

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

January 7, 2025

GREEN ACRE FARMS INC
Attn: LARRY MILLER
1939 RD Z
DEERFIELD, KS 67838

RE: Filed Office Application for Change
Water Right, File No. 1203

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 files number and meet current specifications. Please note the additional condition of well construction.

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

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

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

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures

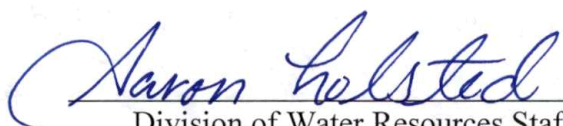
pc:
HAL C SCHEUERMAN
PO BOX 222
DEERFIELD, KS 67838-0222

CERTIFICATE OF SERVICE

On this 7th day of January 2025, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 1,203 dated 7th day of January 2025 was mailed postage prepaid, first class, US mail to the following:

GREEN ACRE FARMS INC
Attn: LARRY MILLER
1939 RD Z
DEERFIELD, KS 67838
pc:

HAL C SCHEUERMAN
PO BOX 222
DEERFIELD, KS 67838-0222


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. 1203

RECEIVED
 11:05 am
 JAN 02 2025

Garden City Field Office
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: GREEN ACRE FARMS INC ATNN: LARRY MILLER

1939 RD Z DEERFIELD KS 67838

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: _____

ADDRESS: _____

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

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

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

Owner of Land ---- NAME: _____

ADDRESS: _____

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

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

For Office Use Only: Code CGC Fee \$ 100.00 TR # _____ Receipt Date 1-2-25 Check # 6053

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the SW Quarter
 of Section 2 , Township 24 South, Range 35 (W),
 in KEARNY County, Kansas, 2600 feet North 3890 feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well 399 (feet)
(DWR use only: Computer ID No. 05 GPS 2600 feet North 4011 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 NW Quarter of the SW Quarter
 of Section 2 , Township 24 South, Range 35 (W),
 in KEARNY County, Kansas, 2607 feet North 4061 feet West of Southeast corner of section.
 Proposed Rate Proposed Quantity Proposed well depth (feet) 420'
 This point is: Additional Well Geo Center List other water rights that will use this point NONE

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

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

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

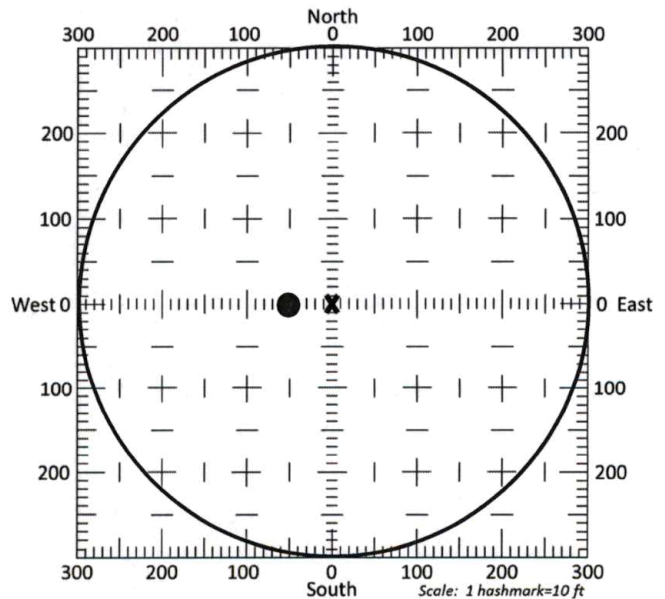
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
PLUG / CAP
 (b) When will this be done? UPON COMPLETION

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AM / 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.)**

ADDITIONAL CONDITIONS TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS,
Water Right, File No. 1,203

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.

That the applicant shall set surface casing through any shallow groundwater aquifers, at an approximate depth of greater than 169 feet below land surface, and shall cause the well under this appropriation to be constructed so that the source of supply will be restricted to withdrawal of water from the Ogallala aquifer system, thereby precluding withdrawal of water from any overlying water-bearing strata and ensure that an adequate seal is placed between the Ogallala aquifer system, and all overlying water-bearing strata so as to prevent any movement of water between formations.

That the gravel pack shall not extend more than two feet above the top of the well screen and shall be properly sealed (e.g. bentonite pellets) to prevent any movement of water between formations along the well annulus.

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

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

Dated of Issuance: January 7, 2025

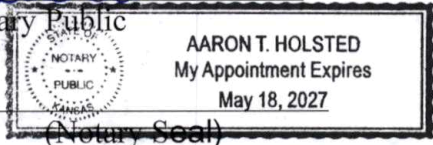
State of Kansas)
) SS
County of Finney)

Acknowledged before me on the 7th day of January 2025

By Michael A Meyer

Signature Aaron Holsted
Notary Public

My Commission expires: _____



(Notary Seal)

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 GARDEN CITY, Kansas, this 2ND day of JAN, 2025.

<p>+ <u>[Signature]</u> _____ (Owner)</p>	<p>_____ (Spouse)</p>
<p>x <u>Larry D. Miller</u> _____ (Please Print)</p>	<p>_____ (Please Print)</p>
<p>_____ (Owner)</p>	<p>_____ (Spouse)</p>
<p>_____ (Please Print)</p>	<p>_____ (Please Print)</p>
<p>_____ (Owner)</p>	<p>_____ (Spouse)</p>
<p>_____ (Please Print)</p>	<p>_____ (Please Print)</p>

State of Kansas }
 County of FINNEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2ND day of JAN, 2025.

My Commission Expires 9-14-26

NOTARY PUBLIC
STATE OF KANSAS
My App. Exp. Sept. 14, 2026

Catherine Reinert

 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

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. 1203.

1. A change application was received on January 2, 2025 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 50 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 300 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.

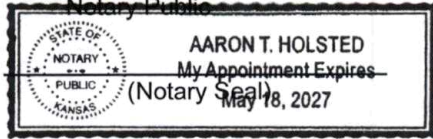
Administrative Appeal and Effective Date of Order

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: 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: January 7, 2025
State of Kansas)
County of Linney) SS
Acknowledged before me on January 7, 2025
by Michael A Meyer
Signature: Aaron Holsted
Notary Public



My commission expires:

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



LARRY MILLER 620-355-1600

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

Customer Name: Green Acres Farms - Larry Miller WO#: 27814 Date: 12-12-24
 Street Address: 1939 ROAD Z Test #: 1 E LOG: _____
 City, State: DEERFIELD, K.S. 67838 Driller: Dale Guinn
 County: Kearny Quarter: SW Section: 2 Township: 24 Range: 35
 Location: 50FT West of Existing Well GPS: N37.99566 W101.13525
 Rig #: 10004 Elevation: 3003' Static WL: 113 FT Estimated? _____
 Proposed Well Depth 420

REPLACEMENT WELL LOCATION INCLUDING 20' SUMP

%	Footage		To	Description of Strata
	From	Pay		
	0		2	Top Soil
	2		14	Brown Sandy Clay
	14		24	Sand Fine + Caliche Mixed
	24		43	Brown Sandy Clay
	43		54	Sand Fine Med w/Few Thin Clay Strips
	54		75	Brown Sandy Clay
	75		80	Sand Fine w/Some Clay Mixed
20	80	5	117	Sand Fine Med Course w/Few Thin Clay Strips
	117		139	Brown Clay
15	139	7	146	Sand Fine
	146		156	Brown + Blue Clay
	156		169	Blue Clay
15	169	12	181	Sand Fine Med Course w/Some Clay Mixed
25	181	17	198	Sand Fine Med Course
	198		223	Blue Clay
	223		233	Brown Sandy Clay
30	233	6	239	Sand Fine Med Course Small Gravel
15	239	7	246	Sand Fine Med w/Few Clay Layers
20	246	34	280	Sand Fine Med
25	280	25	305	Sand Fine Med Few Course
20	305	10	315	Sand Fine Med Course "Little Stiff Drilling In Places"
30	315	25	340	Sand Fine Med Course w/Some Small Tan Rock
25	340	24	364	Sand Fine Med Course
35	364	36	400	Sand Fine Med Course w/Brown + Tan Rock "Loose"
	400		404	Yellow Sandstone
	404		420	Black Shale
				Super Gel X -2
				Grout -3
				Hole Plug -6
				Perma Plug -1

Green Acres Farms

Larry Miller


Test Hole # 10f 12-12-24


SW 2-24-35 KE

FILE # 1203

Legend

 37.99566 N 101.13525 W

 37.99566 N 101.13525 W

 KJK Country Corner

Google Earth

Image © 2024 Airbus

400

2000 ft

