

Kansas Department of Agriculture
Division of Water Resources
APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 35902	2. Status Change Date:	4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.: Filing/Priority Date: 2/7/2025 Application Complete Date:	
3. Package File No(s): 35902; 42771			
5a. <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change T & O LLC ATTN: THOMAS WILLIS 901 APOLLO ST LIBERAL KS 67901 Person ID 62536 Add Seq# 01		5b. <input type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change T & O LLC PO BOX 1178 LIBERAL KS 67905 1178 Person ID 62536 Add Seq# 02	
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq#		5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq#	
6. Change No.: C4 <input checked="" type="checkbox"/> PD <input type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: Year: Min Reasonable Q: Previous UMW: Not changing MDS Gauge: Active Admin? <input type="checkbox"/> Completion/Start Date: 12/31/2025 Perfection/Expiration Date:		7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: IRR-Irrigation UMW: UMW:	
8. Action Trail			
9. Special Conditions			
10. 5YR Allocation Type: Start Year: 5YR Quantity: Base Acres: Comment:			
11. Sand & Gravel Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr			
12. Waiver Rule ID: <input type="checkbox"/> New Date Requested: Applies: Rule No.: Justification: Rule Type: Rule SubType:			
Comments		Processed 4/8/2025 AM Reviewed	Entered

File No. 35902	13. County: FI Basin: ARKANSAS RIVER Stream:									
Structures File No:	Aquifer Code: 211					Special Use Area:				

14. Points of Diversion, Rates & Quantities										Qty AF		Rate gpm		Storage Qty		Storage Rate	
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps	
DEL 50251																	
ENT	SW SE NW	27	26S	33W		2733	3468		520	520	960	960				*	

15. Limitations	Type:	Quantity:	Rate:	combined with file no(s):	
	Type:	Quantity:	Rate:	combined with file no(s):	

16. Metering	<input checked="" type="checkbox"/> Metering Required <input type="checkbox"/> Anti-Reverse Required <input type="checkbox"/> Seal Required Compliance Date: 12/31/2025				
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17. Place of Use	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps
						NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
CHK 3422																								<input type="checkbox"/>	**
CHK 13054																								<input type="checkbox"/>	**
CHK 13532																								<input type="checkbox"/>	**
CHK 27962																								<input type="checkbox"/>	**
																								<input type="checkbox"/>	
																								<input type="checkbox"/>	

18. Point of Diversion and Place of Use Overlaps * 42771 + # ^	** 7517; 34371; 34769; 35902; 42771 ++ ## ^^
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Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846

Mike Beam, Secretary



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

Laura Kelly, Governor

April 8, 2025

T & O LLC
Attn: THOMAS WILLIS
901 APOLLO ST
LIBERAL KS 67901

RE: Filed Office Application for Change
Water Right, File Nos. 35,902 & 42,771

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, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GMD 3

CERTIFICATE OF SERVICE

On this 8th day of April, 2025, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 35,902 & 42,771 dated 8th day of April, 2025 was mailed postage prepaid, first class, US mail to the following:

T & O LLC
Attn: THOMAS WILLIS
901 APOLLO ST
LIBERAL KS 67901

Pc:

GMD 3



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. 35902

RECEIVED
12:40 PM
FEB 07 2025

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: T & O LLC

PO BOX 1178, LIBERAL, KS 67905-1178

Phone Number: ()

Email address:

Name and address of Water Use Correspondent: Same

Phone Number: ()

Email address:

3. The presently authorized place of use is:

Owner of Land ---- NAME: T & O LLC, Attn: THOMAS WILLIS

ADDRESS: 901 APOLLO ST, LIBERAL, KS 67901

(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 2-7-25

Check # 006761

5. **Presently authorized point of diversion:**
 One in the CS Quarter of the SE Quarter of the SW Quarter
 of Section 22, Township 26 South, Range 33 W,
 in FI County, Kansas, 50 feet North 3350 feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well 480 (feet)
 (DWR use only: Computer ID No. 2 GPS 94 feet North 3336 feet West) **2021 C.I.**
☐ This point will not be changed ☒ This point will be changed as follows: ☐ No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the SW Quarter of the SE Quarter of the NW Quarter
 of Section 27, Township 26 South, Range 33 W,
 in FI County, Kansas, 2733 feet North 3468 feet West of Southeast corner of section.
 Proposed Rate No change Proposed Quantity No change Proposed well depth (feet) 660
 This point is: ☐ Additional Well ☐ Geo Center List other water rights that will use this point 42771

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) _____

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:

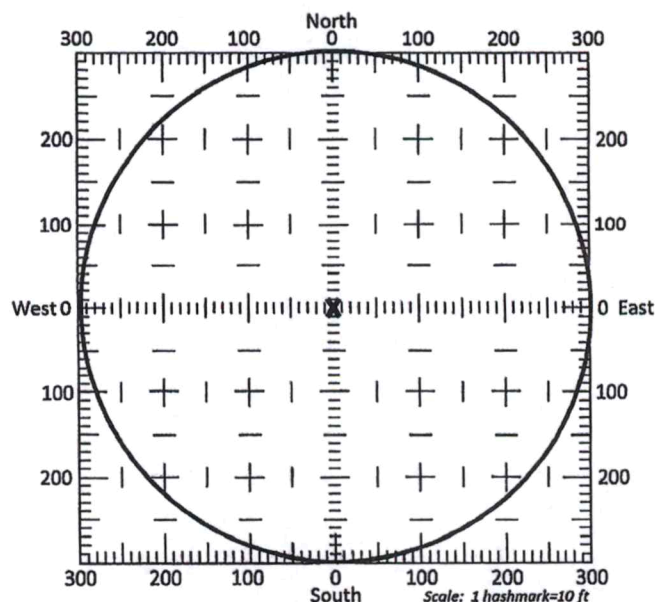
(a) What are you going to do with the old well?

(b) When will this be done? _____

11. Groundwater Management District recommendation attached?
☐ Yes ☐ 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 Liberal, Kansas, this 3rd day of January, 20 25.

Tom Willis
(Owner)

(Spouse)

TOM WILLIS
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

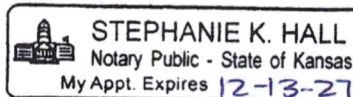
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Seward } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3rd day of January, 20 25.

Stephanie K. Hall
Notary Public

My Commission Expires 12-13-27.

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. 35902.

1. A change application was received on February 7, 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 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.

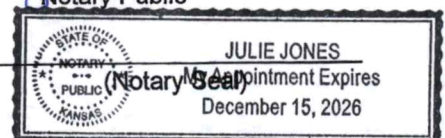
For Use by Register of Deeds

FOR OFFICE USE ONLY

APPLICATION APPROVED AND SUMMARY ORDER ISSUED

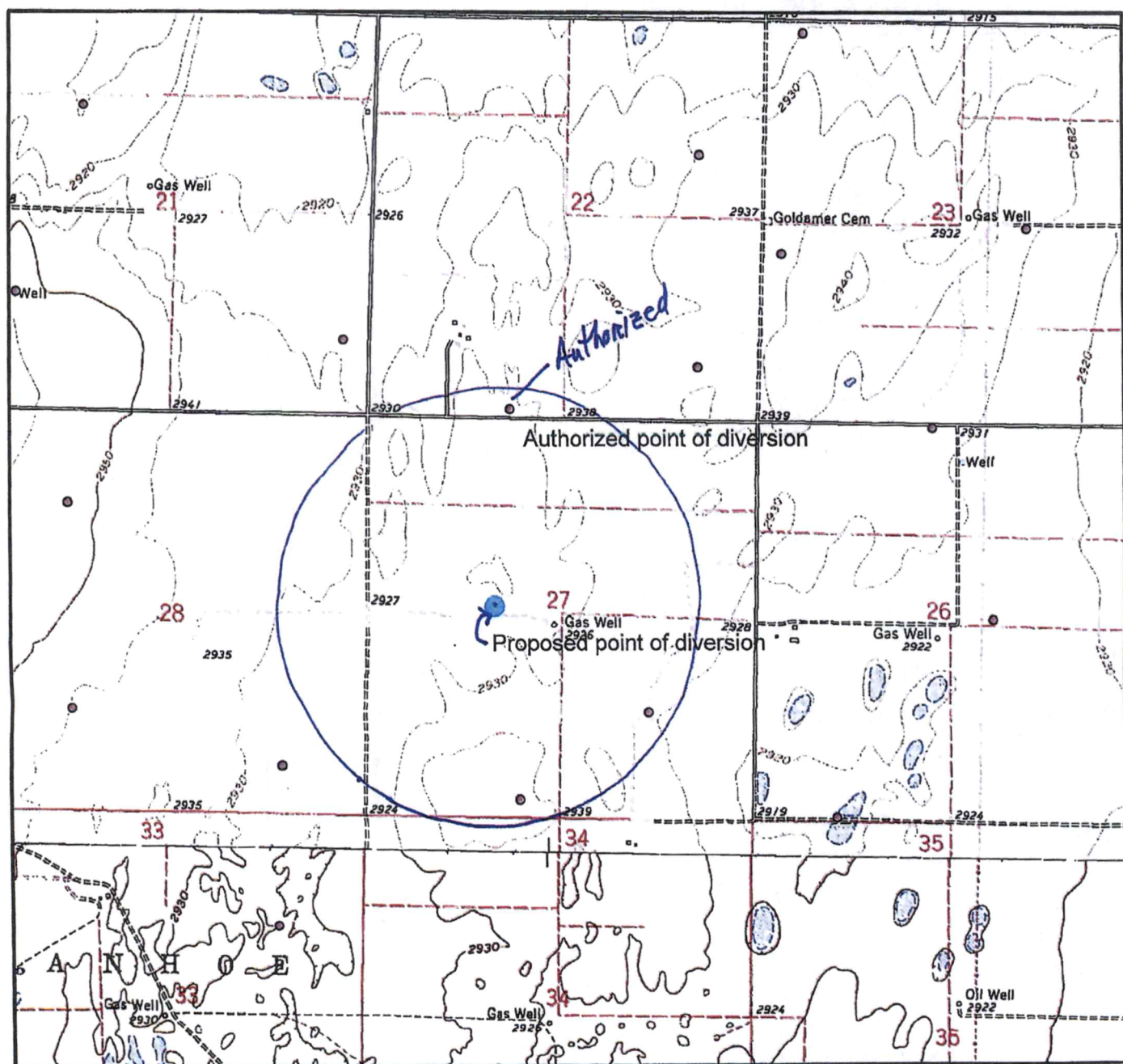
By: Austin McColloch
Duly Authorized Designee of the Chief Engineer
(Print Name): Austin McColloch
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: April 8, 2025
State of Kansas)
County of Atkinson) SS
Acknowledged before me on April 8, 2025
by Austin McColloch
Signature: Julie Jones
Notary Public

My commission expires:



CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 35902

NW 1/4 of Section 27, Township 26 South, Range 33 West, FI County



• Authorized Point of Diversion

• Proposed Point of Diversion

0 0.1 0.2 0.4 0.6 0.8
Miles



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

mdf/GCFO
12/2/2024

(Signature)

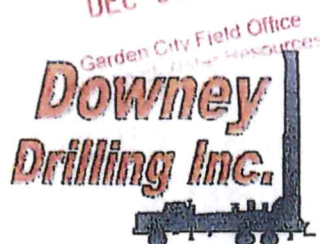
Date

RECEIVED

DEC 02 2024

WELL LOG

DATE: 4/30/2024



CUSTOMER NAME: T & O, LLC

TH#3-24

LEGAL: NE/NW 27-26S-33W

COUNTY: FINNEY CO, KS

GPS: 37.758871

-100.919603

DRILLER: DIEGO

WO: 23-061

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	4	TOP SOIL	SOFT	DARK BROWN	FAST		SMOOTH
	4	12	BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
	12	32	FINE SAND	SOFT		FAST		VIBRATION
	32	45	FINE SAND W/ CALICHE & SANDY CLAY TRACE		WHITE			CHOPPY
	45	53	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	53	69	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	69	87	FINE-MED GRAVEL W/ FINE-MED-COARSE SAND	STIFF		FAST		FAST CHATTER
	87	99	FINE-MED-COARSE GRAVEL	HARD		SLOW		CHATTER
	99	149	FINE-MED-COARSE SAND W/ SANDY CLAY LEDGES	FIRM	TAN	FAST		FAST CHATTER & SMOOTH @ TIMES
	149	153	LIME ROCK	HARD	WHITE	SLOW	X	CHATTER
	153	156	WHITE SANDY CLAY	SOFT	WHITE	FASTER		SMOOTH
	156	170	SANDY CLAY W/ FINE SAND	SOFT	BROWN	FAST		VIBRATION
	170	205	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	205	206	CEMENTED SAND	HARD		SLOW		CHATTER
	206	211	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	211	221	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	221	227	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
	227	298	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	298	300	HARD SPOT	HARD		SLOW	X	CHATTER
	300	306	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	306	321	FINE-MED-COARSE SAND W/ CEMENTED SAND LAYERS	STIFF		SLOWER		CHATTER
	321	343	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	343	381	FINE-MED SAND W/ LIME ROCK & SANDY CLAY TRACE	FIRM	WHITE & TAN	FAST		CHOPPY & VIBRATION
	381	413	WHITE SANDY CLAY W/ FINE SAND	SOFT	WHITE	SLOW		SMOOTH & VIBRATION
	413	419	FINE-MED SAND	SOFT		FAST		CHOPPY
	419	463	BROWN CLAY	STICKY	BROWN	FAST		SMOOTH
	463	482	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	482	487	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	487	493	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	493	512	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	512	528	FINE-MED-COARSE SAND W/ BROWN ROCK TRACE	FIRM	BROWN	FAST		FAST CHATTER
X	528	553	BROWN ROCK W/ SANDSTONE & FINE SAND	STIFF	BROWN	FAST		FAST CHATTER
	553	569	GRAY CLAY W/ SOAPSTONE	SOFT	GRAY	SLOW		SMOOTH & VIBRATION
	569	573	SANDSTONE	STIFF	GRAY	FAST		CHATTER
	573	577	GRAY CLAY	SOFT	GRAY	SLOW		SMOOTH

RECEIVED

DEC 02 2024

Field Office
T & O LLC

Century

GEOPHYSICAL CORP.

T & O LLC

COMPANY : DOWNEY DRILLING INC
 WELL : T & O ILL.
 LOCATION/FIELD : TH#3-24
 COUNTY : FINNEY
 LOCATION : NE NW 3
 SECTION : 27

OTHER SERVICES:

TOWNSHIP : 26S

RANGE : 33W

DATE : 04/30/24
 DEPTH DRILLER : 660
 LOG BOTTOM : 661.00
 LOG TOP : 1.90

PERMANENT DATUM : GL

KB :

LOG MEASURED FROM: GL

DF :

DRL MEASURED FROM: GL

GL : 2820

CASING DIAMETER : 10.
 CASING TYPE : SURFACE
 CASING THICKNESS:

LOGGING UNIT : 1903
 FIELD OFFICE : O'DRISCOL
 RECORDED BY : DIEGO

BIT SIZE : 6.25
 MAGNETIC DECL. : 0
 MATRIX DENSITY : 2.65
 NEUTRON MATRIX : SANDSTON

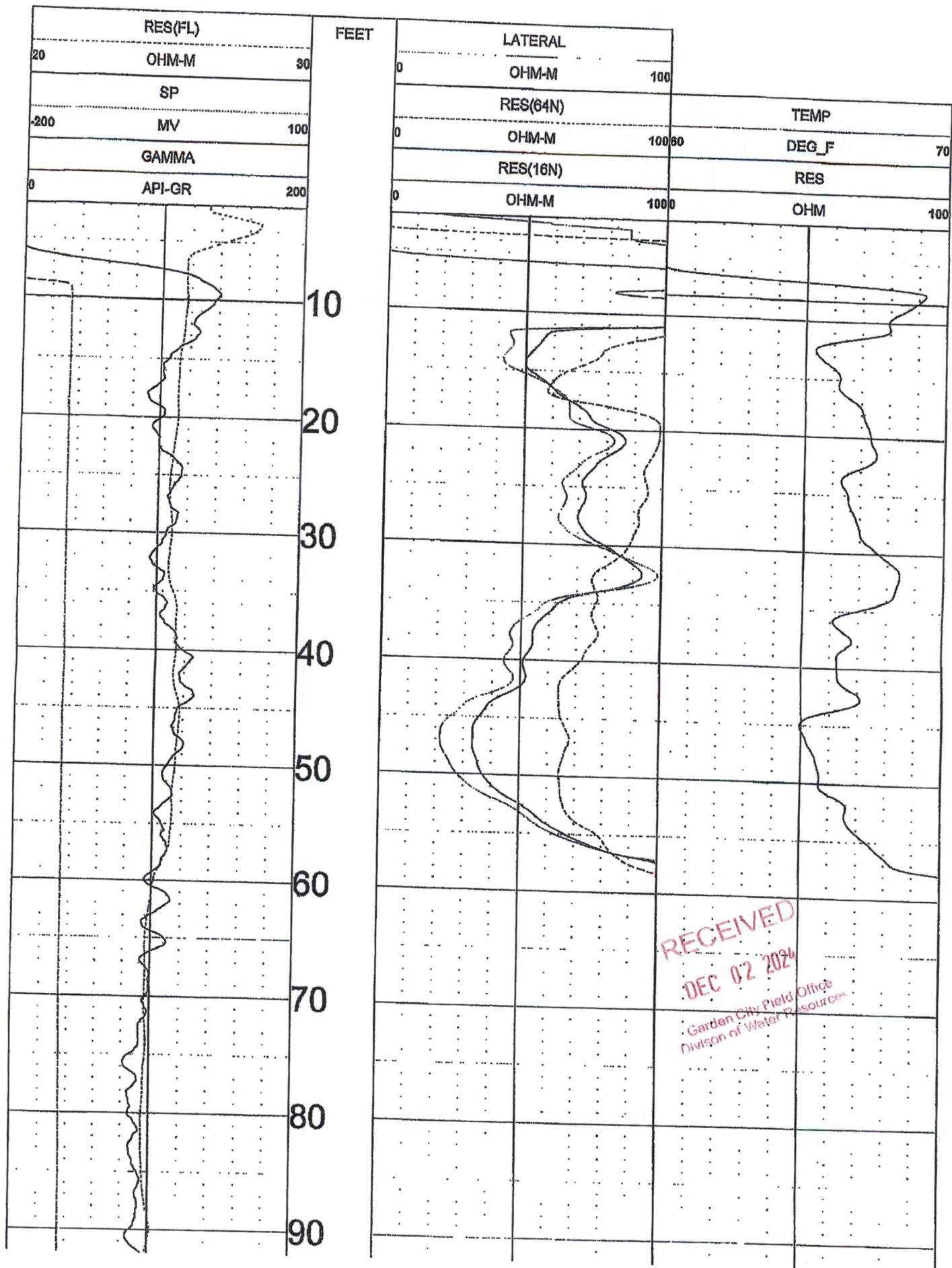
BOREHOLE FLUID : MUD
 RM : .179
 RM TEMPERATURE : 68.5
 MATRIX DELTA T : 54

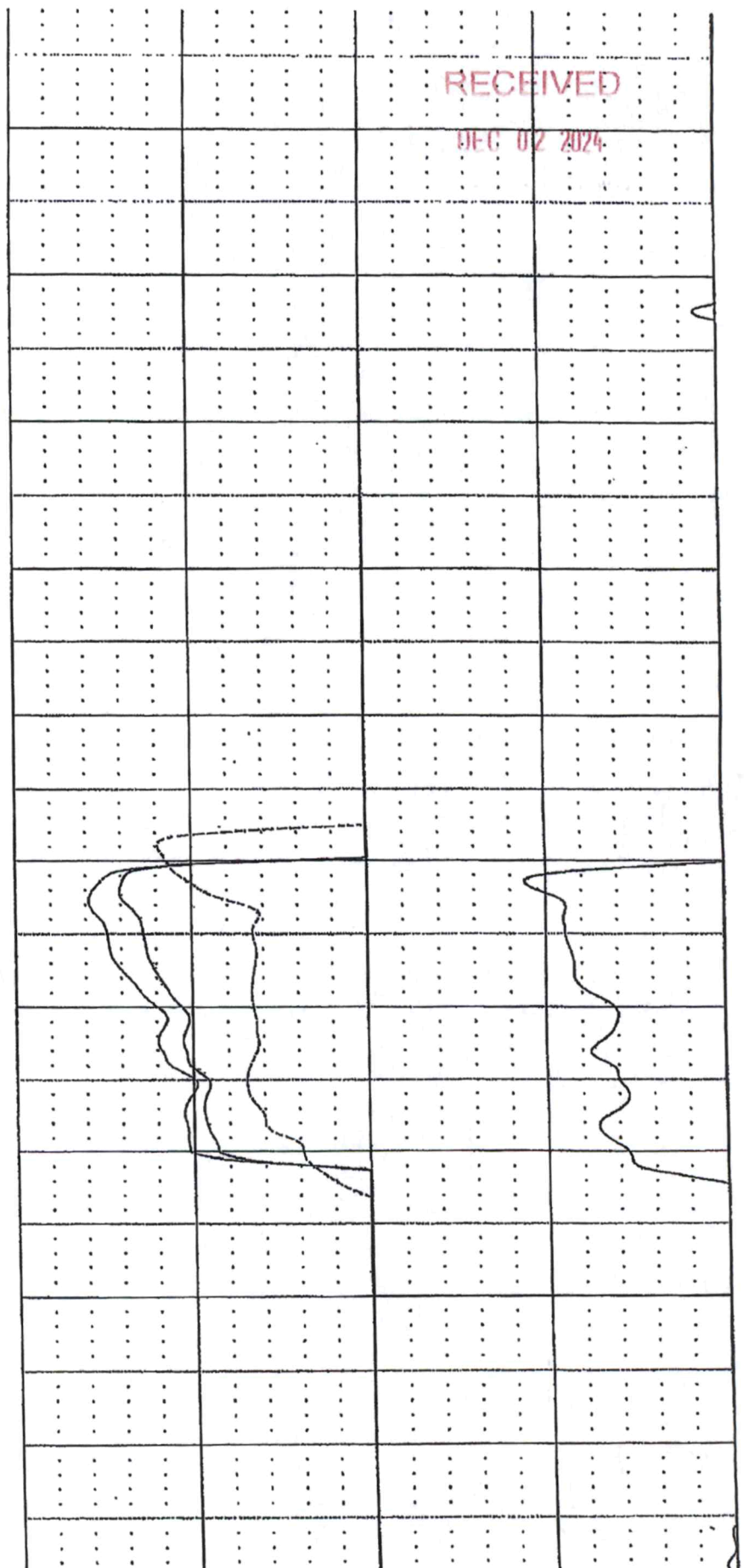
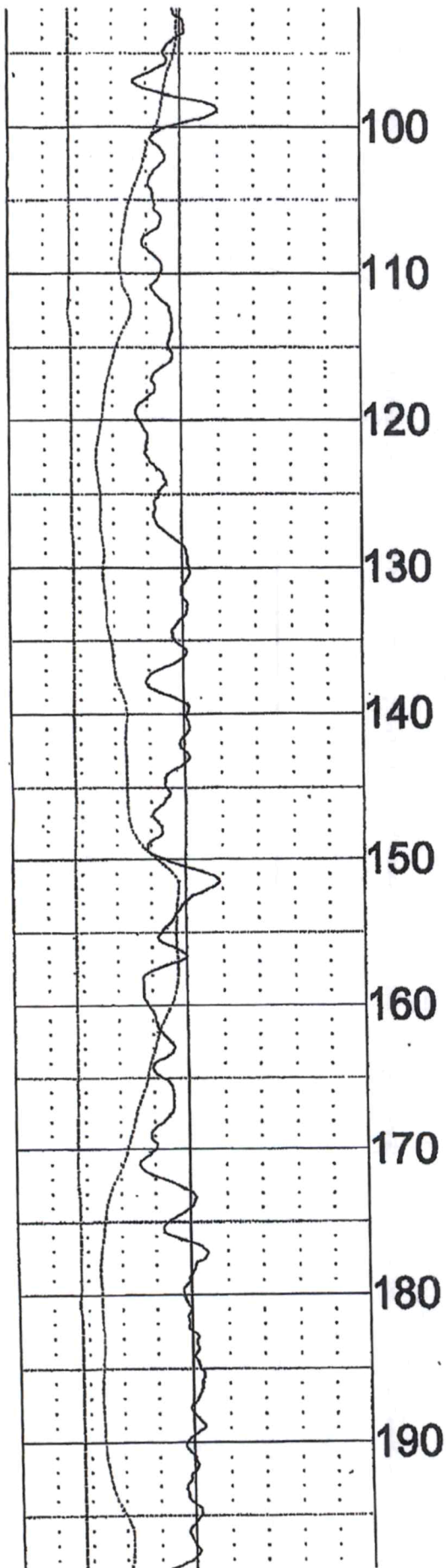
FILE : ORIGINAL
 TYPE : 8144A
 LGDATE: 04/30/24
 LGTIME : 16:50:
 THRESH: 99999

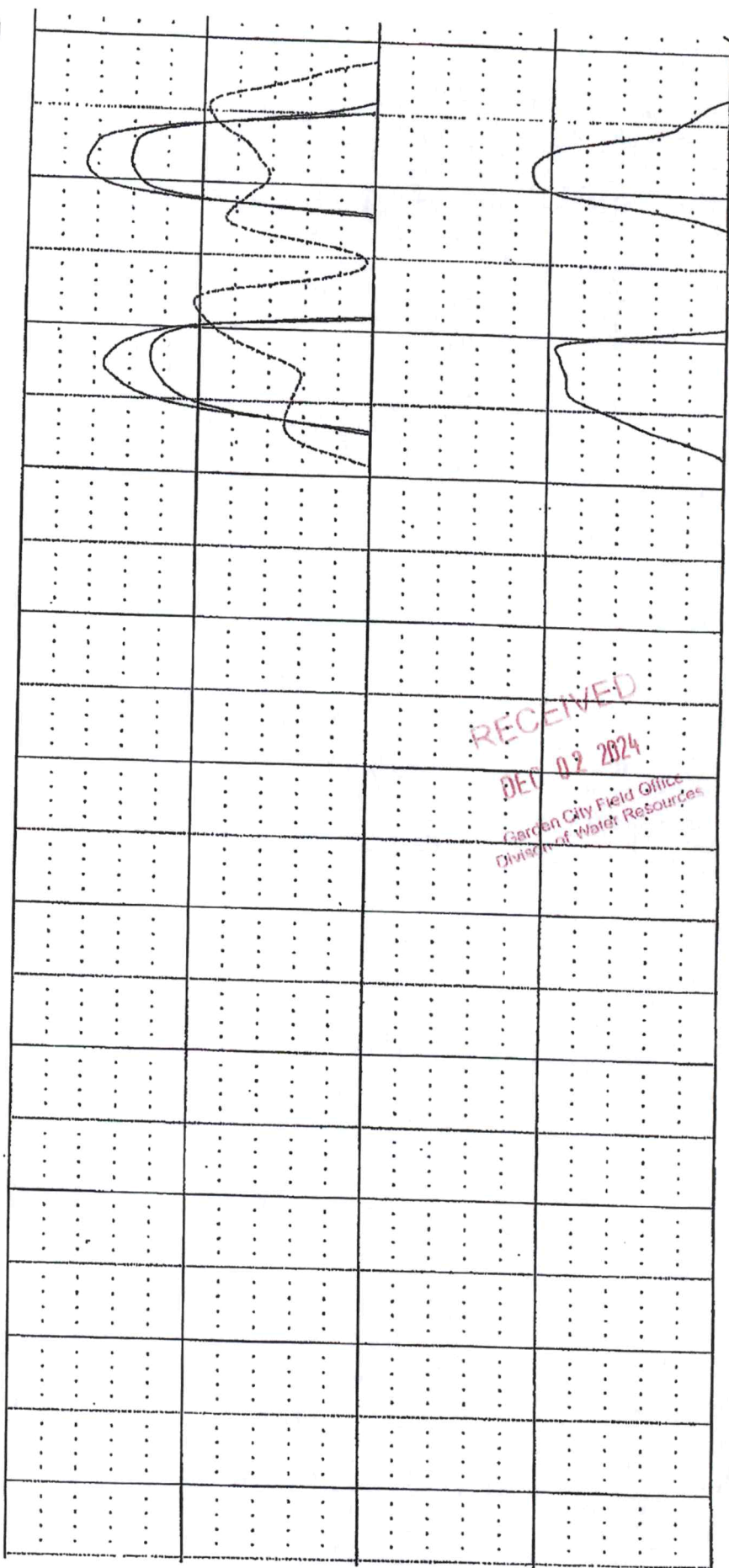
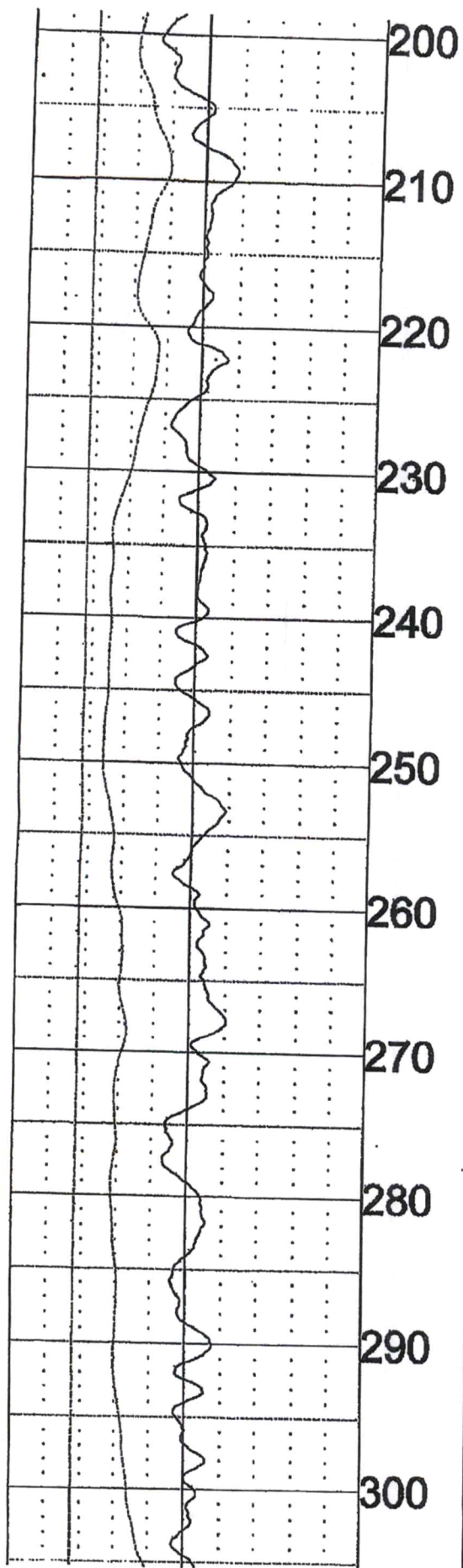
GPS 37.758871, -100.91960

ALL SERVICES PROVIDED SUBJECT TO STANDARD TERMS AND CONDITIONS

Don / Rusty
 IF WE DRILL @ TH #3-24
 NEED TO CHECK LOCATION WITH
 MIKE @ DWR. REAL CLOSE TO
 OUTSIDE CIRCLE ON MY MAP.







RECEIVED
DEC 02 2024
Garden City Field Office
Division of Water Resources

RECEIVED

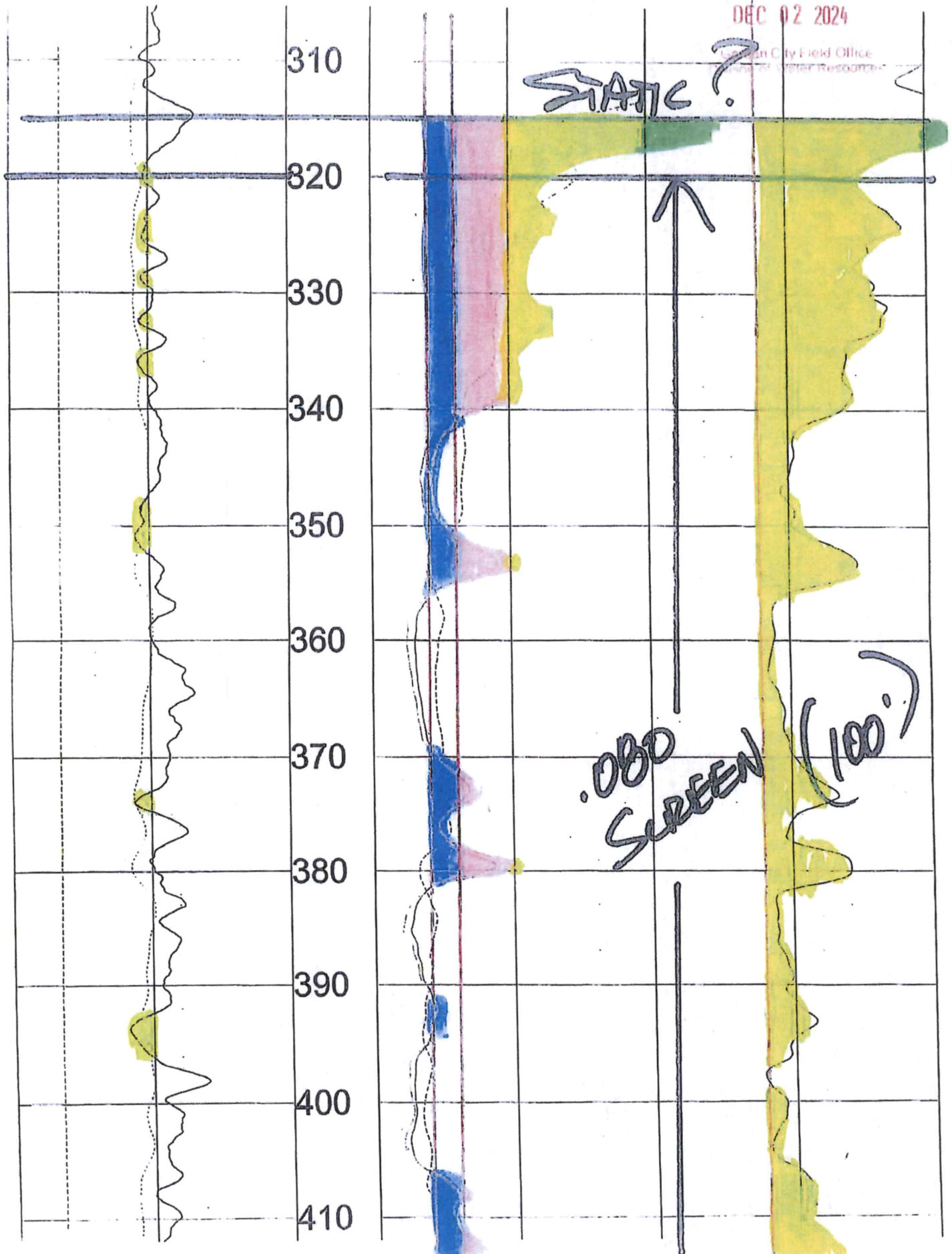
DEC 02 2024

San Juan City Field Office
San Juan Water Resources

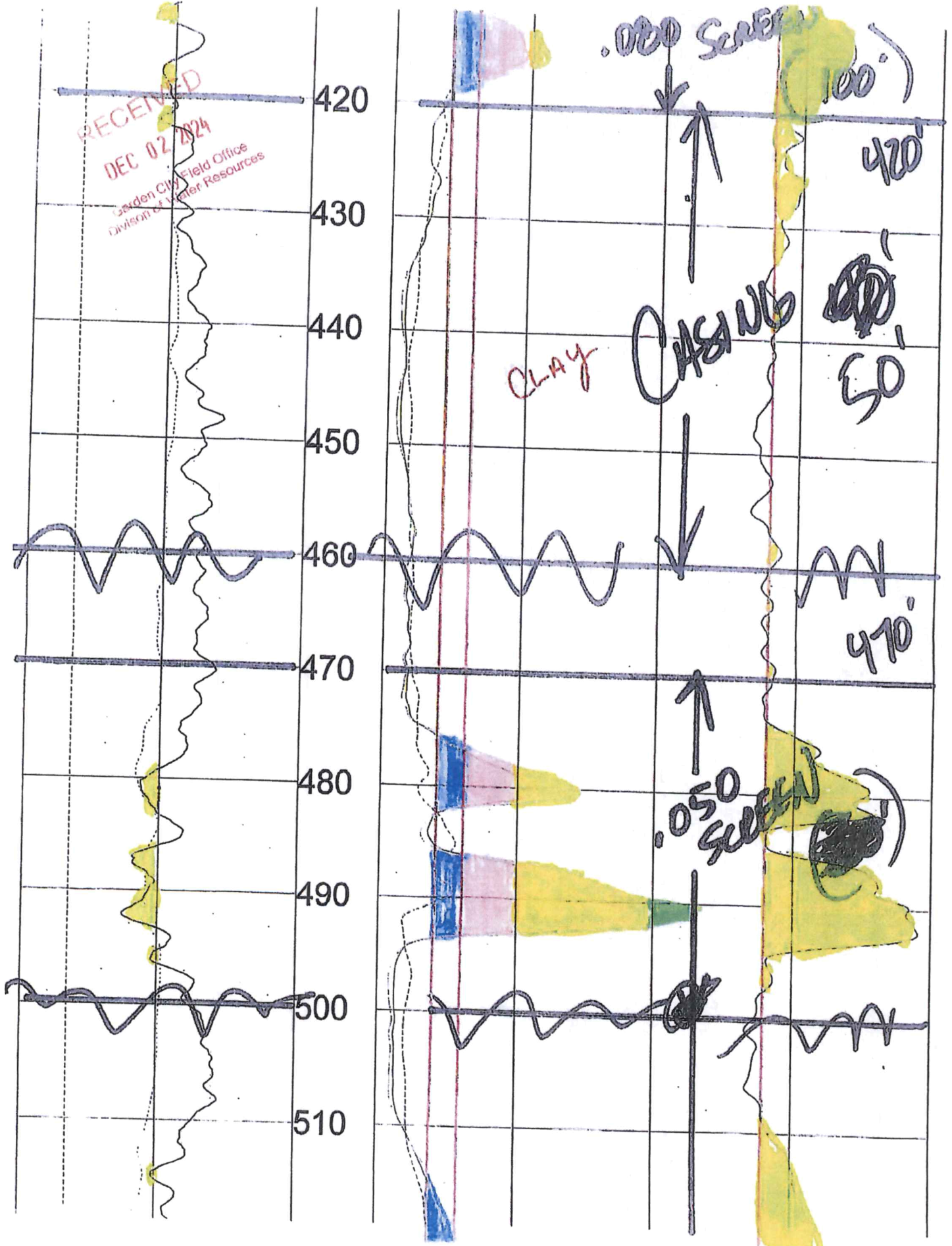
STATIC?



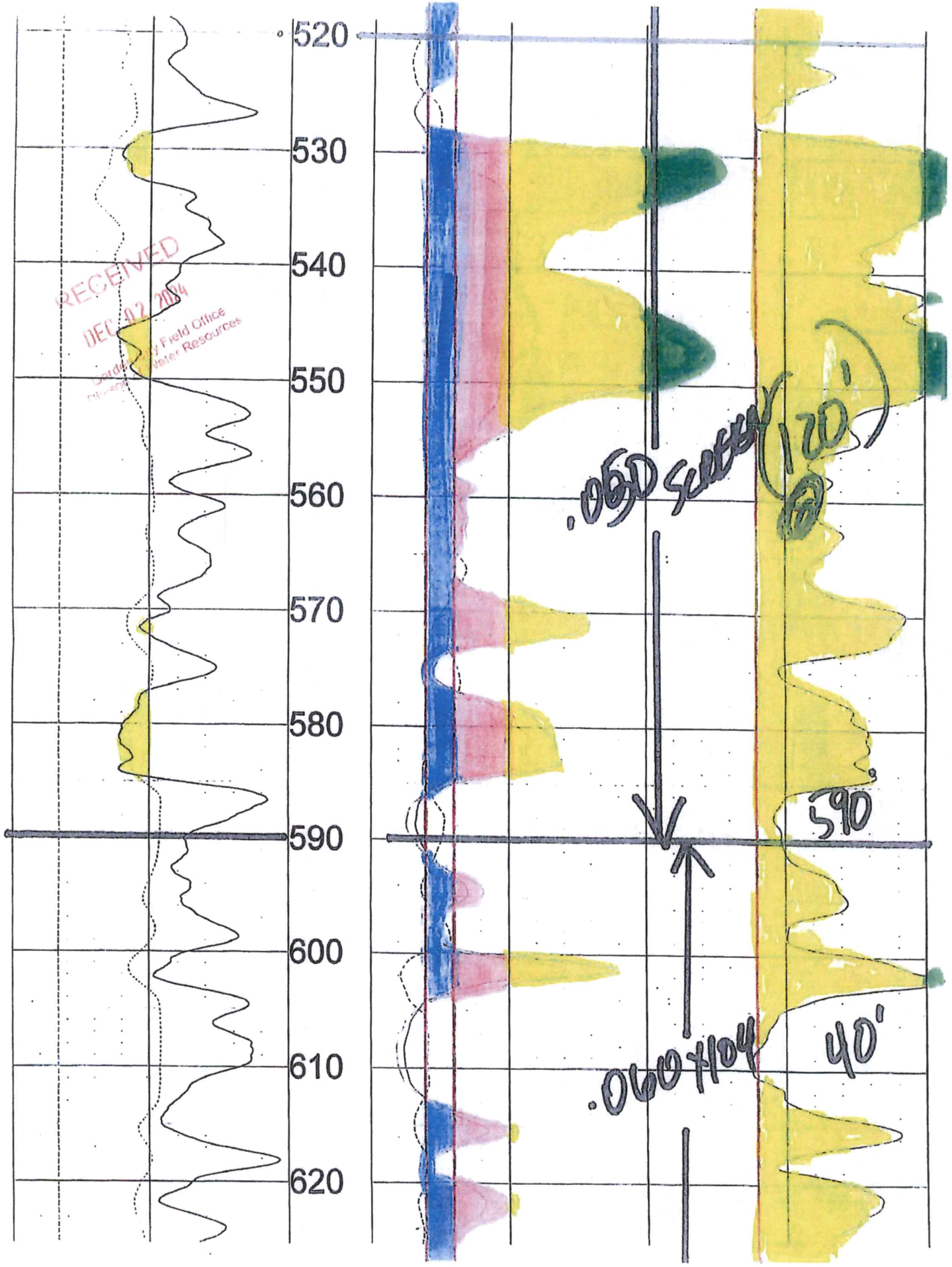
OBO
SCREEN (100')

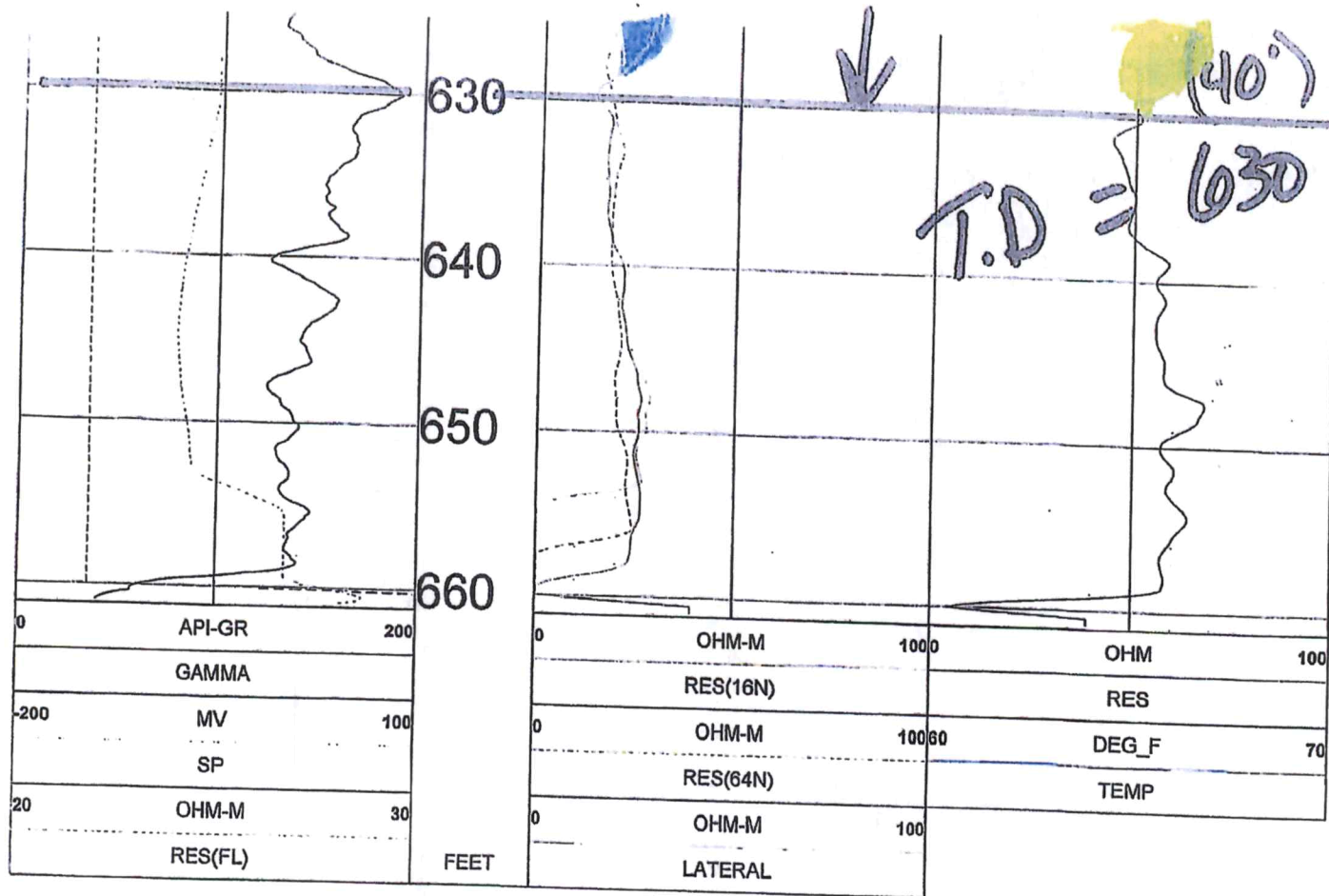


RECEIVED
DEC 02 2024
Garden City Field Office
Division of Water Resources



RECEIVED
DEC 02 2004
Jordan Field Office
Water Resources





RECEIVED
 DEC 02 2024
 Garden City Field Office
 Division of Water Resources

TOOL CALIBRATION T & O LLC 04/30/24 16:50
 TOOL 8144A TM VERSION 3002
 SERIAL NUMBER 365

	DATE	TIME	SENSOR	STANDARD	RESPONSE
1	Feb08,18	07:51:35	GAMMA	1.000 [API-GR]	4.000 [CPS]
	Feb08,18	07:51:35	GAMMA	340.000 [API-GR]	290.000 [CPS]
2	Jul12,17	13:24:17	RES(FL)	1.330 [OHM-M]	7595.000 [CPS]
	Jul12,17	13:24:17	RES(FL)	42.700 [OHM-M]	64820.000 [CPS]
3	Jan14,22	08:32:51	SP	0.000 [MV]	327768.000 [CPS]
	Jan14,22	08:32:51	SP	381.500 [MV]	164650.000 [CPS]
4	Jan14,22	08:33:01	RES(16N)	0.000 [OHM-M]	3453.000 [CPS]
	Jan14,22	08:33:01	RES(16N)	1951.500 [OHM-M]	448089.000 [CPS]
5	Jan14,22	08:33:10	RES(64N)	0.000 [OHM-M]	3163.000 [CPS]
	Jan14,22	08:33:10	RES(64N)	1994.000 [OHM-M]	449170.000 [CPS]
6	Jul12,17	13:17:49	TEMP	33.400 [DEG_F]	86910.000 [CPS]
	Jul12,17	13:17:49	TEMP	102.200 [DEG_F]	270930.000 [CPS]
7	Jan14,22	08:33:36	RES	0.000 [OHM]	21285.000 [CPS]
	Jan14,22	08:33:36	RES	944.000 [OHM]	190146.000 [CPS]

RECEIVED
 DEC 02 2024
 Garden City Field Office
 Division of Water Resources

McColloch, Austin [KDA]

From: Bill Heiman <bhiman57@gmail.com>
Sent: Wednesday, February 26, 2025 3:53 PM
To: McColloch, Austin [KDA]
Subject: Application for change, Water Right Nos. 35902 & 42771

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.

From: Bill Heiman, bhiman57@gmail.com
Sent: 02-26-2025
To: Kansas Division Water Resources, Austin McColloch

This email is in reference to the letter I received from you dated February 10, 2025, stating T & O LLC has filed an application to change the point of diversion on Water Right File Numbers 35902 & 42771 on the NW ¼ 27-26-33 Finney County Ks.

I am writing this email so that it is on record that I have concerns about the possibility of a new well adversely affecting Water Right File Number 14154 and other Water Rights in close proximity to the proposed location. I understand that the required distance between wells is being kept. I'm not opposed to the diversion change but wanted to express my concerns in doing so.

RECEIVED

FEB 26 2025

Garden City Field Office
Division of Water Resources

February 21, 2025

Kansas Dept of Agriculture
Division of Water Resources
Garden City Field Office
Garden City, Ks

Peggy L Hartwell
104 N Thomas Ave
Oakland, NE 68045

To Whom it may Concern,

This letter is in response to letter I received dated Feb 10, 2025, and it refers to File # 35902 and 42771. I understand that an application of change to change the point of diversion of proposed well to be relocated to the NW1/4 of Section 27, Township 26South, Range 33W, in Finney County.

I understand that said proposed well is within legal limits to my well located on SE1/4, Township 26 S, Range 33W. My concern is that proposed well may have an impact on my wells production, if not immediately then possibly in future. Concern is that proposed well will be able to pump allowed 520 Acre ft regardless if that Quarter has a crop or not. Since my well is the senior well involved, I feel that consideration of my well production takes priority in the consideration of new well location.

Thank you for your consideration and look forward to your response.

Sincerely,

Peggy L. Hartwell

RECEIVED

FEB 21 2025

Garden City Field Office
Division of Water Resources

Meyer, Mike [KDA]

From: lwv@wbsnet.org
Sent: Friday, February 21, 2025 5:05 PM
To: Meyer, Mike [KDA]
Subject: application for change----letter of concern

Follow Up Flag: Flag for follow up
Flag Status: Flagged

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.

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

ATTN. Mike Meyer

This is in reference to application for Change of Water Right; File Nos. 35902 & 42771.
An irrigation well is proposed to be relocated to the NW ¼ of Section 27, Township 26 south, range 33 west, Finney County.

This is a letter of concern that as the water depletes, I feel that the placement of the well at this location will affect the production of my senior well on the SE1/4 of 27-26-33, Finney County-----if not now, possibly in the future.

T&O LLC has the ability to divert water to other locations whether or not a crop is growing at this location which would allow them to pump and divert their full allocation each year to other fields.

Thank you for your attention to this matter.

Sincerely,
Larry W. Voth
Linda J. Voth

RECEIVED

FEB 21 2025

Garden City Field Office
Division of Water Resources

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 8, 2025

LARRY W & LINDA JOYCE VOTH
2230 E LEAR RD
GARDEN CITY, KS 67846

RE: Water Right
File Nos. 35,902 & 42,771

Dear Sir or Madam:

This will acknowledge receipt of your letter received on February 21, 2025, in which you expressed comments concerning the applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under Water Right, File Nos. 35,902 & 42,771. Further analysis has shown no concerns on the proposal.

Your comments have been considered and entered into the record; approval of the application will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under these applications substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Division of Water Resources
Garden City Field Office
4532 W. Jones Ave, Suite B
Garden City, KS 67846
(620) 276-2901

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Austin McColloch
Assistant Water Commissioner

AM:

pc:

SCANNED

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 8, 2025

WILLIAM AND JANELL HEIMAN
2121 BUFFALO HEIGHTS DR
GARDEN CITY, KS 67846-3512

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Garden City, KS 67846
(620) 276-2901

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Sincerely,

Austin McColloch
Assistant Water Commissioner

AM:

pc:

SCANNED

1320 Research Park Drive
Manhattan, KS 66502
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www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 8, 2025

PEGGY & STEWART HARTWELL
104 N THOMAS
OAKLAND, NE 68045

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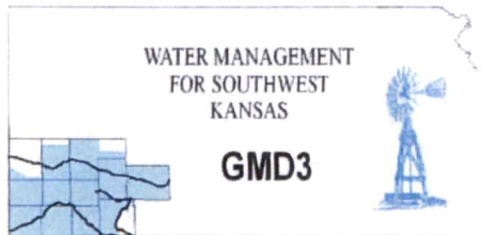
Sincerely,

Austin McColloch
Assistant Water Commissioner

AM:

pc:

SCANNED



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

March 18, 2025

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

RECEIVED

MAR 18 2025

Garden City Field Office
Division of Water Resources

RE: Applications for Change in Point of Diversion
Water Right, File Nos. 35902 & 42771

Dear Austin:

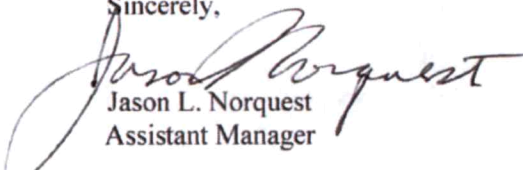
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

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 none of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed no further evaluation. No critical wells were determined in the area. We did not receive any comments from neighboring well owners. Therefore, GMD3 sees this move as meeting current area rules and would recommend approval. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest
Assistant Manager

GMD3 Change Review

File No(s): 35902, 42771.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: T&O LLC.

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	50	3350	Sect 22-26-33
Proposed PD	2733	3468	Sect 27-26-33
Difference	2597	-118	
$a^2 + b^2 = c^2$	6744409	13924	2599.679 foot move S

GPS for proposed PD: Lat: 37.758871 Long: -100.919603.

Is proposed PD stacking on existing WRs? Keeping overlap.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name John & Cynthia Lightner (11284).

Address 8955 S US Highway 83.

Zip Garden City, KS 67846.

Email: lightner@wbsnet.org

Name Eldon & Terry Alexander (13316).

Address 13990 S Sandhill RD.

Zip Garden City, KS 67846.

Email: sandhillfarmandranch@gmail.com

Name William & Janell Heiman (14154).

Address 2121 Buffalo Heights DR.

Zip Garden City, KS 67846.

Email: bhiman57@gmail.com

Name Larry Voth (14451D1, 14451D2).

Address 2230 E lear RD.

Zip Garden City, KS 67846.

Email: lvv@wbsnet.org

Name Triangle H Grain & Cattle Co (22115).

Address 1955 W Plymell RD.

Zip Garden City, KS 67846.

GMD3 Change Review

Email: trianglehfarms@triangle-h.com

Domestic well(s) notified: ____.

Name ____.

Address ____.

Zip ____.

Base Acres: ____.

Perfected Acres: ____.

Irr. Return-Flow ____%

Finney County

35902: 520AF @ 960gpm

42771: 449AF @ 1180gpm, LIMITED 520AF/year @ 1180gpm w/35902

412gpm calculated in 2023 GMD3 inspection

Well depth from 480 down to 660'

Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears met.

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



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

2733 Feet N and 3468 Feet W of the Southeast Corner of Section 27 Twp 26S Rng 33W

Located at: 100.919605 West Longitude and 37.758872 North Latitude

Both SURFACE WATER and GROUNDWATER

2300' or A11

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan
A__ 11284 00	IRR	NK	G	3496	--	SW	SE	SE	626	1008	28	26	33W	5		284.00	284.00
AF																	
A__ 13316 00	IRR	NK	G	5126	--	NW	SE	NE	3749	1110	33	26	33W	3		272.00	272.00
AF																	
A__ 14154 00	IRR	NK	G	2556	--	SE	SE	SW	221	3011	27	26	33W	3		306.00	306.00
AF																	
A__ 14451 D1	IRR	NK	G	2485	--	--	NC	SE	1383	1382	27	26	33W	4		260.00	260.00
AF																	
A__ 14451 D2	IRR	NK	G	5085	--	SE	SW	SW	34	4487	26	26	33W	4		260.00	260.00
AF																	
A__ 22115 00	IRR	NK	G	4180	--	NW	SE	SE	703	834	22	26	33W	5		260.00	260.00
AF																	
A__ 34769 00	IRR	NK	G	4140	--	NE	SE	SE	984	358	21	26	33W	4		109.00	109.00
AF																	
A__ 35902 00	IRR	NK	G*	2598	--	CS	SE	SW	50	3350	22	26	33W	3		520.00	520.00
AF																	
A__ 42771 00	IRR	NK	G*	2598	--	CS	SE	SW	50	3350	22	26	33W	3		449.00	.00
AF																	

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) =	2271.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2271.00	.00

Minimum Spacing
Appears MET

An * after the source of supply indicates a pending application for change under the file number.

An * after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

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

2733 Feet North and 3468 Feet West of the Southeast Corner of Section 27 Twp 26S Rng 33W

Located at: 100.919605 West Longitude and 37.758872 North Latitude

Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
> JOHN H & CYNTHIA A LIGHTNER			
> 8955 S US HIGHWAY 83			
> GARDEN CITY KS 67846			
> ELDON & TERRY ALEXANDER			
> 13990 S SANDHILL RD			
> GARDEN CITY KS 67846			
> WILLIAM AND JANELL HEIMAN			
> 2121 BUFFALO HEIGHTS DR			
> GARDEN CITY KS 67846			

11284

13316

14154

> LARRY W VOTH
> 2230 E LEAR RD
> GARDEN CITY KS 67846

14451 D1

> LARRY W VOTH
> 2230 E LEAR RD
> GARDEN CITY KS 67846

14451 D2

> TRIANGLE H GRAIN & CATTLE CO
> 1955 W PLYMELL RD
> GARDEN CITY KS 67846

22115

> T & O LLC
> PO BOX 1178
> LIBERAL KS 67905

34769

Applicant

> T & O LLC
> PO BOX 1178
> LIBERAL KS 67905

35902

Application

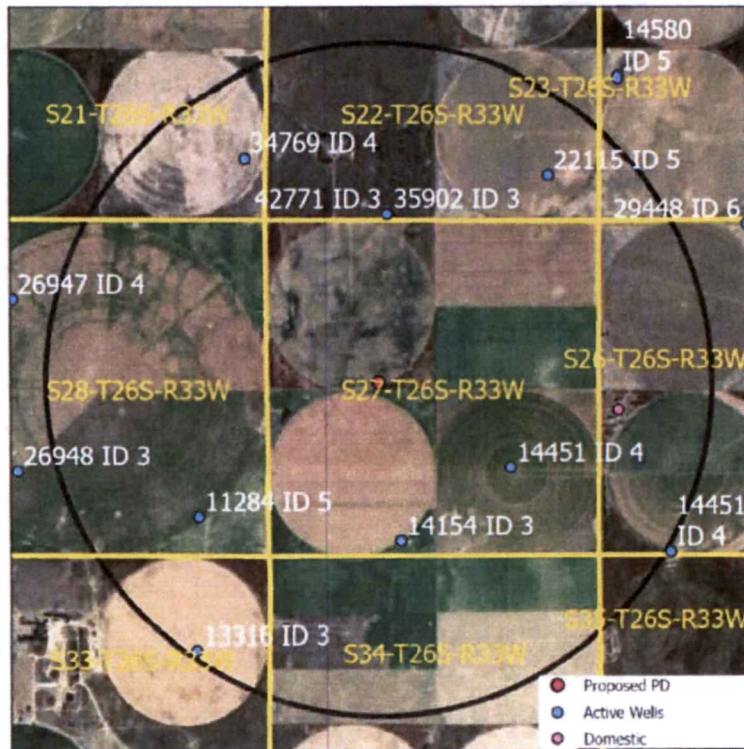
> T & O LLC
> PO BOX 1178
> LIBERAL KS 67905

42771

1

Evaluation of proposed move for Water Right No. 35902 & 42771

Proposed: Move water right no. 35902 & 42771 a distance of 2,644 ft to the south onto a new location.



Wells within 1 mile: 34769, 22115, 11284, 14154, 14451, 13316, and one domestic well above.

The saturated thickness at the proposed well location is estimated to be 213 ft, 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:

$S = 0.065$, $T = 13,028 \text{ ft}^2/\text{day}$, $tp_{\text{current}} = 147 \text{ days}$ (based on average use and observed rate),

$Q_{\text{current}} = 412 \text{ gpm}$ (based on 2015 field inspection), $tp_{\text{proposed}} = 123 \text{ days}$, $Q_{\text{proposed}} = 960 \text{ gpm}$

Theis drawdowns were calculated as follows:

34769: Drawdown from current location = 2.01 ft
Drawdown from proposed location = 3.11 ft
Net drawdown = **1.1 ft**

22115: Drawdown from current location = 1.94 ft
Drawdown from proposed location = 3.06 ft
Net drawdown = **1.1 ft**

11284: Drawdown from current location = 1.29 ft
Drawdown from proposed location = 3.39 ft
Net drawdown: **2.1 ft**

14154: Drawdown from current location = 1.35 ft
Drawdown from proposed location = 4.09 ft
Net drawdown: **2.74 ft**

14451: Drawdown from current location = 1.47 ft
Drawdown from proposed location = 4.15 ft
Net drawdown: **2.68 ft**

13316: Drawdown from current location = 1.08 ft
Drawdown from proposed location = 2.73 ft
Net drawdown: **1.65 ft**

Domestic 26-26-33: Drawdown from current location = 1.41 ft
Drawdown from proposed location = 3.25 ft
Net drawdown = **1.8 ft**

Net drawdown does not exceed the drawdown allowance of 4.0 ft for any well within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

Conclusion:

The proposed move is likely to create minimal effects on neighboring wells and appears unlikely to cause impairment. Any concerned neighbors should contact GMD3 at (620) 275-7147 or the Division of Water Resources at (620) 276-2901.

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

Mike Beam, Secretary



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

Laura Kelly, Governor

February 26, 2025

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

Re: Request for Recommendation,
File No. 35902 & 42771

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by T & O 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 to that I may help you more efficiently.

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin McColloch".

Austin McColloch
Assistant Water Commissioner

Enclosure
pc:

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



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

Mike Beam, Secretary

Laura Kelly, Governor

February 10, 2024

WILLIAM AND JANELL HEIMAN
2121 BUFFALO HEIGHTS DR
GARDEN CITY, KS 67846-3512

RE: Application for Change
Water Right, File Nos. 35902 & 42771

Dear Sir or Madam:

This is to advise you that T & O 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 under the above referenced applications. An irrigation well is proposed to be relocated to the NW $\frac{1}{4}$ of Section 27, Township 26 South, Range 33 West, Finney County.

You can find the complete applications posted by water right file number as referenced above at:
<https://www.agriculture.ks.gov/divisions-programs/division-of-water-resources/water-appropriation/notices>

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:

pc:

SCANNED

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



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

Mike Beam, Secretary

Laura Kelly, Governor

February 10, 2024

PEGGY & STEWART HARTWELL
104 N THOMAS
OAKLAND, NE 68045

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Austin J. McColloch
Assistant Water Commissioner

AM:

pc:

SCANNED

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



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

Mike Beam, Secretary

Laura Kelly, Governor

February 10, 2024

LARRY W & LINDA JOYCE VOTH
2230 E LEAR RD
GARDEN CITY, KS 67846

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Assistant Water Commissioner

AM:

pc:

SCANNED