	Proposed point of diversion: (Complete only if change is req		
	One in the NW Quarter of the NW		
	of Section 14, Township 26	South, Range	31W (E/W),
	in Finney County, Kansas, 4627 feet No	orth 2499 feet West of	Southeast corner of section.
	Proposed Rate 650 GPN Proposed Quantity 200	AF Proposed well depth	n (feet)
	This point is: Additional Well Geo Center List other water		
-	+ EGARETT LOVE 6-11-2024		
6.	Presently authorized point of diversion:		
٥.		Quarter of the	Quarter
	One in the Quarter of the of Section, Township	South Range	(F/\/\)
	in feet No	orth feet West of	Southeast corner of section
	Authorized Rate Authorized Quantity		
	(DWR use only: Computer ID NoGPS	feet North	feet West)
	☐ This point will not be changed ☐ This point will be changed as follows:		
	Proposed point of diversion: (Complete only if change is req		
	One in the Quarter of the		
	of Section, Township	South, Range	(E/VV),
	in County, Kansas, feet No	orth feet vvest of	Southeast corner of section.
	Proposed Rate Proposed Quantity		
L	This point is: Additional Well Geo Center List other water	er rights that will use this poin	nt
7.	The changes herein are desired for the following reasons?		
1.	(please be specific) Loss of production.	Nort	h
	(1	300 200 100 0	100 200 300
	****	Eminification #	
0	If a small is the test hala law attacked O. M. Van.		- \
8.	If a well, is the test hole log attached? X Yes No	200 + =	200
9.	The change(s) (was)(will be) completed by?	E/_ =	
		[/	100
	Upon approval	$100 + 1 + 1 + \frac{1}{2}$	+ + + + + 100
10.	If the point of diversion is a well:	₽ =	
	(a) What are you going to do with the old well?	est 0	
	(a) That are you going to do that the old from		
	Plug/cap	A	
	(b) When will this be done? Upon completion	100 + + =	+ + + + + = 100
	<u></u>	F\ =	/ ∃
11	Groundwater Management District recommendation attached?	200	1 + 1 + 1 = 200
	Yes No		
		E, T, T	
12.	Assisted by EAV	300 200 100 0	100 200 300
		Sout	h Scale: 1 hashmark=10 ft

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

300

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 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

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 conners of the currently authorized place(s) of use identified in this application? (b) Wait the ownership interest of any owner of the currently authorized place(s) of use identified in this application is approved as requested? (c) If this application is not approved expectitions? (f) Way and owners must sign this application.) (g) Way (if no, all owners must sign this application.) (g) Way (if no, all owners must sign this application.) (g) Way (if no, all owners must sign this application.) (g) Way (if no, all owners must sign this application.) (g) Way (if no, all owners must sign this application.) (g) Way (if no, all owners must sign this application.) (g) Way (if no, all owners must sign this application.) (g) Way (if no, all owners must sign this application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 or a change in pace of use, the application must be signed by all owners of the currently authorized place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized place of use, the application application are representation.) I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of law their behalf, in regards to the water right(s) to which this propose of the owner(s) to make this application or true, correct and complete or contained in this application are true, correct and complete or contained in this application was a signed in my presence and sworn to before me this State of Kansas (G) Way (G)	14 wii	
County of County of County of the currenty authorized place(s) of use identified in this application is approved as requested. County of Coun	at the proposed groundwater policy	
County of Date Coun	(a) Does the undersion is 300 or	follows facility
County of Desce Print Covered and the currently authorized place(s) of use identified in this application be advered by the policy of the currently authorized place(s) of use identified in this application be advered by the policy of the currently authorized place of use, or their duly	Yes The represent all owners of the	lower teet from the existing point of a
Yes Date	(b) Will the (If no, all owners must	currently authorized placeter of diversion, complete the following
(c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety? (If yes, all owners must sign this application.) Yes	affected it is interest of animals in ust s	ign this application.)
(c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety? (f) yes, all owners must sign this application.) Yes	Yes application is approximate of the cu	mently authorized
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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 law age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application are true, correct and complete. Dated at SALDAN (Owner) (Please Print) (Please Print) (Please Print) (Please Print) (Owner) (Please Print) (Owner) (Please Print) (Owner) (Please Print) (Please Print) (Please Print) (Owner) (Please Print) (Owner) (Please Print) (Owner) (Please Print) (Please Print) (Please Print) (Please Print) (Owner) (Spouse) (Please Print) (Owner) (Spouse) (Please Print) (Spouse) (Please Print) (Spouse) (Please Print) (Owner) (Spouse) (Please Print) (Owner	Yes No No approved expeditiously well	those to
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(Please Print) State of Kansas County of OWAGE I bereby certify that the foregoing application was signed in my presence and sworn to before me this OWAGE NOTARY PUBLIC - State of Kansas SANDALIA GODINEZ My Commission Expires ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized, are the 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) (2) Application to change a point of diversion more than 300 feet.	(Please Print)	Assessment
(Please Print) State of Kansas County of OCTARY PUBLIC - State of Kansas SANDALIA GODINEZ My Appt. Expires D. Grace My Commission Expires ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the application form must be completed accourate information; maps, if necessary, must be included; signatures of all the appropriate owners must be affixed to the application and notarized; are the 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 polyable to: Kansas Department of Agriculture) (1) Application to change a point of diversion more than 300 feet. Stop (Spouse) (Please Print) (Please Print) (Please Print) (Please Print)	Water Control of the	(Please Print)
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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. 29807 Mar 18,2024 A change application was received on 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. 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 The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

Applicable V Not Applicable feet from the previously 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. M Applicable ☐ Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20_25, 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. ☐ Not Applicable Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 25, or within any authorized extension of time. By March 1, 20 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 The completed well log shall be submitted with the required notice. M 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 П No Additional Conditions are attached. Yes 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative Print Name): Mofffet Allever Agriculture
Division of Water Resources - Kansas Department of Agriculture (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on Signature: Notary Public TATE O **JULIE JONES** My commission expires: NOTARY

Page 4

PUBLIC

epointment Expires

December 15, 2026

ADDITIONAL CONDITIONS TO SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS, Water Right, File Nos. 29,807

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

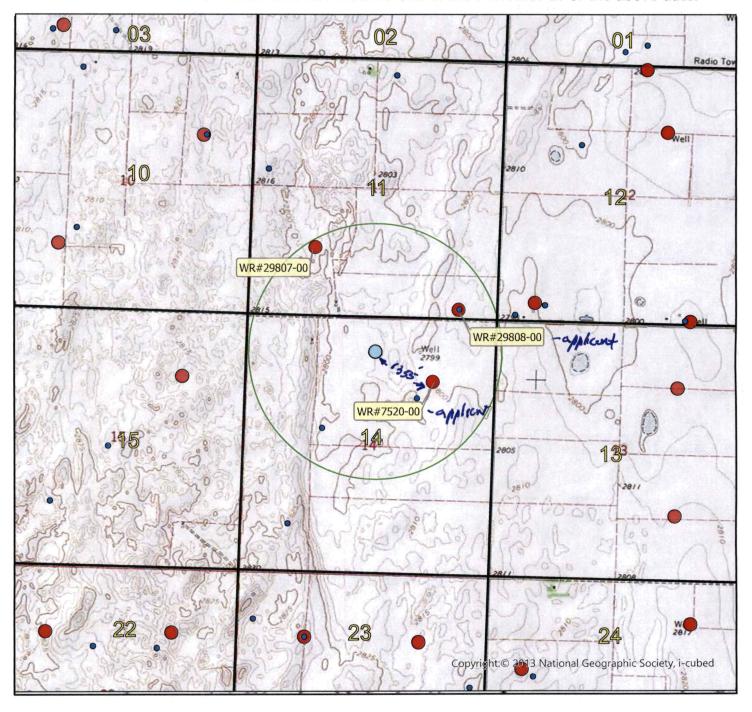
This order effectively reduces the authorized maximum rate of diversion to a rate not to exceed 650 gallons per minute (1.44 c.f.s.) and a maximum annual authorized quantity not to exceed 200 acre feet from the authorized point of diversion described herein.

	By:(Duly Authorized Designee of the Chief Engineer)
	(Print Name): Michael A. Meyer Division of Water Resources Kansas Department of Agriculture
	Dated of Issuance: Juve //, 2029
State of Kansas)
County of Finney)	
Acknowledged before me on ByA	the 1th day of June 2024
Signature Notan	Public
My Commission expires:	JULIE JONES **MOTARY ** My Appointment Expires December 15, 2026

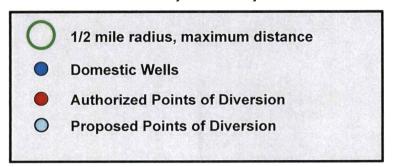
File No. _____29,807

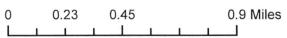
WR 29807

Preliminary Map as of 03/28/2024. Using data given to the DWR by the customer. Based on the best information that was received and in the DWR files as of the above date.



Township 26 South Range 31 West Finney County







EAV/GCFO

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



PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

CARRETTLANE 620-846-0223

Customer Name: TRL Laws Co LLC WO#: 25849 Date: 9/22/23

Street Address: 21506 Rd 12

City, State: Mc Neground, KS 67867 Driller: Township: 26 Range: 21

Location: GPS: 37,79302° N / CO 67876° U.

Rig #: 10003 Elevation: 2796 Static WL: 2051 Estimated? (4)

Proposed Well Depth

Name and Address of	NAME OF THE OWNER, THE	Footage	SALES OF THE PARTY	REPLACEMENT WELL LOCATION 30'Sump
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KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources Garden City Field Office

MEMORANDUM

TO: File

DATE: June 11, 2024

FROM: Michael A. Meyer

Water Commissioner

RE: Water Right, File No. 29807

Application for Change

Application for Approval to Change the Place of Use and / or Point of Diversion for the above referenced water right was reviewed for approval to relocate the authorized point of diversion. The application meets all rules and regulations. Review from the GMD3 showed potential effects of additional drawdown of static water level if the proposed location would be approved at current authority and model projections, only to the applicants nearby wells. These potential effects were somewhat mitigated with the applicant voluntarily reducing the authorized diversion to 650 GPM. They also supplied with their LLC, the statement below, that if there were any potential effects to their own nearby wells in the future from this proposal, that all wells were will always be in the LLC and never sold off to another water right owner.

SECTION 11

Non Severability of Land & Wells/Water Rights

11.1 TRL Land Co LLC agrees to not sever or separate NE 14-26-31, SE 11-26-31 and SW 12-26-31 from each other, neither the land nor the corresponding wells on them, through a sell or transfer. In the event they are separated from each other, Water Right 29807 would revert to its old place of use on SE 11-26-31 or if not possible, the water right would be forfeited.

The wells and tracts on NE 14-26-31, SE 11-26-31 and SW 12-26-31 will always remain joined legally under the same ownership.

Garrett Love

TRL Land Co, Partner

21506 12 Rd

Montezuma, KS 67867

With this documentation, the proposal, application will be further processed and shall meet all the criteria under K.S.A. 82a-708b.

Meyer, Mike [KDA]

#29807

From:

Garrett Love <garrett.t.love@gmail.com>

Sent:

Tuesday, June 11, 2024 8:37 AM

To:

Meyer, Mike [KDA]

Subject:

Re: Change Applications 14536 (Section 31) & 27546 (Section 1)

Attachments:

Screenshot 2024-06-11 at 8.35.57 AM.png

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hey Mike,

We got this added to our operating agreement. See attached. And yes, dropping it to 650 GPM is fine.

Thanks!

Garrett Love

On Mon, Jun 10, 2024 at 9:57 AM Meyer, Mike [KDA] < Mike. Meyer@ks.gov > wrote:

Might want to consider Lessing the rate with the reduced quantity? Just thoughts. It is at 900 GPM now. If you can consider that

From: Meyer, Mike [KDA]

Sent: Monday, June 10, 2024 8:52 AM

To: Garrett Love <garrett.t.love@gmail.com>

Subject: RE: Change Applications 14536 (Section 31) & 27546 (Section 1)

Sounds good to me.

From: Garrett Love <garrett.t.love@gmail.com>

Sent: Monday, June 10, 2024 8:48 AM

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov>

Subject: Re: Change Applications 14536 (Section 31) & 27546 (Section 1)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

What about something in our by-laws or operating agreement indicating a requirement to keep these tracts/wells together?

We could also add a line that we agree that if separated, this approval would be null and void and revert back to its old place of use OR this water right would be forfeited?

On Mon, Jun 10, 2024 at 7:50 AM Meyer, Mike [KDA] < Mike. Meyer@ks.gov > wrote:

Here is what they did. They have a legacy trust, but something that you can clearly point to for the future?

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

To whom it may concern,

In order to ease some of the concern raised in the matter of a change is the providing an outline of the ownership and succession of two files that are relevant are Consultation. The current owner of the concern two files that are relevant are Consultation. The current owner of the concern two files is owned completely by the concern two files. The property was a completely by William Control of the property of the current owners. The property of the concern two files and will have operational control of the property of the current owners. The property of the current owners is not control of the property of the current owners of the current owners of the current owner owne

The concern of possible effects that the change in point diversion of a understood by the owners of the property. We are willing to accept the analysis provided by GMD3. Those limitations are understood to be a and annual quantity of AF.

Thank you for you time and if there are any questions regarding this is Sincerely,

From: Garrett Love <garrett.t.love@gmail.com>

Sent: Monday, June 10, 2024 7:43 AM

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov>

Subject: Re: Change Applications 14536 (Section 31) & 27546 (Section 1)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Yep, the only wells within a mile of this proposed location would be SE 11, SW 12 and NE 14. Something like this work?

The wells and tracts on NE 14-26-31, SE 11-26-31 and SW 12-26-31 will always remain joined legally under the same ownership.

Garrett Love

TRL Land Co, Partner

21506 12 Rd

Montezuma, KS 67867

On Mon, Jun 10, 2024 at 7:33 AM Meyer, Mike [KDA] < Mike. Meyer@ks.gov > wrote:

Anything is fine. Recall all TRL is sections 11, 12,14, wells and tracts of land

From: Garrett Love <garrett.t.love@gmail.com>

Sent: Monday, June 10, 2024 7:29 AM

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov >

Subject: Re: Change Applications 14536 (Section 31) & 27546 (Section 1)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Ok, on email or a paper? Are the tracts NE 14 and SE 11? SW 12?

GL

On Mon, Jun 10, 2024 at 7:25 AM Meyer, Mike [KDA] < Mike.Meyer@ks.gov > wrote:

Good morning Garrett

If you can get me something in writing of the LLC that it will always remain joined with all tracts of land legally, we can have them in the files and support this type of application knowing that all ownership will remain intact into the future and if there are effects it is all LLC wells....

We did something similar like this with Bretts land.

thanks

From: Garrett Love <garrett.t.love@gmail.com>

Sent: Friday, June 7, 2024 5:21 PM

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov >

Subject: Re: Change Applications 14536 (Section 31) & 27546 (Section 1)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Yes, I can confirm that. Thanks.

On Fri, Jun 7, 2024 at 5:18 PM Meyer, Mike [KDA] < Mike. Meyer@ks.gov > wrote:

So affects were only to your 3 wells and a well south in the pasture which I assume is not there or used? Can you confirm that your wells will always be under same ownership and not split up to address concerns of like gmd discussions that one day someone may own those wells and we set up a bad deal if there is impairment later?

Mike
Sent from my Verizon, Samsung Galaxy smartphone
Get <u>Outlook for Android</u>
From: Garrett Love <garrett.t.love@gmail.com> Sent: Friday, June 7, 2024 4:59:11 PM</garrett.t.love@gmail.com>
To: Meyer, Mike [KDA] < Mike.Meyer@ks.gov > Subject: Re: Change Applications 14536 (Section 31) & 27546 (Section 1)
EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.
How long do you think that timeline will be?
On Fri, Jun 7, 2024 at 4:55 PM Meyer, Mike [KDA] < Mike. Meyer@ks.gov > wrote:
I approved the flip flop today
Yes, that is correct what jason said, but then they always say, "GMD3 sees these moves as meeting the current rules and would recommend approval If the state concurs that neighboring wells are not adversely affected."
So that tell us we have to review and analyze also with our process
Ughhh

From: Garrett Love < garrett.t.love@gmail.com >

Sent: Friday, June 7, 2024 4:50 PM

Mike

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov >

Subject: Re: Change Applications 14536 (Section 31) & 27546 (Section 1)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Jason said they recommended it, pointing out surrounding wells were same owners and didn't receive any comments from neighbors. Is that right? Where does that put it in process?

Also, what is the status of Love Ag's application awhile back to flip water right from SW 7-27-28 and SE 12-27-29?

Thanks Mike!

GL

On Fri, Jun 7, 2024 at 11:48 AM Meyer, Mike [KDA] < Mike. Meyer@ks.gov > wrote:

Gmd found effects of the move on NE 14. I am not sure on the processing time yet, I jumped the gun.

From: Garrett Love <garrett.t.love@gmail.com>

Sent: Friday, June 7, 2024 10:40 AM

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov>

Cc: McColloch, Austin [KDA] <Austin.McColloch@ks.gov>; Greg Love <greg.c.love@gmail.com>

Subject: Re: Change Applications 14536 (Section 31) & 27546 (Section 1)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Ok, thanks! I think we would like to generate another application.

We own the NE 14 well along with the other ones in the area (SE 11, SW 12)

On Fri, Jun 7, 2024 at 10:31 AM Meyer, Mike [KDA] < Mike. Meyer@ks.gov > wrote:

Do you want to generate another application or wait and see.

Also, TRL section 11 26 31W to section 14, I am wrapping up that review. do you own the well in the NE of 14 or does mike?

thanks

From: Garrett Love <garrett.t.love@gmail.com>

Sent: Friday, June 7, 2024 9:45 AM

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov >

Cc: McColloch, Austin [KDA] < Austin. McColloch@ks.gov >; Greg Love < greg.c.love@gmail.com >

Subject: Re: Change Applications 14536 (Section 31) & 27546 (Section 1)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hey Mike,

Ok, I did not realize it was an official action, but that is probably my misunderstanding.

On Fri, Jun 7, 2024 at 9:41 AM Meyer, Mike [KDA] < Mike. Meyer@ks.gov > wrote:

Austin dismissed that pending application on April 3, 2024. If interested, he would need to refile the application again and propose the similar amounts below as you mentioned to be considered for processing again.

I hope there was no misunderstanding if all didn't realize the application was dismissed back in April. That documentation was sent to your Dad on that date.

From: Garrett Love <garrett.t.love@gmail.com>

Sent: Friday, June 7, 2024 9:38 AM

To: Meyer, Mike [KDA] < Mike.Meyer@ks.gov >; McColloch, Austin [KDA] < Austin.McColloch@ks.gov >; Greg

Love <greg.c.love@gmail.com>

Subject: Fwd: Change Applications 14536 (Section 31) & 27546 (Section 1)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hey Mike,

I know Austin is out of the office, but after consideration, Dad is interested in doing the 110 AF at 74 GPM on WR 14536 move.

----- Forwarded message ------

From: Greg Love <greg.c.love@gmail.com>

Date: Thu, Feb 29, 2024 at 4:15 PM

Subject: Fwd: Change Applications 14536 (Section 31) & 27546 (Section 1)

To: Garrett Love <garrett.t.love@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: Greg Love <greg.c.love@gmail.com>
Date: February 29, 2024 at 4:14:32 PM CST

To: "McColloch, Austin [KDA]" < <u>Austin.McColloch@ks.gov</u>>

Subject: Re: Change Applications 14536 (Section 31) & 27546 (Section 1)

Thank you Austin, on file number 27546 on section 1-28-30, I would like to go ahead and do the 214af at 189 gpm rate ,,thank you, Greg love 630-846-0222

Sent from my iPhone

On Feb 26, 2024, at 1:51 PM, McColloch, Austin [KDA] < <u>Austin.McColloch@ks.gov</u>> wrote:

Greg,

Below are summaries of the two changes that found significant concern on the impact of the drawdown that was evaluated on surrounding wells. This is mainly attributed to such low saturated thickness in the area. The amount of reduction needed to bring the impacts down are pretty significant for both proposals.

We already spoke about WR 14536 back in October of last year but here are the numbers again.

More Quantity 1. (110 AF at 74 GPM) and More Rate 2. (20 AF at 237 GPM). We can go anywhere between those numbers. Understandably, if this is too great of a reduction and would not be worth it to redrill at this location, we can explore other options such as a <300 ft. move that does not require theis evaluations or somewhere else within the area. Note: due to the reduction in quantity, the total group acres will have to be reduced down as well in order to not increase consumptive use depending on the quantity you select.

We have not spoken about WR 27546 as I just got the numbers back not to long ago. Here they are.

More Quantity 1. (214 AF at 189 GPM) and More Rate 2. (50 AF at 394 GPM). We can go anywhere between those numbers. Understandably, if this is too great of a reduction and would not be worth it to redrill at this location, we can explore other options such as a <300 ft. move that does not require theis evaluations or somewhere else within the area. Note: depending on the reduction in quantity, the total group acres will have to be reduced down as well in order to not increase consumptive use depending on the quantity you select.

Feel free to call or email with any questions.

Thanks,

Austin McColloch

Garden City Field Office

Ph: (620) 276-2901

File No. 29807

SECTION 11

Non Severability of Land & Wells/Water Rights

or if not possible, the water right would be forfeited. they are separated from each other, Water Right 29807 would revert to its old place of use on SE 11-26-31 each other, neither the land nor the corresponding wells on them, through a sell or transfer. In the event 11.1 TRL Land Co LLC agrees to not sever or separate NE 14-26-31, SE 11-26-31 and SW 12-26-31 from



Application for Change in Point of Diversion

Water Right, File Nos. 29807

Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

May 24, 2024

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

RECEIVED

MAY 24 2024

Garden City Field Office Divison of Water Resources

Dear Mike:

RE:

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 (3.0 ft with saturated thickness is between 125-150ft), 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 aguifer model, which is considered to be the best information on well and aguifer 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 some of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed further evaluation. Critical wells were determined possible in the area if the proposed well is pumped at full authority. Part of the effects can be attributed to the fact that the area has a relative small saturated thickness currently so even effects that look minimal can have effects. We did not receive any comments from neighboring well owners. Therefore, GMD3 sees these moves as meeting current rules and would recommend approval if the State concurs that neighboring wells are not adversely affected. 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.

Jason L. Norquest

Assistant Manager

Working Water Conservation Every Day Since 1976

GMD3 Change Review

File No(s).: <u>29807</u> .			DWR office: <u>GC</u> .	
App filed to change:	<u>PD</u> .			
Is Landowner(s) cor	rect in WRI	S: TLR La	nd Co LLC.	
If NO, is doo	cumentation	included?		
Is Water Use Corres	pondent cor	rect in WRIS	S?	
If NO, is doc	umentation	included?		
Regulation(s) Revie	wed: KAR	5-23-3		
Point of diversion II) No(s)	being change	ed.	
	ft. North	ft. West		
Authorized PD	1420	3960	Sect 11-26-31	
Proposed PD	4627	2499	Sect 14-26-31	_
Difference	2073 s	1461 e		
a2 + b2 = c2	4297329	2134521	2536.109 foot move SE	-
GPS for proposed P				
Is proposed PD stack	_			
Is Proposed PU over		_	No Change .	
Neighboring certifie		1.0		
Name D Lightne			T om Willis).	
Address 11480 S E				
Zip <u>Garden Ci</u>	•			
Email: tom.willis@		nergy.com	Phone:	
Domestic well(s) no	tified:			
Name				
Address				
Zip				
Base Acres:				
Perfected Acres:				
Irr. Return-Flow	_%			
Finney County				
Authorized: 225AF				
		in order to	reduce minimum spacing requ	urements to
one of their own w	elis.			

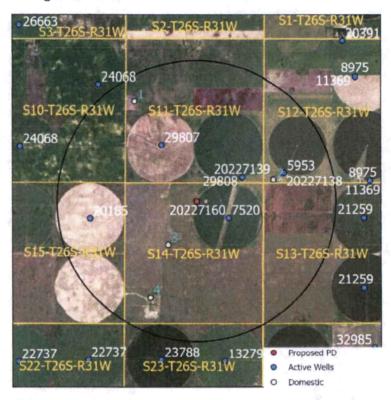
Is a waiver needed: Move less than half mile. After reducing to 200AF, minimum spacing appears met. Analysis shows the affects appear small, but the area is in a low saturated area and could be noticeable if pumped at full authority.

Recommendation: <u>After review of available information, it appears current area rules are met. Proposed move could have possible effects. Staff would recommend approval of the application if State agrees effect are not excessive and the reduction does occur.</u>

12

Evaluation of proposed move for Water Right No. 29807

Proposed: Move Water Right No. 29807 to a new location 2505 ft to the southeast.



Wells within 1 mile: 29808, 5953, 20158, 7520, and four domestic wells, numbered on the above map.

The saturated thickness at the proposed well location is estimated to be 128 ft, based upon the GMD3 model. For saturated thickness between than 125 ft and 150 ft, the drawdown allowance is 3.0 ft.

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

S = 0.1214, T = 3790 ft²/day, tp_{current} = 90 days, Q_{current} = 100 gpm, tp_{proposed} = 57 days, Q_{proposed} = 900 gpm

Theis drawdowns were calculated as follows:

29808: Drawdown from current location = 0.54 ft

Drawdown from proposed location = 4.61 ft

Net drawdown = 4.1 ft

5953: Drawdown from current location = 0.42 ft

Drawdown from proposed location = 2.92 ft

Net drawdown = 2.5 ft

20185:

Drawdown from current location = 0.48 ft

Drawdown from proposed location = 2.65 ft

Net drawdown = 2.2 ft

7520:

Drawdown from current location = 0.49 ft

Drawdown from proposed location = 6.15 ft

Net drawdown = 5.67ft

Domestic 1:

Drawdown from current location = 0.78 ft

Drawdown from proposed location = 2.53 ft

Net drawdown = 1.7 ft

Domestic 2:

Drawdown from current location = 0.44 ft

Drawdown from proposed location = 3.26 ft

Net drawdown = 2.8 ft

Domestic 3:

Drawdown from current location = 0.49 ft

Drawdown from proposed location = 4.66 ft

Net drawdown = 4.2 ft

Domestic 4:

Drawdown from current location = 0.37 ft

Drawdown from proposed location = 2.68 ft

Net drawdown = 2.3 ft

Net drawdown exceeds the drawdown allowance for the wells authorized under water right nos. 29808, 7520, as well as Domestic 3. Critical well analysis was performed for those wells.

20185:

Drawdown from current location = 0.48 ft

Drawdown from proposed location = 2.65 ft

Net drawdown = 2.2 ft

7520:

Drawdown from current location = 0.49 ft

Drawdown from proposed location = 6.15 ft

Net drawdown = 5.67ft

Domestic 1:

Drawdown from current location = 0.78 ft

Drawdown from proposed location = 2.53 ft

Net drawdown = 1.7 ft

Domestic 2:

Drawdown from current location = 0.44 ft

Drawdown from proposed location = 3.26 ft

Net drawdown = 2.8 ft

Domestic 3:

Drawdown from current location = 0.49 ft

Drawdown from proposed location = 4.66 ft

Net drawdown = 4.2 ft

Domestic 4:

Drawdown from current location = 0.37 ft

Drawdown from proposed location = 2.68 ft

Net drawdown = 2.3 ft

Net drawdown exceeds the drawdown allowance for the wells authorized under water right nos. 29808, 7520, as well as Domestic 3. Critical well analysis was performed for those wells.

Critical Well Evaluation:

29808:

Water Column = 90 ft

DP = 4.1 ft (Net drawdown from the proposal indicated above)

DE = 45 ft (Water level decline from 2024 through 2049 based upon GMD3 model)

DD = 20 ft (S = 0.1897, T = 3369 ft²/day, Q = 200 gpm, tp = 121 days, efficiency = 70%)

DT = 69.1 ft

Economic Drawdown Constraint (EDC) = 0.4 * 90 ft = 36 ft

Physical Drawdown Constraint (PDC) = 90 ft - 60 ft = 30.0 ft

Total drawdown of 69.1 ft is greater than the EDC and the PDC, so this well is critical.

7520:

Water Column = 128 ft

DP = 5.7 ft (Net drawdown from the proposal indicated above)

DE = 47.1 ft (Water level decline from 2024 through 2049 based upon GMD3 model)

DD = 35.3 ft (S = 0.1214, T = 3790 ft 2 /day, Q = 400 gpm, tp = 64 days, efficiency = 70%)

DT = 88.1 ft

Economic Drawdown Constraint (EDC) = 0.4 * 128 ft = 51.2 ft

Physical Drawdown Constraint (PDC) = 128 ft - 60 ft = 68 ft

Total drawdown of 88.1 ft exceeds the EDC and the PDC, so this well is critical.

Domestic 3:

Water Column = 128 ft

DP = 4.2 ft (Net drawdown from the proposal indicated above)

DE = 47.1 ft (Water level decline from 2024 through 2049 based upon GMD3 model)

DT = 51.3 ft

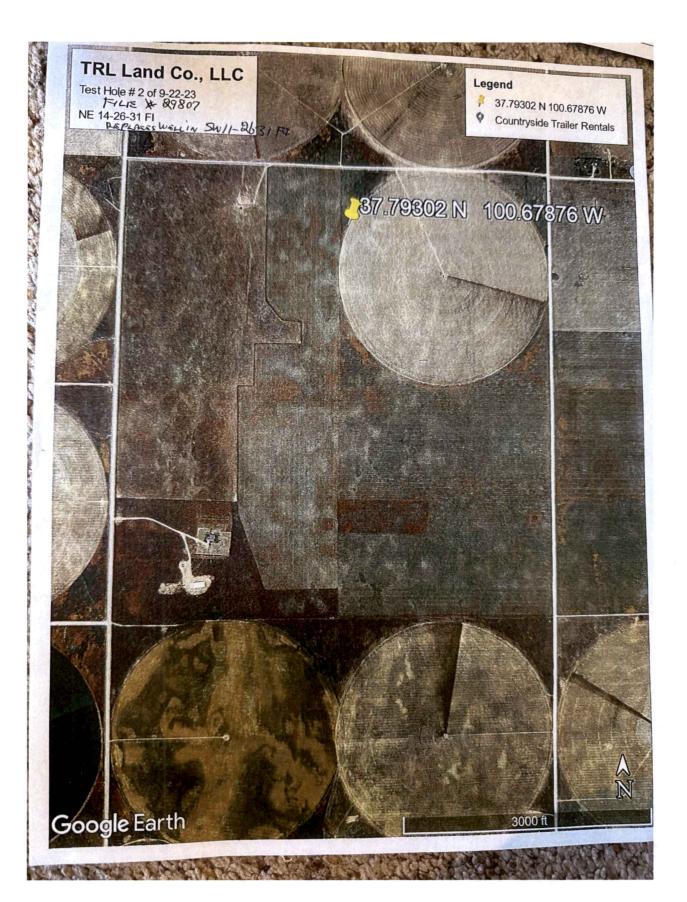
Economic Drawdown Constraint (EDC) = 0.4 * 128 ft = 51.2 ft

Physical Drawdown Constraint (PDC) = 128 ft - 20 ft = 108 ft

Total drawdown of 51.3 ft exceeds the EDC, so this well is critical.

Conclusion:

The proposed move is in a declining aquifer area with about 120 ft of remaining saturated thickness. The analysis shows that net well-to-well effects created by this proposal are likely to be small but noticeable to the nearest wells, due to the limited amount of remaining aquifer. Three nearby wells were flagged as critical because projected aquifer declines over the next 25 years amount to more than 40% of the remaining saturated thickness. 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

May 10, 2024

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

Re:

Request for Recommendation

Water Right, File No. 29807

Dear Mr. Norquest:

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

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

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

Sincerely,

Michael A. Meyer Water Commissioner

MAM Enclosures Water Rights and Points of Diversion Within 1 mile of point defined as:
4627 Feet N and 2499 Feet W of the Southeast Corner of Section 14 Twp 26S Rng 31W
Located at: 100.678759 West Longitude and 37.793019 North Latitude
Both SURFACE WATER and GROUNDWATER

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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

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:
4627 Feet North and 2499 Feet West of the Southeast Corner of Section 14 Twp 26S Rng 31W Located at: 100.678759 West Longitude and 37.793019 North Latitude
Both SURFACE WATER and GROUNDWATER

WP	TER USE CORRESPONDENTS:		
==			
>	TRL LAND CO LLC 21506 12 ROAD MONTEZUMA KS 67867	5953	Applicant's
> > > > > > > > > > > > > > > > > > > >	TRL LAND CO LLC 21506 12 ROAD MONTEZUMA KS 67867	7520	
> > > > > > > > > > > > > > > > > > > >	D LIGHTNER FARMS INC 11480 S BEEFLAND RD GARDEN CITY KS 67846	20185	
>	TRL LAND CO LLC		

> 21506 12 RO > MONTEZUMA K		24807	Application	
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