#### 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 9, 2018

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

Re: Water Right file number 22373

Dear Mr. Norquest;

Graham Farms inc has applied to relocate the well authorized by the above water right number. There are two neighboring wells within ½ 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

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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.

tha	ragraph Nos. 1, 2 n 100 feet, or if p nt(s) of diversion a	olace o	of use	will be	e chan	ted. ( ged, i	Compl nclude	ete all a top	other ograph	applionic ma	cable p or d	portio etailed	ns.∵lf Iplat :	chang showir	ng the F	autho RECI	diversi rized a EIVE でいれ	nd proposed D
					F	ïle No	. <u>2237</u>	3									1 20	
1.	Application is he				□Р	ace of	Use		$\boxtimes$	Point o	of Dive	rsion	•		Visior	r of W	y Field ater Re	Office sources
	The source of su					round				Surfac								
2.	Name and address of Applicant: GRAHAM FARMS INC  2150 ROAD 220 DEERFIELD KS 67838-9513  Phone Number: () Email address:  Name and address of Water Use Correspondent: GRAHAM FARMS INC  2150 ROAD 220 DEERFIELD KS 67838-9513																	
3.	2150 ROAD 220 DEERFIELD KS 67838-9513  Phone Number: ()																	
			NE					V1/4			SV	/½			SE	1/4		TOTAL
	ec. Twp. Range	NE¼	NW¼	SW¼	SE1/4	NE¼	NW¼	SW1/4	SE¼	NE14	NW¼	SW¼	SE1/4	NE¼	NW¼	SW1/4	SE¼	ACRES
4.	If this application	NA		no cha	ange to	acres	<u> </u>								:			.,,
	(If there is more th		•						neces									
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_8	Sec. Twp. Range	NE¼	NW1/4	SW1/4	SE1/4	NE14	NW1/4	SW1/4	SE14	NE¼	NW¼	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE1/4	ACRES
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	For Office Use	Only:	Code		Fe	e \$	200	TR	#		Re	eceipt	Date _	3/21.	/18	Chec	k#	1249

	One in the	se	Quarter of the	SW	Quarte	r of the	nw	Quarter
	of Section	27	, Township	25	South,	Range	35	W.
	in <u>Kearny</u>	c	ounty, Kansas,	feet No	orth fe	et West of S	outheast co	rner of section.
	Authorized Rate _		Authorized Quantity		Depth of	well		(feet)
	(DWR use only:	Computer I	O No. <u>1</u> G	PS <u> </u>	<u>⊀९</u> feet No	rth <u>393</u>	feet	West)
			nged 🛛 This point wi			*		, i
	Proposed point of	of diversion	(Complete only if chan	ige is requ	uested)			
			Quarter of the			rofthe 🔥	1W	Quarter
			, Township					
			ounty, Kansas, <u>2652</u>					
			Proposed Quantity					
	This point is: 🔲 A	Additional We	ell 🔲 Geo Center List	other wate	r rights that will us	e this point	,	
,								
6.	Presently author	ized point o	f diversion:					
Ť.			Quarter of the	ne	Quarte	r of the	ne	Quarter
	of Section	27	, Township	25	South.	Range	35	W.
	in Kearny	C	ounty, Kansas, <u>5187</u>	feet No	rth 49 fe	et West of S	outheast cor	mer of section.
			Authorized Quantity					
	(DWR use only:	Computer II	O No. 6 GI	PS	feet No	th	feet \	West)
			nged					,
			(Complete only if chan		-			
			Quarter of the			r of the		Quarter
	of Section		, Township		South.	Range		(F/W)
	in	C	ounty, Kansas,	feet No	rth fe	et West of S	outheast cor	ner of section.
			Proposed Quantity _					
	This point is:	Additional We	Ⅱ ☐ Geo Center List	other wate	r rights that will us	e this point		<u> </u>
7.			diversion?		If the proposed poset of the existing the diagram below (PLEASE NOTE: represents presents)	g point of div in relation to The "X" ently authoria	version, indicate the existing in center of zed point of	ate its location on point of diversion.
8.	If a well, is the test	hole log attac	hed? 🛛 Yes 🔲 No				50	
9.	When do you pridiversion?	ropose to c	omplete the new point	of		'┃'''' <del> </del>	111111	
	April 5 2018				50 <del> </del>	<u> </u>	+	= 50 = 1
10.	If the point of divers	sion is a well:			E	_, <del></del>		
	(a) What are you o	going to do wi	th the old well?		West 0    I	<u>                          </u>	1 1 1 1 1 1 1	U East
	plug				50 =	+ =	·+	<u>=</u> 50
	(b) When will this	be done? <u>201</u>	8					
	0 1 / 11	,	Pro La Ala		4 5 5	<u> </u>		<u> </u>
11.		anagement	District recommendat	ion	100	50 O	50 h	100
	attached? Ye	es 🛛 No				Sout Scale: 1	= 100'	
12.	Assisted by tpm			13b.	If the proposed po 100 feet but with diversion, attach For groundwater s within one-half mill names and mailin water sources, s landowner(s) one upstream from you	nin 1320 fee a topograph sources, show e of the proping addresses show the na -half mile do	et from the ic map or a vall wells (in osed point of the ownames and a countream a	existing point of perial photograph. cluding domestic) diversion and the ers. For surface addresses of the

5. Presently authorized point of diversion:

14. If the proposed groundwater point of diversion is	300 or fewer feet from exi	sting point of diversion, co	mplete the following:
(a) Does the undersigned represent all owners ☐ Yes ☐ No (If no, all owners	of the currently authorized must sign this application.		n this application?
(b) Will the ownership interest of any owner of affected if this application is approved as re ☐ Yes ☐ No (If yes, all owner	f the currently authorized p quested? 's must sign this applicatior		n this application be adversely
(c) If this application is not approved expedition ☐ Yes ☐ No (If no, all owners	usly, will there be substantia must sign this application.	al damage to property, pul )	olic health or safety?
If the application proposes a surface water change ir or a change in place of use, the application must be agent (attach notarized statement authorizing repres	signed by all owners of the	ndwater change in point of currently authorized plac	f diversion greater than 300 feet, e of use, or their duly authorized
I hereby verify, being first duly sworn upon age and the owner, the spouse of the owner their behalf, in regard to the water right(s) contained in this application are true, correct	, or a duly authorized a to which this applicati	agent of the owner(s)	to make this application on
Dated at	, Kansas, this	day of	, 20
Ros Lahren			
(Owner)		(Spot	use)
Roy Graham (Please Print)		(Please	Print)
(Owner)		(Spot	use)
(Please Print)		(Please	Print)
(Owner)		(Spo	use)
(Please Print)		(Please	Print)
State of Kansas  County of FINNEY  SS			21.56
I hereby certify that the foregoing application		sence and sworn to be	efore me this <u>41</u> day of
My Appointment E	ixpires	Notary	Public
My Commission Expir			
ONLY COMPLETE APPLICATIONS WILL BE PROCESSE accurate information; maps, if necessary, must be included the appropriate fee must be paid.	<u>ED</u> . To be complete, all of the d; signatures of all the appropr	applicable portions of the ap iate owners' must be affixed t	olication form must be completed wit to the application and notarized; and
Each application to change the place of use or the plotth in the schedule below: Make checks payable to (1) Application to change a point of diversion (2) Application to change a point of diversion (3) Application to change the place of use of the place of use the place of use of the place of the place of use of the place of use of the place of the place of the place of the place of use of the place o	to: Kansas Department or on 300 feet or less on more than 300 feet	f Agriculture	\$100 \$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. 5-14-3 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. 22373 A change application was received on March 21, 2018 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 previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_\_foot radius of the authorized point(s) of diversion. 

Applicable 

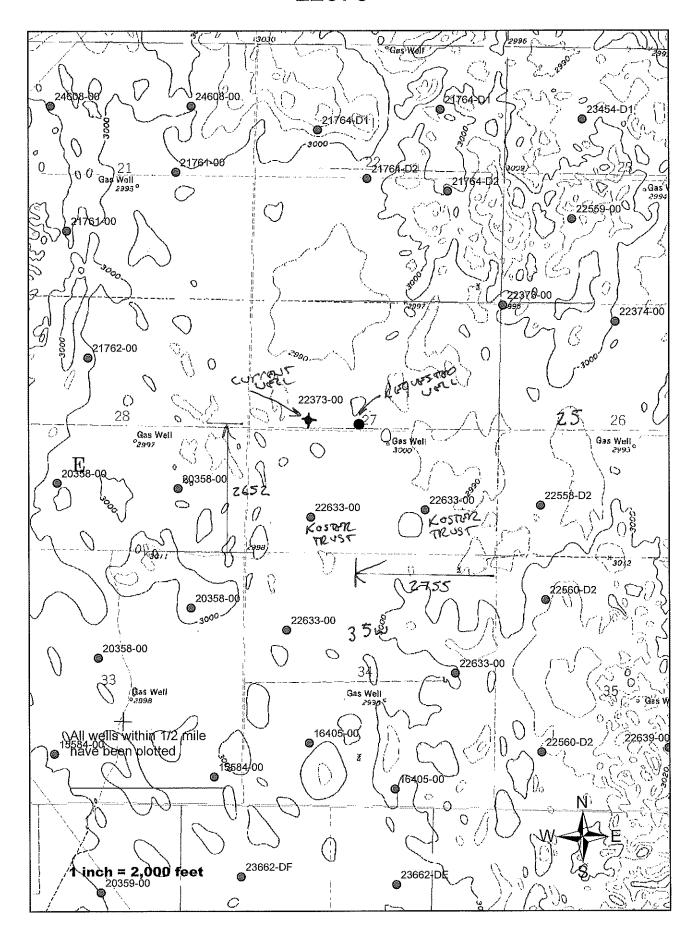
Not Applicable The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_ \_\_\_\_\_feet from the previously authorized point(s) of diversion. 

Applicable 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. 5-1-4 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.

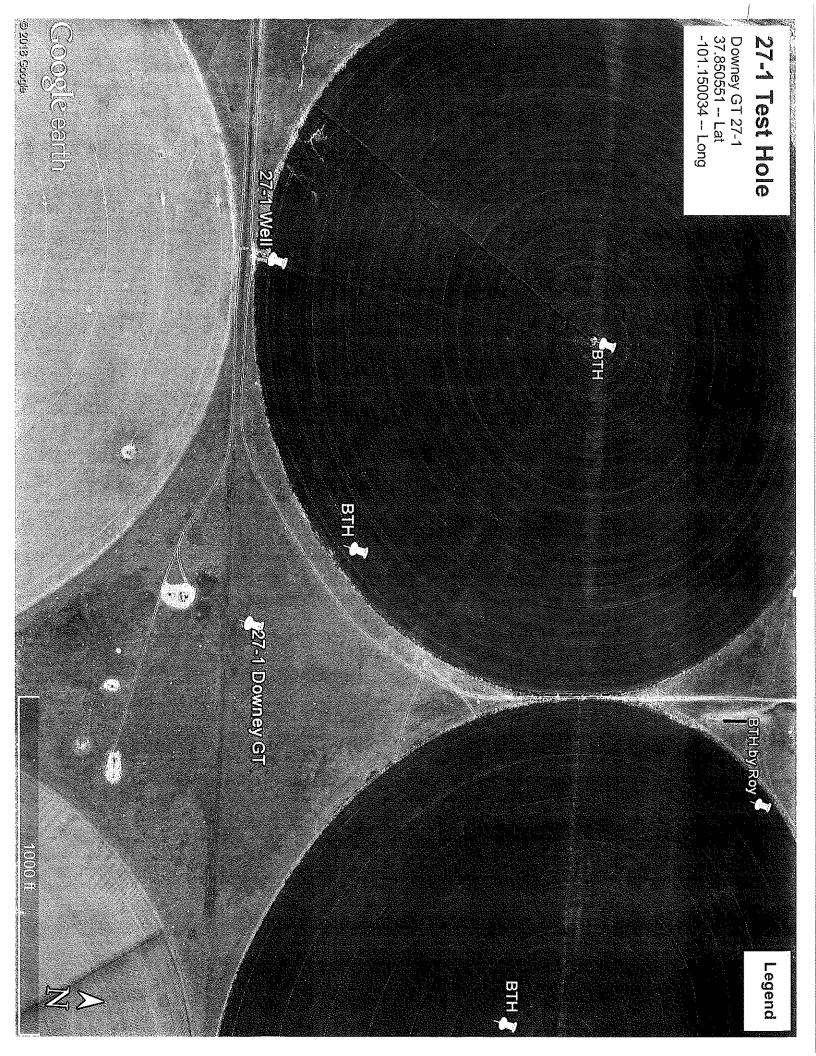
Applicable

Not Applicable 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. ☐ Not Applicable ☐ 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 
Not Applicable Additional Conditions are attached. ☐ Yes ☐ No 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. 5-14-3 before this Summary Order becomes final action of the SUMMARY ORDER ISSUED 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 day here the By in the first and a second section of the control Duly Authorized Designee of the Chief Engineer date shown on the Certificate of Service attached hereto. If a (Print Name): hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15<sup>th</sup> day Division of Water Resources - Kansas Department of Agriculture after the date shown on the Certificate of Service. Date of Issuance: For Use by Register of Deeds State of Kansas ) SS County of Acknowledged before me on \_\_\_\_\_ Signature: \_\_\_\_ Notary Public My commission expires: (Notary Seal) DWR 1-121 (Revised 01/05/2010) File No. \_\_\_\_ Page 4



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**WELL LOG** 

**DATE: 2/15/2016** 

Test on 27-1

CUSTOMER NAME: GRAHAM FARMS

LEGAL: SE/NW 27-25S-35W

COUNTY: KEARNEY

37.850551

GPS: 37 01.9836" N

-(O\,15003√ 09' 0.1224"W -101

OTHER SIALL STAL

		OTH	ER: SWL: +/- 274	1	
FROM	то	ТҮРЕ	HARDNESS	COLOR	OTHER / DRILLING ACTION
0	4	SILT AND SILTY SAND			
. 4	9	SILTY SANDY SILT			
9	20	MEDIUM-COARSE-VERY COARSE SAND			
20	40	COARSE-VERY COARSE SAND AND FINE-TRACE OF MEDIUM GRAVEL			
40	60	FINE-MEDIUM-TRACE OF COARSE GRAVEL			
60	65	SILTY SAND WITH SANDY CLAY			
65	86	SANDY CLAY			
86	94	VERY COARSE SAND AND FINE-TRACE OF MEDIUM GRAVEL			CHATTER
94	95	MAG	CEMENTED		PD
95	100	SANDY CLAY WITH MAG STRS			
100	120	FINE-MEDIUM GRAVEL WITH A TRACE OF COARSE GRAVEL @ 114-118'			
120	134	FINE-MEDIUM GRAVEL WITH SOME COARSE GRAVEL @ 130-134			
134	138	SANDY CLAY		TAN	
138	156	CLAY		BLUE	
156	161	CLAY WITH SAND LENSES		BLUE	
161	166	CLAY AND SANDY CLAY		TAN	
166	178	FINE-TRACE OF MEDIUM GRAVEL			CHATTER
178	182	SANDY CLAY			SMOOTHER
182	189	FINE-TRACE OF MEDIUM GRAVEL			CHATTER
189	192	SANDY CLAY		BROWN	
192	199	FINE-TRACE OF MEDIUM GRAVEL AND SANDY CLAY LENSES			
199	201	MEDIUM-COARSE GRAVEL			FAST - ROUGH / CHOPP)
201	202	SANDY CLAY			
202	209	VERY COARSE SAND AND FINE GRAVEL			
209	217	SANDY CLAY			
217	218	CEMENTED			
218	234	VERY COARSE SAND AND FINE GRAVEL			
234	236	SANDY CLAY		BROWN	
236		FINE GRAVEL WITH A THIN SANDY CLAY LAYER @ 243'			0 0000000000000000000000000000000000000
249		SANDY CLAY WITH A TRACE OF MAG			SMOOTH

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	254	256	MEDIUM-COARSE-TRACE OF COARSE SAND			CHATTER
	256	260	SANDY CLAY			SMOOTH
	260	268	VERY COARSE-VERY VERY COARSE SAND AND FINR GRAVEL			
],	268	278	SANDY CLAY - BROWN WITH WHITE LAYERS			sмоотн
]	278	290	VERY VERY COARSE SAND AND FINE GRAVEL			CHATTER
	290	309	SANDY CLAY		WHITE	
	309	331	SANDY CLAY		BROWN	
	331	336	SANDY CLAY WITH FINE SAND LENSES			
4	336	340	FINE-MEDIUM SAND			
4	340	344	FINE SAND			
4	344	348	VERY VERY COARSE SAND AND FINE GRAVEL			CHATTER
/ [	348	350	SANDY CLAY		BROWN	
2	350	354	MEDIUM-COARSE SAND WITH A TRACE OF SANDY CLAY			
6	354	360	VERY COARSE-VERY VERY COARSE SAND AND FINE GRAVEL			
	360	380	SANDY CLAY		BROWN	STICKY?
	380	393	SANDY CLAY		BROWN	
フ	393	400	MEDIUM SAND		TAN	SOME CHATTER
7	400	407	MEDIUM-COARSE-VERY COARSE SAND			
	407	421	CLAY		BROWN	
8	421	429	FINE-MEDIUM SAND		TAN	
ŀ	429	432	CLAY		BROWN	
4	432	436	FINE-MEDIUM SAND		TAN	
	436	441	SILT			
2	441	443	MEDIUM-COARSE SAND COARSE-VERY COARSE-VERY VERY COARSE SAND AND FINE-MEDIUM			
15	443	458	COARSE-VERY COARSE-VERY VERY COARSE SAND AND FINE-MEDIUM GRAVEL			
_	458	467	SILTY CLAY AND SILTSTONE			
3	467	470	BROWN ROCK			CHATTER / CHOPPY
	470	471	SILTSTONE AND CLAY			
1	471	472	BROWN ROCK AND SANDSTONE			CHATTER
	472	477	CLAY		GRAY	SMOOTHER
	477	480	CLAYSTONE?	FIRM		PD
	480	485	CLAYSTONE?	VERY FIRM		CHOPPY / ROUGH
	485	500	CLAY AND SHALE	SOFT	BLUE	SMOOTHER
	500	510	CLAY AND SHALE			
	510	512	LIMESTONE	VERY FIRM		PD
	512	518	CLAY, BLUE SHALE, AND A TRACE OF RED CLAY SHALE			
	518	566	SILTSTONE AND CLAYSTONE	FIRM	BROWN	NO PD
P	566	580	VERY FINE SAND WITH SILTSTONE INTERBEDDED 40% - 60%			SOME CHATTER
	580		VERY FINE SAND WITH SILTSTONE INTERBEDDED 30% - 70%			SOME CHATTER
B	592		FINE-MEDIUM SAND - SHARP & CLEAN		RED	CHATTER - FAST
	605		VERY FINE-FINE SAND WITH INTERBEDDED SILTSTONE			SOME CHATTER
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620	634	VERY FINE-FINE-TRACE OF MEDIUM SAND			CHATTER / CHOPPY
634	644	VERY FINE-FINE SAND WITH SOME INTERBEDDED SILTSTONE		242,	SOME CHATTER
644	653	SILTSTONE	FIRM		SMOOTHER - SLOWER
653	655	LIMESTONE?	HARD		PD
655	680	SHALE	DENSE	BLACK	SMOOTH
St.					
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104	-1	15 x low = 360			
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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



March 21, 2018

DUANE E & KATHLEEN A KOSTER TRUSTS PO BOX 897 GARDEN CITY KS 67846-0897

RE: Water Right 22373

Dear Mr. & Mrs. Koster;

This is to advise you that Graham Farms 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 <a href="https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a>

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