

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D WORKSHEET

1. File Number: 2417	2. Status Change Date: <u>1/30/18</u>	3. Change Num: c1	4. Field Office: 04	5. GMD: 03
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 12/12/17
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID <u>6372</u> Add Seq# <u>1</u> GRAHAM FARMS INC 2150 ROAD 220 DEERFIELD KS 67838-9513	8c. Landowner(s) New to system <input type="checkbox"/> Person ID <u>10901</u> Add Seq# <u>1</u> PHIL A MADDUX 2239 ROAD 190 DEERFIELD KS 67838-3816
--	--

8b. Landowner(s) New to system <input type="checkbox"/> Person ID <u>56037</u> Add Seq# <u>3</u> HUFF & PUFF PORK LLC 2150 ROAD 220 DEERFIELD KS 67838	8d. WUC New to system <input type="checkbox"/> Person ID <u>56037</u> Add Seq# <u>3</u> HUFF & PUFF PORK LLC 2150 ROAD 220 DEERFIELD KS 67838
--	---

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/18 N & P Date to Comply: 12/31/18

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: 12/31/18 Date Approved: _____ Date to Comply: 12/31/18

10. Use Made of Water From: _____ To: _____

Date Prepared: **1/17/18** By: **tpm**
 Date Entered: _____ By: _____



Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

January 30, 2018

HUFF & PUFF PORK LLC
2150 ROAD 220
DEERFIELD KS 67838

RE: Change in Point of Diversion Water Right, File No 2417

Dear Mr. Graham:

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,

A handwritten signature in black ink, appearing to read "Thomas P. Makens".

Thomas P. Makens
Assistant Water Commissioner

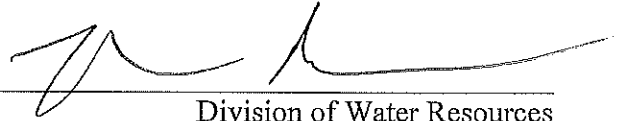
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this 31st day of January 2018, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 2417 dated January 30, 2018 was mailed postage prepaid, first class, US mail to the following:

HUFF & PUFF PORK LLC
2150 ROAD 220
DEERFIELD KS 67838

Copy provided to GMD#3



A handwritten signature in black ink, consisting of a stylized 'M' followed by a long horizontal stroke that tapers to the right.

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) 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.

RECEIVED
 4:16 pm
 DEC 12 2017

File No. 2417

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office
Division of Water Resources
- 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: Graham Farms
- 2150 ROAD 220 DEERFIELD KS 67838
- Phone Number: () Email address: _____
- Name and address of Water Use Correspondent: HUFF & PUFF PORK LLC
- 2150 ROAD 220 DEERFIELD KS 67838
- Phone Number: () Email address: _____

3. The presently authorized place of use is:
- Owner of Land ---- NAME: HUFF & PUFF PORK LLC & PHIL A MADDUX
- 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: no change
- 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		

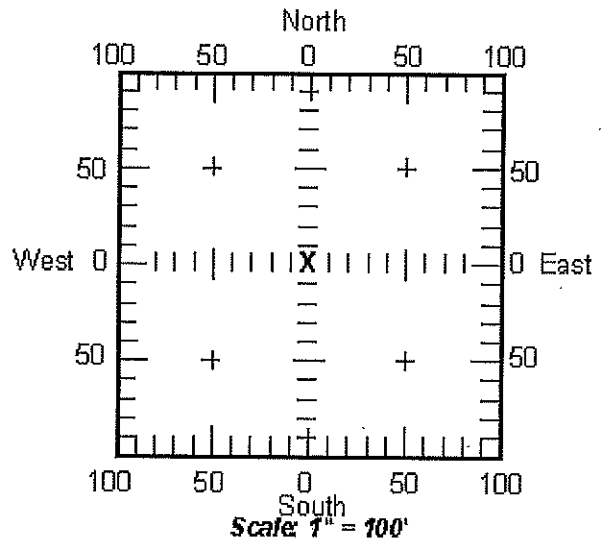
For Office Use Only: Code _____ Fee \$ 200 TR # _____ Receipt Date 12/12/17 Check # 7683

5. **Presently authorized point of diversion:**
 One in the se Quarter of the se Quarter of the se Quarter of Section 2, Township 23 South, Range 35 W, in Kearny 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. 1 GPS 1216 feet North 53 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the se Quarter of the se Quarter of the se Quarter of Section 2, Township 532 23 438 South, Range 36 35 W, in Kearny County, Kansas, 459 feet North 437 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

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:
Proposed point of diversion: (Complete only if change is requested)
 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. Why do you need a new point of diversion?
old well needs to be replaced

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



8. If a well, is the test hole log attached? Yes No
9. When do you propose to complete the new point of diversion?
November 2017
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug
- (b) When will this be done? 2017
11. Groundwater Management District recommendation attached? Yes No
12. Assisted by tpr

13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 _____, Kansas, this _____ day of _____, 20_____.

X Phil A Maddux

(Owner) _____ (Spouse)

Maddux

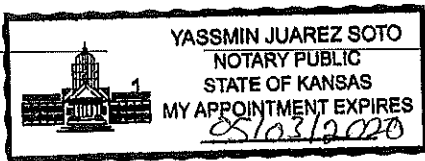
(Please Print) _____ (Please Print)

(Owner) _____ (Spouse)

(Please Print) _____ (Please Print)

(Owner) _____ (Spouse)

(Please Print) _____ (Please Print)



State of Kansas }
County of Kearny } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 29 day of November, 2017.

My Commission Expires 05/03/2020
Yassmin Juarez Soto
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

THE UNIVERSITY OF CHICAGO
LIBRARY
540 EAST 57TH STREET
CHICAGO, ILL. 60637
TEL: 773-936-3000
WWW.CHICAGO.EDU

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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.)
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Dated at Garden City, Kansas, this 12th day of December, 2017.

[Signature]

(Owner)

(Spouse)

Huff and Puff Pork LLC

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

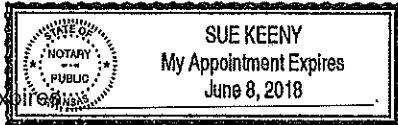
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Finnery } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12th day of December, 2017.



[Signature]

Notary Public

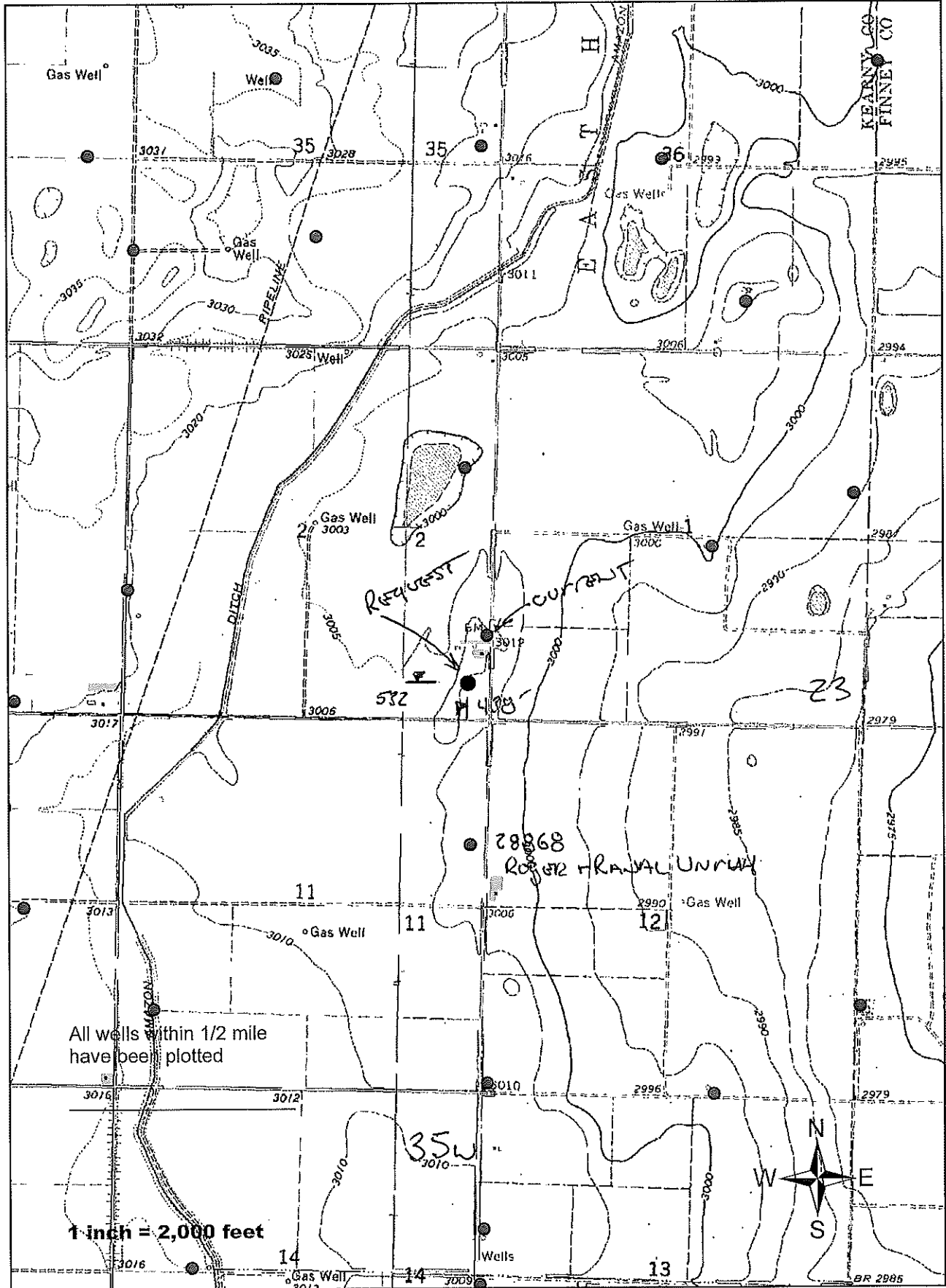
My Commission Expires

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- (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



MIDWEST WELL & PUMP

TS# 2 RECEIVED
DEC 20 2017

PO BOX 692, Garden City, Kansas 67846

(620)275-1920

Garden City Field Office
Division of Water Resources

Owner Name: Graham Farms Date: 12/17
 Address: 2150 Rd. 220 Test Hole: 3-17
 City, St. Zip: Deerfield, KS 67838 Driller: Soukup
 GPS: ON Bottom Of Page *OWR-GPS*
 Contact #: Cory (620-272-3074) *-101.12219*
 Location: SE ¼ 2-23-35 Kearny County *30.077250*
 From Old Well: About 690' South 390' West Dig Safe#17446073
 Static Water Level About:191'
 Total Depth: ~~360'~~ Black Shale *376*

FROM:	TO:	STRATA:
0	2	Top Soil
2	40	Brown Sandy Clay
40	50	Medium To Coarse Sand Small Gravel Few Small Brown Clay Streaks
50	62	Brown Clay With Few Medium Sand Streaks
62	70	Medium To Coarse Sand Small Gravel
70	80	Medium To Coarse Sand Small Gravel With Few Brown Clay Streaks
80	88	Medium To Coarse Sand Small Gravel
88	96	Brown Clay
96	98	Medium To Coarse Sand Small Gravel
98	108	Brown Clay, Few Small Medium Sand Streaks
108	136	Brown Clay (Soft)
136	152	Medium To Coarse Sand Some Small Gravel (Loose)
152	157	Brown Clay
157	162	Coarse Sand Small Gravel
162	178	Brown Sandy Clay
178	181	Medium Sand
181	182	Brown Clay
182	196	Brown Clay With Medium To Coarse Sand Streaks
196	197	Medium To Coarse Sand
197	202	Brown Clay With Medium Sand Streaks
202	208	Brown Clay With Gypsum Streaks
208	220	Medium To Coarse Sand Small Gravel With Brown Rock
220	221	Brown Clay
221	234	Soft Brown Clay With Fine to Medium Sand Streaks 80/20
234	238	Medium To Coarse Sand Small Gravel Brown Rock With Few Brown Clay Streaks
238	261	Medium To Coarse Sand Small Gravel And Broken Rock
261	264	Brown Clay With White Broken Rock And Cemented Sand Streaks
264	272	Fine To Medium Sand With Brown Clay Streaks
272	280	Fine To Medium Sand Some Gravel
280	284	Fine To Medium Sand Some Gravel With Cemented Sand Streaks
284	288	Medium To Coarse Sand Small Gravel With Small White Broken Rock Chips

RECEIVED

288	302	Fine to Medium Sand Few Small Brown Clay Streaks
302	322	Very Fine To Fine Sand With Brown Clay Streaks 75/25
322	326	Fine Sand Few Very Small Brown Clay Streaks
326	327	Brown Clay
327	329	Medium Sand Some Small Gravel
329	336	Fine To Medium Sand Some Small Gravel Few Brown Clay Streaks
336	340	Fine To Medium Sand Some Small Gravel
340	352	Medium To Coarse Sand Small Gravel With White Broke Rock And Brown Rock (Clean - Loose)
352	356	Coarse Sand Small To Medium Gravel White Broken Rock And Brown Rock (Clean - Loose)
356	360	Yellow Soap Stone With Coarse Sand Small To Medium Gravel White Broken Rock And Brown Rock
360		Black Shale

Garden City Field Office
Division of Water Resources

DEC 20 2017

GPS: N: 38.07720 W: 101.12263



Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

December 21, 2017

ROGER G & RANDALL UNRUH
625 S COWGILL DR
GARDEN CITY KS 67846-8911

RE: Water Right 2417

Dear Mr. Unruh;

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 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,

A handwritten signature in black ink, appearing to read "Thomas P. Makens".

Thomas P. Makens
Environmental Scientist III

pc: GMD#3



Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

January 8, 2018

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

Re: Water Right file number 2417

Dear Mr. Norquest;

Graham Farms has applied to relocate the wells authorized by the above water right number. There is one 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.

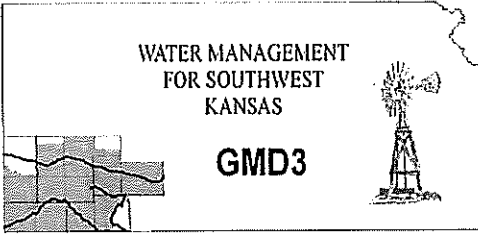
Thank you and as always feel free to call or write us at any time.

Sincerely;

A handwritten signature in black ink, appearing to read "Thomas P Makens".

Thomas P Makens

TPM:tpm
enc



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

January 12, 2018

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

RECEIVED

JAN 12 2018

RE: Application for Change in Point of Diversion
Water Right, File No. 2417

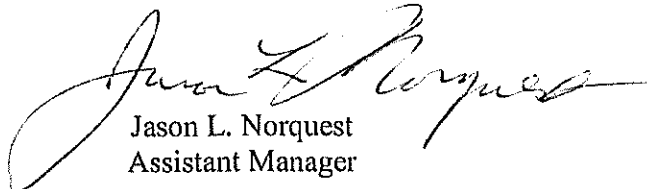
Garden City Field Office
Division of Water Resources

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.

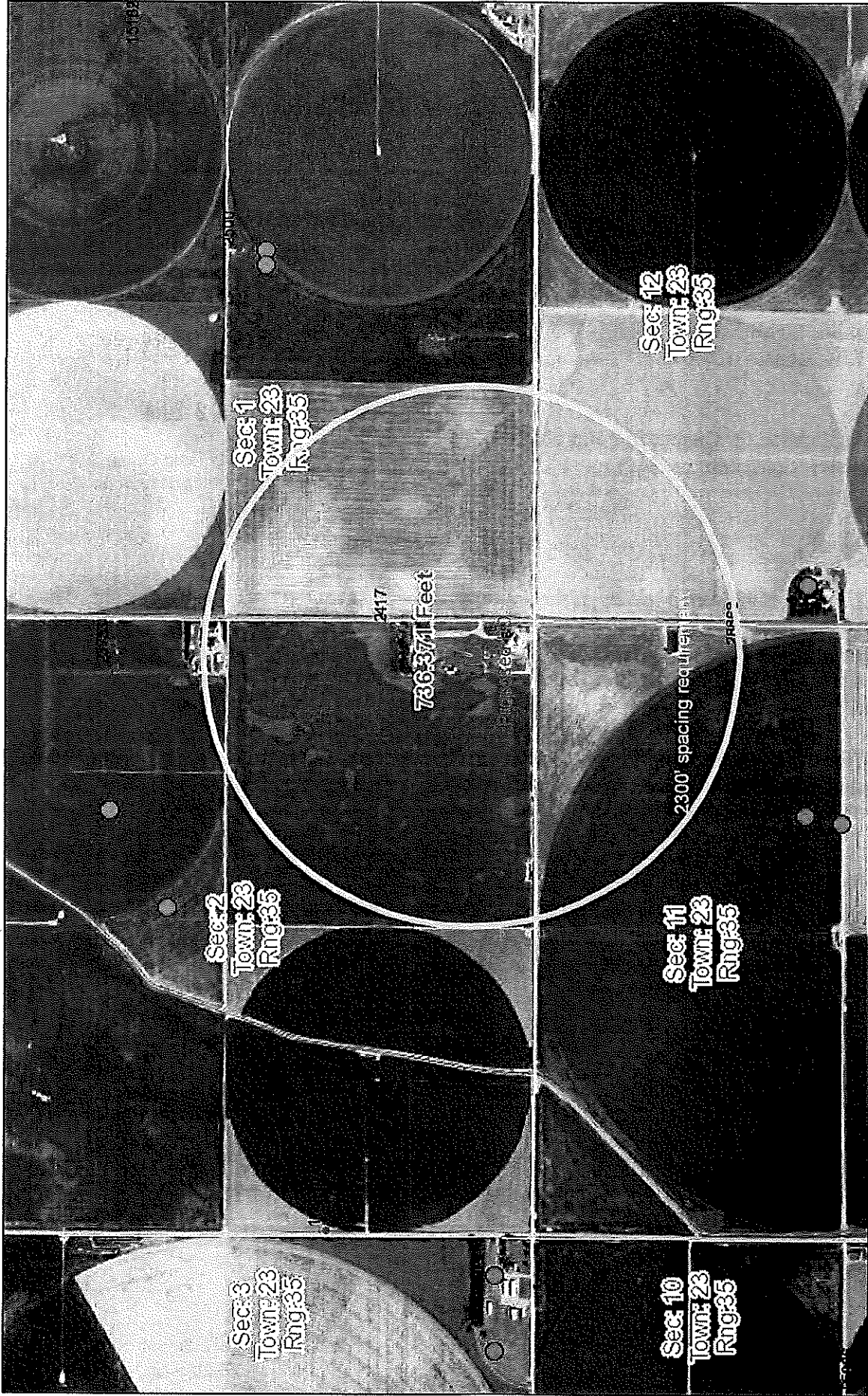
Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest
Assistant Manager

2417 Change Review PD



January 12, 2018
16:07 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Wells
- ? Other
 - IRR
 - + CON
 - ⊗ DEW
 - DOM
 - FPR
 - HYD
 - IND
 - MUN
 - REC
 - STK
 - THX
 - Empty
 - WWC5 WELLS GMD3

Sections RECEIVED

1:18,056

0 800 1,600 3,200 ft

0 250 500 1,000 m

JAN 12 2018

GMD3 Change Review

File No(s): 2417. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Appears to be.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Yes.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 7-23-3

Point of diversion ID No(s) 1 being changed.

RECEIVED

JAN 12 2018

	ft. North	ft. West	
Authorized PD	1216	53	Sect. 2-23-35
Proposed PD	532	438	
Difference	684 S	-385 W	
a2 + b2 = c2	467856	148225	784.9083 foot move SW

Garden City Field Office
Division of Water Resources

GPS for proposed PD: Lat: 38.07725 Long: -101.122190.

Is proposed PD stacking on existing WRs? NO.

Is Proposed PU overlapping existing WRs? ___.

Land Owner(s) notified: Yes, by DWR.

Name ___. Name ___.

Address ___. Address ___.

Zip ___. Zip ___.

Neighboring certified well(s) notified: ___.

Name ___. Name ___.

Address ___. Address ___.

Zip ___. Zip ___.

Domestic well(s) notified: ___.

Name ___. Name ___.

Address ___. Address ___.

Zip ___. Zip ___.

Base Acres: ___.

Perfected Acres: ___.

Irr. Return-Flow ___%

Is a waiver needed: NO.

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



Water Rights and Points of Diversion Within 1.00 miles of point defined as:

532 ft N and 438 ft W of the SE Corner of Section 2, T 23S, R 35W

Located at: 101.122189 West Longitude and 38.077251 North Latitude

GROUNDWATER ONLY

2300' on all

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 2417	00	IRR	NK	G* → 231	--	SE	SE	SE	-----	-----	2	23	35W	1		518.00	518.00	AF	
A__ 2500	00	IRR	NK	G		4106	--	NW	NW	SE	2541	2181	1	23	35W	3	553.00	553.00	AF ✓
A__ 11317	00	IRR	NK	G		4917	--	SW	NW	SW	1770	5200	2	23	35W	4	312.00	.00	AF ✓
A__ 23753	00	IRR	NK	G		3065	--	NE	SE	NE	3597	409	2	23	35W	5	320.00	320.00	AF ✓
A__ 28868	00	IRR	NK	G		2342	--	NE	SE	NE	3506	71	11	23	35W	3	584.00	584.00	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) =	1975.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1975.00	.00

*Spacing met:
Verified with GPS
by DWR.*

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.

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:

101.122189 West Longitude and 38.077251 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR

A__ 2417 00 IRR NK G

> HUFF & PUFF PORK LLC

>

> 2150 ROAD 220

> DEERFIELD KS 67838

>-----

A__ 2500 00 IRR NK G

> ALLEN T UNRUH

>

> 13195 W 7 MILE RD

> DEERFIELD KS 67838

>-----

A__ 11317 00 IRR NK G

> RALPH & TWILA LEA CLAR

>

> 2278 ROAD 230

> DEERFIELD KS 67838

>-----

A__ 23753 00 IRR NK G

> LARRY COMBS

>

RECEIVED

JAN 12 2018

Garden City Field Office
Division of Water Resources