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:
12045	4/27/18	C2	04	03
6. Status: ⊠ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 3/26/18
8a. Applicant(s) New to system □	Person ID 17907 Add Seq# 1	8c. Landown		Person IDAdd Seq#
VICTOR V & LOUISE M 1 PO BOX 381 MONTEZUMA KS 67867				
8b. Landowner(s) New to system □	Person ID Add Seq#	8d. WUC New to sy	stem 🗌	Person ID Add Seq#
NC		nc		
9. Documents and Enclosure(s): D	WR Meter(s) Date to Comp	ly: <u>12/31/18</u>	⊠ N & P Date to	Comply: <u>12/31/18</u>
☐ Anti-Reverse Meter ☐ Meter	Seal	□ N & P Form	☐ Water Tube ☐ □	riller Copy
☐ Conservation Plan Date Requi	red: Da	ite Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 3/26/ Date Entered:	18 ву: tpm Ву:

File No. 12045	15	11. County: GY	unty: 6	≿	Ba	sin: a	Basin: arkansas	ङ				Stre	Stream:							Forma	Formation Code: 211	e: 211	Special Use:	
12. Points of Diversion	version														Rat	Rate and Quantity	Quant	<u>i</u>						
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DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901 FAX: (620) 276-9315 www.agriculture.ks.gov



April 27, 2018

VICTOR V & LOUISE M THOMAS TR ET AL PO BOX 381 MONTEZUMA KS 67867-0381

RE: Change in Point of Diversion Water Right, File No 12045

Dear Mr. & Mrs. Thomas:

Enclosed you will find a Summary Order Approving Application for Change in Points of Diversion for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2018. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

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

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

CERTIFICATE OF SERVICE

On this Z3 day of April 2018, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 12045 dated April 27, 2018 was mailed postage prepaid, first class, US mail to the following:

VICTOR V & LOUISE M THOMAS TR ET AL PO BOX 381 MONTEZUMA KS 67867-0381

Copy provided to GMD#3

Division of Water Resources

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 862-6300 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 www.ksda.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.

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						F	ile No.	1204	5							i	WAR 2	2621	118
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	PO BOX Phone Nu Name and PO BOX	umber: d addre	(ess of \) Vater	Use C	orresp	onden				ss: UISE N	и тно	MAS	IR ET	AL				
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6.	Presently authorize	zed point	of diversi	on:							
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1	Proposed Rate										
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1 <i>2.</i>	Assisted by tpm				-	100 feet be diversion, a For ground within one-inames and water soul landowner(but within 1: attach a top water source half mile of the mailing address, show s) one-half om your prop	320 feet of the search of the	from the map or all wells (ed point of the own and astream	e existing aerial phace including of diversion for addresserial addresserial existence in addres	point of notograph. domestic) on and the or surface as of the

 If the proposed groundwater point of diversion is 300 or fewer feet fro 	
 (a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this application) 	ation.)
 (b) Will the ownership interest of any owner of the currently authorisaffected 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 sub: ☐ Yes ☐ No (If no, all owners must sign this applic	stantial damage to property, public health or safety? cation.)
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly authoritheir behalf, in regard to the water right(s) to which this app contained in this application are true, correct and complete.	red agent of the owner(s) to make this application on
Dated at 3/23/10 , Kansas, this	day or, 25
1/1 11 7h 0	to my The ser
(Owner)	(Spouse)
,	
(Please Print)	(Please Print)
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(Owner)	(Spouse)
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State of Kansas County of FINNEY SS	
County of	by presence and sworn to before me this 23 Poday of
MOTARY PUBLIC - State of 1 CATHERING REINE	Kansas
My Commission Expires 9-14-8	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the a the appropriate fee must be paid.	l of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
FEE SCHED	ULE
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less	er this section shall be accompanied by the application fee set nent of Agriculture \$100

File No. ____

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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et.seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 12045 A change application was received on <u>Apric 27, 2018</u> requesting that the place of diversion authorized under the above-referenced file number be changed as described in the application. A change application was received on Apric requesting that the place of use and / or point of 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.

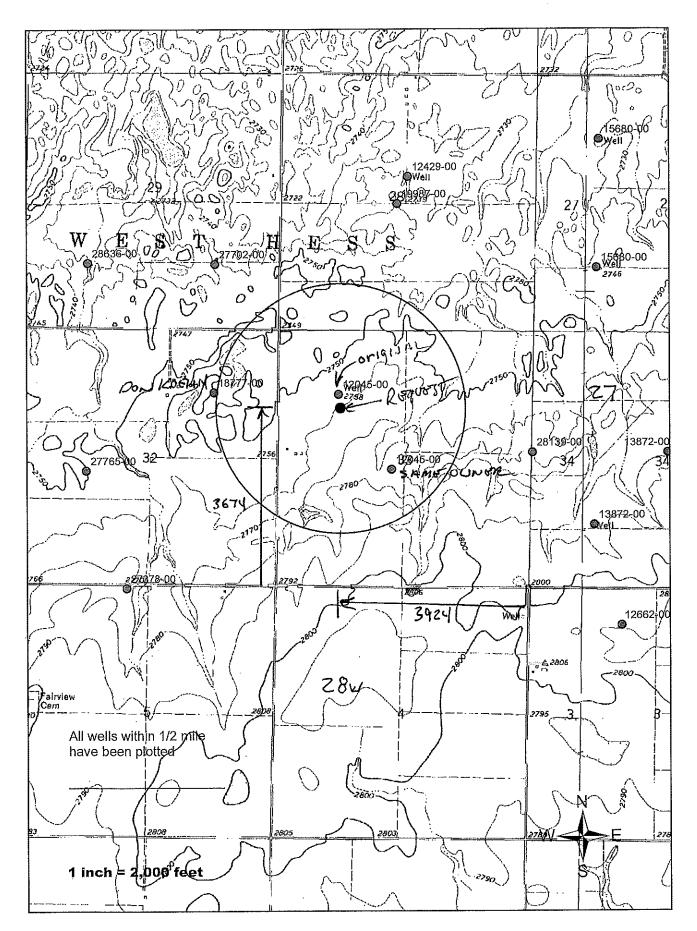
Applicable
Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized point(s) of diversion.

Applicable **△**Applicable ☐ Not Applicable The point(s) of diversion authorized herein shall not actually be located more than ____ feet from the previously authorized point(s) of diversion. ☐ Applicable Not Applicable 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018, 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. 5-1-12. 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 applicable to the Chief Engineer by Moreh 1 following the and of each calendary water. Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. By March 1, 2019 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. Applicable ☐ Not Applicable 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 I Not Applicable 10. Additional Conditions are attached. Yes 11. 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 FOR OFFICE USE ONLY APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-SUMMARY ORDER ISSUED 14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Topeka, Kansas 66612, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service. Duly Authorized Designee of the Chief Engineer (Print Name): [HOMAS Division of Water Resources - Kansas Department of Agriculture after the date shown on the Certificate of Service. ZO(8) Date of Issuance; For Use by Register of Deeds State of Kansas SS County of Acknowledged before me on U Signature: പ്പ്വ ചെ A Natary Rublic \$1.05° JULIE JONES NOTARY My Appointment Expires PUBLIC . December 15, 2018 ANISN: My commission expires: (Notary Seal)

Page 4

File No. ____

DWR 1-121 (Revised 01/05/2010)



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



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

Customer Name: Thomas & Reed Farms W0#: 13239 Date: 3-2-18

Street Address: Po. Box 457 Test #: 2 E LOG:

City, State: Driller: Dole Guinn

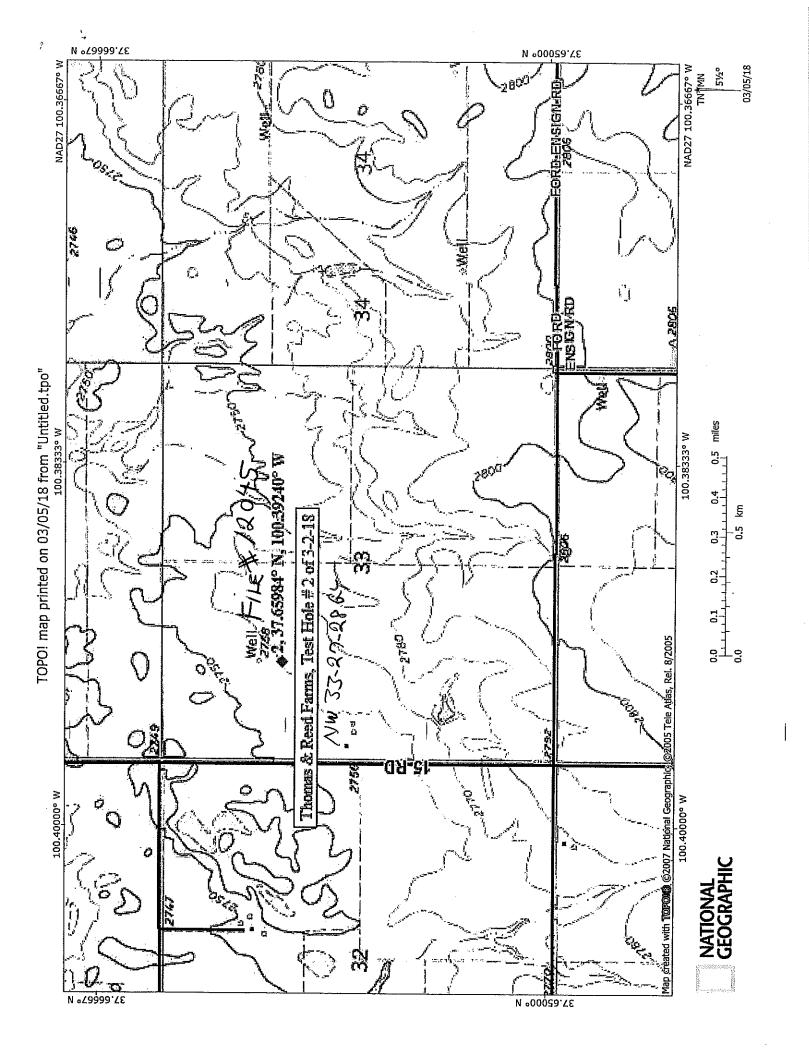
County: Gray Quarter: W Section: 33 Township: 27 Range: 28

Location: GPS: N37.65984 W 100,39240

Rig #: 10002 Elevation: 2747 Static WL: 200 well Estimated?

Proposed Well Depth 274

Location		_	<u>/ (//</u>	Section: 33 Township: 27 Range: 28
Rig #:				Section: 33 Township: 27 Range: 28
	1000	<u> </u>	_	Elevation: 2747 Static WL: 200 / well Estimated?
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STATE OF KANSAS

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FIELD OFFICE 2508 JOHNS STREET GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

March 26, 2018

DONALD KOEHN II 18502 X RD CIMARRON KS 67835

RE: Water Right 12045

Dear Mr. Koehn

This is to advise you that the Thomas Trust 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 application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may 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 to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3



DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FIELD OFFICE 2508 JOHNS STREET GARDEN CITY, KS 67846-2804

STATE OF KANSAS

PHONE: (620) 276-2901 FAX: (620) 276-9315 www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

April 18, 2018

Southwest Kansas Groundwater Management District No 3 409 Campus Drive, Suite 106 Garden City KS 67846

Re: Water Right file number 12045

Dear Mr. Norquest;

The Thomas Trust has applied to relocate the well authorized by the above water right number. There are two neighboring wells within $\frac{1}{2}$ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm

1		



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

April 20, 2018

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RECEIVED

APR 2 0 2018

RE: Application for Change in Point of Diversion Water Right, File No. 12045

Garden City Field Office Division of Water Resources

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing is in accordance with K.A.R. 5-23-3. It is therefore recommended that the application be approved at this 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).: <u>12045</u> .			DWR office: <u>GC</u> .	
App filed to change	: <u>PD</u> .			
Is Landowner(s) cor	rect in WRIS:	_Thomas	<u>s Trust</u> .	
If NO, is do	cumentation inc	cluded?		
Is Water Use Corres	spondent correc	ct in WRI	S?	
If NO, is do	cumentation inc	cluded?		
Regulation(s) Revie	wed: KAR 5-2	3-3		
Point of diversion II) No(s) <u>01</u> l	being cha	nged.	
	ft. North ft.	. West		
Authorized PD	3960	3960	sect 33-27-28	
Proposed PD	3674	3924		
Difference $a2 + b2 = c2$	286 S	36 I		. cr
	81796	1296	288.2568 foot mov	6 2F
GPS for proposed P			Long: -100.39240.	
Is proposed PD stack	=	-	•	
Is Proposed PU over		ig WKs?	•	
Land Owner(s) notif				
Name	Nam			
Address		ress		
Zip	Zip	—		
Neighboring certifie	* *			RECEIVED
Name	Nam			
Address		ess		APR 2 0 2018
Zip	Zip	<u>_</u> .		on tidd Office
Domestic well(s) no	-			Garden City Field Office Division of Water Resource
Name	Nam		•	Sylvinger, an
Address	Addr	ess		
Zip	Zip		•	
Base Acres:				
Perfected Acres:				
irr. Return-Flow	_			*****
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has a change applic		rocessea.		
ls a waiver needed:		.t.a C - 1	1	
				n, it appears the current
area ruies are met. S	nam meretore r	ccomme	nds approval of the ap	pucation,

1~

Water Rights and Points of Diversion Within 1.00 miles of point defined as: 3674 ft N and 3924 ft W of the SE Corner of Section 33, T 278, R 28W Located at: 100.392399 West Longitude and 37.659840 North Latitude

CIMARRON KS 67835

A__ 19987 00 IRR NK G

GROUNDWATER ONLY Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit File Number /60: 293.00 293.00 AF 12045 00 IRR NK G* 287 -- -- NC NW 3960 3960 33 27 28W 1654 -- NE NE SW 2411 2856 33 27 28W 3 /60 292.00 292.00 AF Same 12429 00 IRR NK G+ P₩ 3 7/00 446.00 446.00 AF 5053 -- NC S2 N2 3205 2600 28 27 28W A___ 320.00 AF 2655 -- -- NC NE 3980 1320 32 27 28W 2 /402 320.00 18777 00 IRR NK G 19987 00 IRR NK G* PM 388.00 AF 4404 -- NE NE SW 2600 2850 28 27 28W /403 388.00 272.00 AF 27702 00 IRR NK G* 1⁷ \$\tilde{P}\$ 3969 -- -- NC SE 1320 1340 29 27 28W 1 /600 272.00 Α _ 7 /600 230.00 230.00 AF/ 4038 -- SW SW NW 2809 5264 34 27 28W 28139 00 IRR NK G Total Net Quantities Authorized: Direct Storage Squeing MET. Total Requested Amount (AF) = .00 Total Permitted Amount (AF) = .00 .00 .00 Total Inspected Amount (AF) = .00 .00 .00 Total Pro_Cert Amount (AF) = 2241.00 .00 Total Certified Amount (AF) = .00 Total Vested Amount (AF) = .00 TOTAL AMOUNT (AF) =2241.00 .00 An * after the source of supply indicates a pending application for change for the file number. An * after the ID indicates a 15 AF exemption was granted for the file number. A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. RECEIVED The number in the Batt column is the number of wells in the battery. Water Rights and Points of Diversion Within 1.00 miles of point defined as: APR 2 0 2018 100.392399 West Longitude and 37.659840 North Latitude GROUNDWATER ONLY Garden City Field Office WATER USE CORRESPONDENTS: Division of Water Resources File Number Use ST SR 12045 00 IRR NK G VICTOR V & LOUISE M THOMAS TR ET AL PO BOX 381 > MONTEZUMA KS 67867 >-----12429 00 IRR NK G REED FARMS INC JEFF REED PO BOX 457 MONTEZUMA KS 67867 >-----18777 00 IRR NK G DONALD DEAN & ALEENE J KOEHN DONALD KOEHN II > 18502 X RD

- REED FARMS INC > JEFF REED
- > PO BOX 457
- > MONTEZUMA KS 67867

27702 00 IRR NK G Verifiel change on this well

VERLE KOEHN

22656 13 RD Will still next spacing.

>-----

VERLE KOEHN

> 22656 13 RD

> MONTEZUMA KS 67867

28139 00 IRR NK G

> DON KOEHN

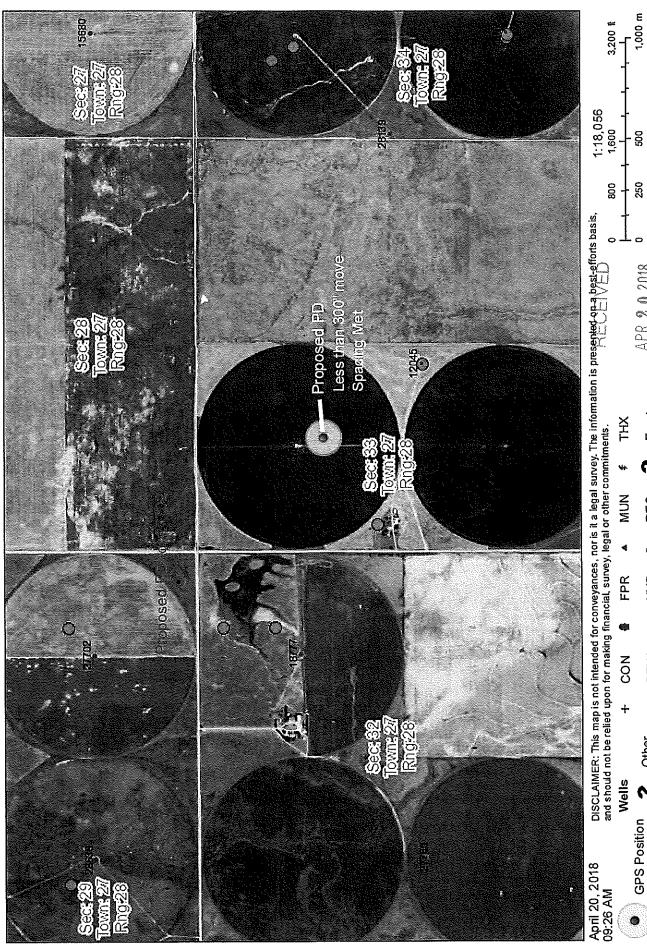
> PO BOX 205

> MONTEZUMA KS 67867

RECEIVED

APR 2 0 2018

Garden City Field Office Division of Water Resources



WWC5 WEBasteMD's/ Field Office Division of Water Resources APR 2 0 2018 Empty REC STK Ċ 묫 일 DEW MOM X Other RR

INPUTS	
Target Section Definition	1900 St. 12 11 11 11 11 11 11 11 11 11 11 11 11
Section	33
Township	27
Range	28
Range Direction	M
	A STATE OF THE STA
Target Point Coordinates (NAD27 or NAD83)	27 or NAD83)
Target Longitude	-100.392400
Target Latitude	37.659840

-100.39738214 -100.39735213

37.64972656 37.66434460

Corner Corner Latitudes

Corner Longitudes

From LEOBASE using NAD83 Loaded Section Data

-100.37926952 3.45413470E-06 2.74625346E-06

37.64977249

SE

Degrees Longitude per Foot Degrees Latitude per Foot

37.66442054

N 빌

-100.37911747

Load Data and Compute

larget point is in Section

-1442

Corner Feet North(+)/South(-) Feet East(-)/West(+)

-1640 -1668 3666

3683

SK

N

뿐 W

Target Point Distances from Corners using NAD83

3845 -1434

3801

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	_
	D DOWN!
	-
- 3	
- 1	ı U)
- 3	
	Instructions
- 3	

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

Loaded Section Data From LEOBASE using NAD27 Corner Corner Latitudes SW 37.64970400 -100.39695700 NW 37.6433200 -100.37869300 SE 37.64975000 -100.3784500 Degrees Longitude per Foot 3.4541336E-06 Degrees Latitude per Foot 2.74598553E-06 Target Point Distances from Corners using NAD27 Corner Feet North(+)/South(-) Feet East(-)/West(+) SW -1632 NE -1660 3908 SF

rget point is in Section

	Difference (NAD83 Minus NAD27)	us NAD27)
Corner	Corner Corner Latitudes	Corner Longitudes
MS	0.00002256	-0.00042514
N N	0.00002260	-0.00042513
빌	0.00002254	-0.00042447
SE	0.00002249	-0.00042452
	Difference (NAD83 Minus NAD27)	us NAD27)
Corner	Corner Feet North(+)/South(-) Feet East(-)/West(+)	Feet East(-)/West(+)
SW	-8.57495943	-123.08107775
š	-8.07014820	-123.07818529

RECEIVED

APR 2 0 2018

Garden City Field Office Division of Water Resources

	INPUTS		
smarket,	Longitude	Latitude	
Point 1	-100.392400	37.659840	Proposed 12045
Point 2	-100.398360	37.665250	Proposed 27702

RECEIVED

Degrees Longitude per Foot Degrees Latitude per Foot

3,45438849E-06 2.74625176E-06 APR 2 0 2018

Distance Between Points (ft)

2619

n CEy Field Office

of Teler Resources

Compute Distance Between Points

Instructions

Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).
 Click "Compute Distance Between Points" button.