Kansas Department of Agriculture
Division of Water Resources

CHANGE: P/D WORKSHEET & OWNERSHIP

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
24690	10/8/2018	**C3**	**04**	**03**

6. Status: ☐ Approved ☐ Denied by DWR/GMD ☐ Dismiss by Request/Failure to Return

7. Filing Date of Change: **9/6/18**

8a. Applicant(s) — Person ID _____ — Add Seq# _____
New to system ☐

J D BORTH FARMS LTD
PO BOX 754
MEADE KS 67864

8c. Landowner(s) — Person ID _____ — Add Seq# _____
New to system ☐

8b. Landowner(s) — Person ID **38691** — Add Seq# _____
New to system ☐

J D BORTH FARMS LTD
PO BOX 754
MEADE KS 67864

8d. WUC — Person ID **38690** — Add Seq# _____
New to system ☐

JOHN D BORTH
PO BOX 754
MEADE KS 67864

9. Documents and Enclosure(s): ☒ DWR Meter(s) Date to Comply: **12/31/2019** ☒ N & P Date to Comply: **12/31/2019**

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

☐ Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

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

Date Prepared: **10/3/18** By: **LI**
Date Entered: 10/8/2018 By: LM

File No. **24690**	11. County: **ME**	Basin: **CROOKED CREEK**	Stream: **NA**	Formation Code: **211**	Special Use: NA

12. Points of Diversion

CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate and Quantity Authorized Rate gpm	Authorized Quantity af	Additional Rate gpm	Additional Quantity af	Overlap PD Files
MOD	86978	CW	23	31	30W	4	2642	5244		967.5	315.3	967.5	315.3	NONE
ENT	87093	NW NW NW	23	31	30W		5253	5174	ADDL WELL	967.5	315.3	967.5	315.3	NONE

****** ADDITIONAL WELL SPECIAL CONDITION ADDITIONAL WELL (REVIEW AFTER 5 -10 YRS) QUANTITY REDUCTION TO 630.6 AF**

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) **NONE NO CHANGE**

Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit ____ Base Acres _____ Comment _____

16. Place of Use

CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼ NE ¼	NE¼ NW ¼	NE¼ SW ¼	NE¼ SE ¼	NW¼ NE ¼	NW¼ NW ¼	NW¼ SW ¼	NW¼ SE ¼	SW¼ NE ¼	SW¼ NW ¼	SW¼ SW ¼	SW¼ SE ¼	SE¼ NE ¼	SE¼ NW ¼	SE¼ SW ¼	SE¼ SE ¼	Total	Owner	Chg?	Overlap Files
CHK	16731	14	31	30W	1																		8B	YES	24689
CHK	67691	22	31	30W	2																		8B	YES	24689
CHK	10710	23	31	30W	1																		8B	YES	24689

Base Acres: **400** Year: **1978** Minimum Reasonable Quantity:

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files **DATE:** October 3, 2018

FROM: Le slie Ireland **RE:** Water Right, File No. 24,690

John D. Borth, President, JD Borth Farms LTD, filed an application for approval to change the point of diversion which was received in the office of the Chief Engineer on September 6, 2018. This application for change proposes to add an **additional well** and will be processed under K.A.R. 5-5-16. Ciro Chavez, DWR Garden City, assisted with the application

The referenced water right is in compliance with K.S.A. 82a-732, and the application appears to comply with K.A.R. 5-5-2a.

The applicants propose to add a newly constructed well as an additional well for the above referenced file. The proposed well location was stated to be approximately 2,376 feet to the South of the well presently authorized by the referenced file. The new well location is proposed to be in the NW¼NW¼NW¼ of Section 23, Township 31, Range 30 West, Meade County. It would appear that the move would be acceptable pursuant to GMD No. 3, K.A.R. 5-23-3(b) maximum move of 2,640 feet, as the additional well was determined by WRIS to be approximately 2,612 feet from the June 2018 re-drill located 2,642 feet North and 5,244 feet West in the SW¼ SW¼ NW¼ of 23- 31-30W of the original 1976 well located in approximately the same area. It would appear the currently authorized well would be better described as being located near the center of the West Side, CW.

The referenced file was certified in 1984 and is currently authorized a total quantity of 800 acre-feet at a rate of 1,935 gallons per minute (gpm), there are no additional limitations on the rate or quantity. The place of use for the referenced file has a complete overlap with Water Right, File No. 24,689, to irrigate 790 acres with a combined total of 1,600 acre-feet. The maximum acres irrigated during the perfection period for the referenced file were found by the field office to be 400 acres which was utilized for the determination of the quantity for the consumptive use calculation as required by K.A.R. 5-5-16(a)(2)(C)(i):

400 acres X 1.34 (80%NIR ME Co) ÷ 0.85 = 630.59 acre-feet or 630.6 AF

It would appear that the referenced file will require that the authorized quantity of 800 acre-feet, AF, be reduced to 630.6 AF. The application requested a reduction to 630.6 AF, and assigned 315.3 AF to each well. The reduction as required by K.A.R. 5-5-16(a)(2)(C)(i) should assure that consumptive use will not increase.

The reduction in quantity will result in the 790 authorized acres to be irrigated by combined total of 1,430.6 acre-feet, providing 1.81 acre-foot per acre. This irrigation ratio appears reasonable for Meade County where the irrigation of corn at the 80% chance of rain is 1.34 acre-feet.

The rate of diversion test as required by K.A.R. 5-5-16(a)(3)(A) was completed by KDA Staff on July 27, 2018. The standard protocol produced a maximum rate of 2,250 GPM (5.01 c.f.s.). The well is presently authorized a rate of 1,935 GPM. No reduction in rate of diversion will be required., that is less than the tested rate. As required by K.A.R. 5-5-16(a)(3)(A) the rate will be assigned per well. The owner has requested the rate be divided between the wells as specified in K.A.R. 5-5-16(d) assigning 967.5 gpm (2.16 c.f.s) per well.

In summary, the owners stated on the application that they would like the approval to authorize each well a total quantity of 315.3 acre-feet at a rate of 967.5 gpm (2.16 c.f.s.).

The presently authorized well has not had the source of supply determined. A review of the information by KGS and the well logs provided by the applicant appears the of source of supply consists of Ogallala Formation (211). The depth to water for the old well was last reported in 1992 was to a depth of 190 feet with an overall well depth of 400 feet. The June 2018 log went to the Red Bed Formation at 512 feet. The log for the proposed additional well stated a depth to water of 262 feet with a proposed well depth of 615 feet also to the Red Bed Formation. It would appear that the requirements of K.A.R. 5-5-16(b) have been met.

The applicant did not indicate any nearby wells located within one-half (½) mile of the proposed additional point of diversion or the currently authorized well. The KGS-KDHE Water Well records indicated that there are no domestic wells and WRIS indicates only the referenced files wells within. one-half (½) mile. No letters were sent to request comments.

The proposed change will move 315.3 acre-feet of water to a new point of diversion and leave 315.3 acre-feet at the presently authorized well. Under K.A.R. 5-23-3 (a), **Minimum well spacing requirements: high plains aquifer** the new additional well and the existing well will each require a minimum well spacing of 2,100 feet. The wells are approximately 2,111feet apart and a WRIS query found no other wells located or proposed to move within one-half mile of the proposed additional well. It appears that the proposed change meets the spacing requirements of K.A.R. 5-23-3 as required by K.A.R. 5-5-13(c).

In a letter dated September 25, 2018, Jason Norquest, Assistant Manager of the Southwest Kansas Groundwater Management District No. 3 recommended the application be approved.

Michael Meyer, Water Commissioner of the Garden City Field Office recommended the application be approved.

A water flow meter will be required on each well as per K.A.R. 5-5-16(e) and a check valve is required if any chemical or foreign substance is injected through the diversion works. A water level measurement tube will be required on the well drilled under the approval. A copy of a WWC-5 will not be required. Per K.A.R. 5-5-16(a)(4), a condition will be placed on the approval that the administrative priority of the additional well will be September 6, 2018, and the approval will contain the jurisdictional wording as required by K.A.R. 5-5-16(f).

Based on the above discussion, and that the change is reasonable, that impairment to existing water rights is unlikely, that there are no pending applications within the vicinity of this proposed change request that may be affected by this approval and that no change in the local source of supply will occur, it is recommended that the referenced application be approved.

Leslie Ireland
Environmental Scientist
Change Application Unit

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

FILE COPY

J D BORTH FARMS LTD
JOHN D BORTH
PO BOX 754
MEADE KS 67864

October 9, 2018

RE: Water Right, File No. 24,690

Dear Mr. Borth:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the referenced file.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flowmeter must be installed on the diversion works authorized. Please return the required, Notification of the Completion of the Diversion Works, prior to December 31, 2018, should you complete the diversion works prior to the end of the year.

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

The application is adding an additional point of diversion therefor are approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the quantity and rate approved as the portion of the additional well shall be considered to have the priority of the date the applications were filed (September 6, 2018).

If you have any questions, please contract Leslie Ireland, Environmental Scientist, at (785) 564-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor

BAT:LI:li
Enclosures
pc: Garden City Field Office
Groundwater Management District No. 3

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN POINT OF DIVERSION WATER RIGHT FILE NO. 24,690

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of John D. Borth on behalf of J. D. Borth Farms LTD, PO Box 754, Meade Kansas 67864, received in this office on September 6, 2018, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the order of the Chief Engineer dated March 21, 2016, approving the application to change the authorized place of use, and the order of the Chief Engineer dated July 20, 2018, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

This order effectively reduces the authorized quantity of water to 630.6 acre-feet per calendar year.

The application, therefore, is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (September 6, 2018) to add the additional well.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the points of diversion shall be:

> one (1) well located near the center of the West Side (CW) of Section 23, more particularly described as being near a point 2,642 feet North and 5,244 feet West of the Southeast corner of said section, at a diversion rate not in excess of 967.5 gallons per minute (2.16 c.f.s.) and in a quantity not to exceed 315.3 acre-feet per calendar year, and
>
> one (1) well located Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼ NW¼) of Section 23, more particularly described as being near a point 5,253 feet North and 5,174 feet West of the Southeast corner of said section, at a diversion rate not in excess of 967.5 gallons per minute (2.16 c.f.s.) and in a quantity not to exceed 315.3 acre-feet per calendar year,
>
> both in Township 31 South, Range 30 West, Meade County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2019, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 24,690, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated January 26, 1984, as modified and amended by the aforementioned orders.

Ordered this 8th day of October, 2018, at Manhattan, Riley County, Kansas.

Lane P. Letourneau, P.G.
Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 8th day of October, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

STATE OF KANSAS NOTARY PUBLIC
DANIELLE WILSON
My Appointment Expires
August 23, 2020

Notary Public

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

1) request an evidentiary hearing before the Chief Engineer, or
2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 **(i.e., within a total of 18 days after this Order was mailed to you)**, with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 **(i.e., within a total of 33 days after this Order was mailed to you)**, and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

On this 9th day of October, 2018, I hereby certify that the attached Approval of Application for Change in Point of Diversion, Water Right, File No. 24,690, dated October 8th, 2018 was mailed postage prepaid, first class, US mail to the following:

J D BORTH FARMS LTD
JOHN D BORTH
PO BOX 754
MEADE KS 67864

With a Photocopy to:

Garden City Field Office
Groundwater Management District No. 3

Danielle Wilson
Division of Water Resources

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT

State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

Water Resources Received
SEP 06 2018
12:05
KS Dept Of Agriculture

1. Application is hereby made for approval of the Chief Engineer to change the

(Check one or more)
- ☐ Place of Use
- ☒ Point of Diversion
- ☐ Use Made of Water

File No. 24690

2. Name of applicant: JOHN D BORTH

Address: PO BOX 754

City, State and Zip: MEADE, KS. 67864

Phone Number: (620)629 1849 E-mail address: johnnyborth@gmail.com

What is your relationship to the water right; ☐ owner ☐ tenant ☒ agent ☐ other? If other, please explain. _____

Name of water use correspondent: JOHN D BORTH

Address: PO BOX 754

City, State and Zip: MEADE, KS. 67864

Phone Number: (620 629 1849) E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): ADDITIONAL WELL

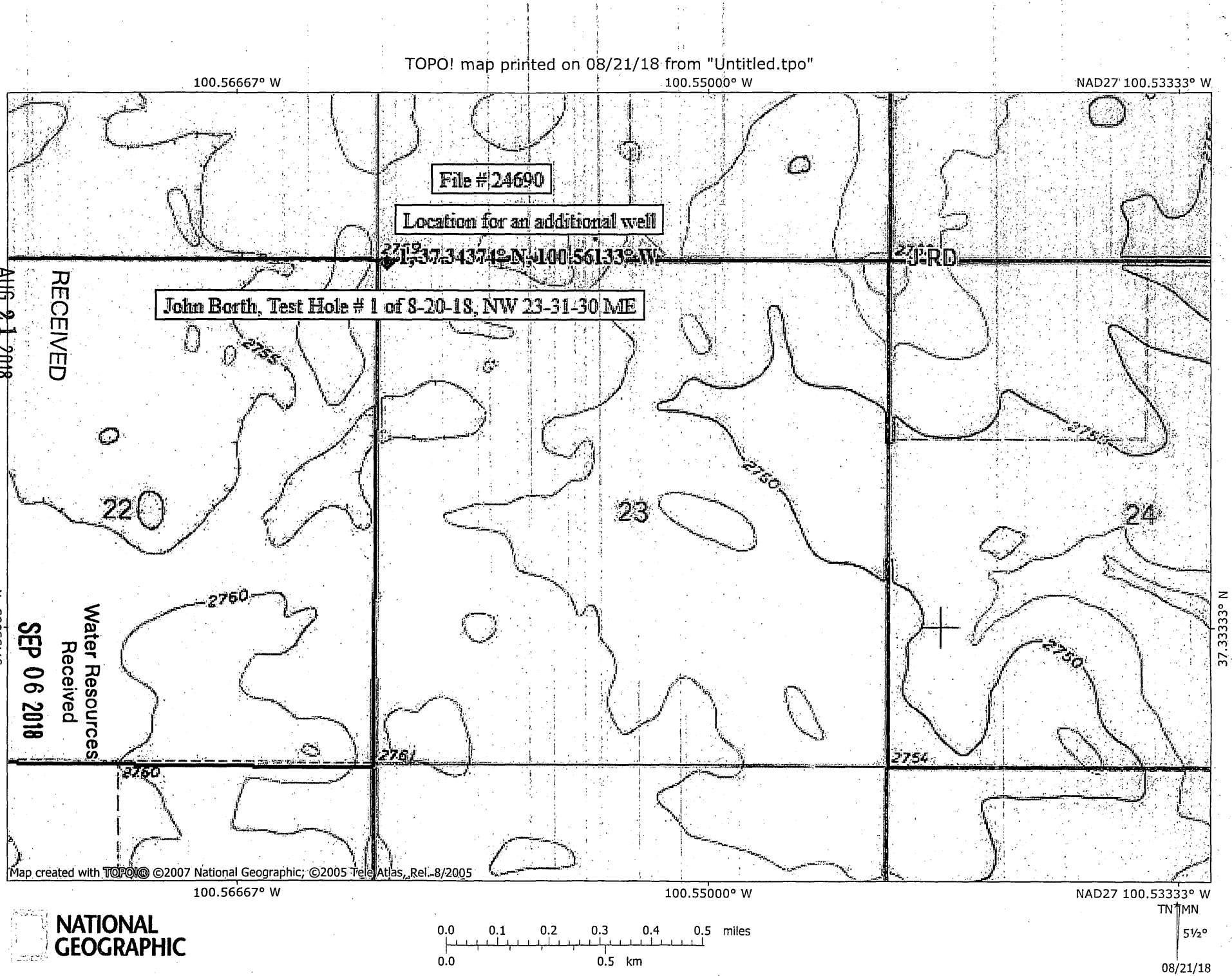
The change(s) (was) (will be) completed by fall 2018 (Date)

For Office Use Only:
F.O. 4 GMD 3 Meets K.A.R. 5-5-1 (YES / NO) Use IRR Source G / S County ME By AW Date 9/6/18
Code CGT Fee $ 200 TR # _____ Receipt Date 9/6/18 Check # 7211

APPLICATION COMPLETE
9/25/18
Reviewer LI

DWR 1-120 (Revised 06/16/2014)

Assisted by: CAC



RECEIVED
AUG 21 2018
Garden City Field Office
Division of Water Resources

Water Resources
Received
SEP 06 2018
KS Dept Of Agriculture

File No. 24690

6. The presently authorized point(s) of diversion (is) (are) ON WELL, ONE PUMP
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) 2 WELLS, 2 PUMPS
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:** CW ✱

One in the SW Quarter of the SW Quarter of the NW Quarter
of Section 23, Township 31 South, Range 30 (W),
in MEADE County, Kansas, 2642 feet North 5244 feet West of Southeast corner of section.
Authorized Rate 1935 GPM Authorized Quantity 800 AF ✱ ASSIGNED - 315.3AF & 967.5GPM ✱ FROM #13
(DWR use only: Computer ID No. 4 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 NW Quarter of the NW Quarter of the NW Quarter
of Section 23, Township 31 South, Range 30 (W),
in MEADE County, Kansas, 5253 feet North 5174 feet West of Southeast corner of section.
Proposed Rate 967.5 GPM Proposed Quantity 315.3 AF
This point is: ☒ Additional Well ☐ Geo Center List other water rights that will use this point _____.

9. **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 _____
(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 _____
This point is: ☐ Additional Well ☐ Geo Center List other water rights that will use this point _____.

10. **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 _____
(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 _____
This point is: ☐ Additional Well ☐ Geo Center List other water rights that will use this point _____.

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

✱ CI/DW 9/14/18 ✱ LD/DW 9/17/18

File No. 24690

4. The presently authorized place of use is:

Owner of Land — NAME: ~~L & R BORTH FARMS LLC RAY L BORTH~~ J.D. Borth FARMS LTD.

ADDRESS: ~~12738 OVERBROOK RD LEAWOOD KS 66209-1622~~ 14119 17 RD. Meade KS 67864 PO Box 754

Sec.	Twp.	Range	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	TOTAL ACRES
14	31	30W									31.50	31.50	31.50	31.50	31.50	31.50	31.50	31.50	252
22	31	30W													31.50	31.50	31.50	31.50	126
23	31	30W	31.50	31.50	31.50	31.50	40	40	31.50	31.50	31.50	40	40	31.50					412

List any other water rights that cover this place of use. 24689

Owner of Land — NAME: _____

ADDRESS: _____

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

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: NO CHANGE

ADDRESS: _____

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

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

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

List any other water rights that cover this place of use. _____

Water Resources
Received
SEP 06 2018
KS Dept Of Agriculture

File No. 24690

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed $500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than $100 nor more than $1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Meade, Kansas, this 4th day of September, 20 18.

X J.D. BORTH FARMS LTD (Owner)	(Spouse)
by John D. Borth Pres. (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas)
County of Meade) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4th day of September, 20 18.

DEBRA D. SMITH
Notary Public - State of Kansas
My Appt. Expires 2/27/19

Debra D. Smith
Notary Public

My Commission Expires _____.

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

(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
(4)	Application to change the use made of the water	$300

Make check payable to **Kansas Department of Agriculture**.

File No. 24690

12. The presently authorized use of water is for IRRIGATION purposes.

    It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

    ORIGINAL WELL QUANTITY IS BEING REDUCED FROM 800AF TO 630.6 AF AND AND DIVIDED IN HALF AND DESIGNATING 315.3 AF TO ORIGINAL WELL & 315.3 AF TO THE ADDITIONAL WELL.

    ORIGINAL RATE OF 1935 GPM IS BEING DIVIDED IN HALF AND DESIGNATING 967.5 GPM TO ORIGINAL WELL AND 967.5 GPM TO THE ADDITIONAL WELL.

    (Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to 630.6 AF (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (_____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

    a. If a change in the location of the point(s) of diversion is proposed, show:

        1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.

        2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.

        3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.

    b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

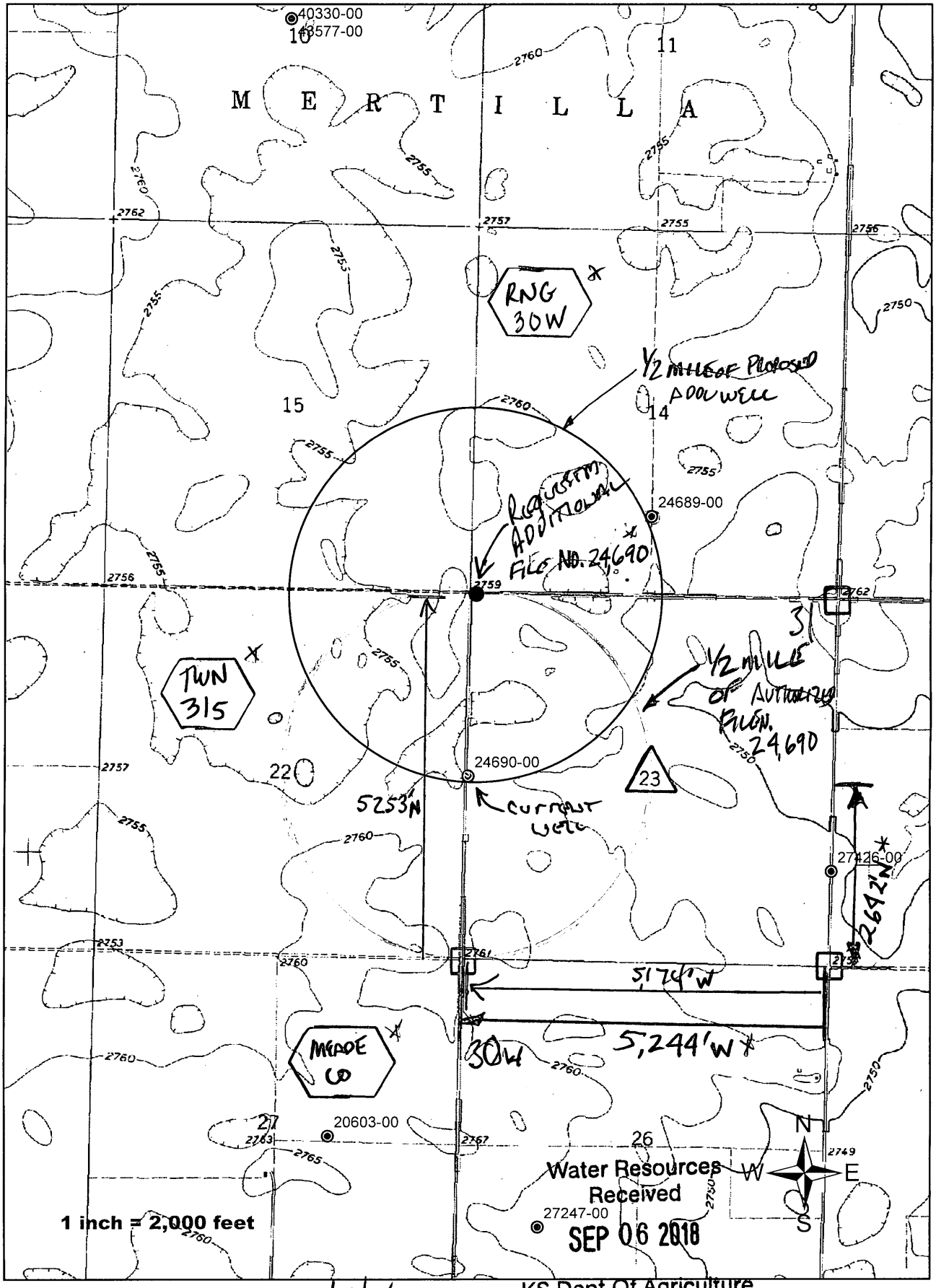
    well spcing met and flow rate has been tested by gcfo already

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

    na

Water Resources
Received
SEP 06 2018
KS Dept Of Agriculture

24690



Water Resources
Received
SEP 06 2018
KS Dept Of Agriculture

* LI/Aur 9/17/18

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE

METER FLOW RATE/VOLUME TEST

FILE NO. 24690 Date: 7/27/18 Tester: Mitch French Tested 1 of 1 installations

Point of Diversion: SW SW NW Sec. 23, T. 31S, R. 30W

Approximately 2642 ft. North and 5244 ft. West of SE corner of Sec 23.

How were distances determined? File Latitude _____ Longitude _____

Person(s) present at the test: John Borth **Relationship(s) to owner:** owner

TEST METER INFORMATION: Test meter location GCFO Last verified 2017

Manufacturer Panametrics Model # PT 878 Serial # 04040

Sensor is 20 in upstream from 8" orffice plate

Sensor is 50 in downstream from Pump

NORMAL CONDITIONS:

R.P.M. POWER UNIT 1760

R.P.M. PUMP UNIT _____

Pressure at Pump _____ psi

MAXIMUM CONDITIONS

R.P.M. POWER UNIT _____

R.P.M. PUMP UNIT _____

Pressure at Pump _____ psi

☒ **Non-Intrusive Meter Test** Meter Type UTTM Meter Serial No. 04040

Ending	11281.87 gal.			Ending	gal.
Beginning	0 gal.	Meas. O.D.	10.80	Beginning	gal.
Difference	11281.86 gal.	Meas. Wall	0.243	Difference	gal.
Time	5.013 min.	XDCR Setting	250.249 mm	Time	min.
Rate	2250.4 gpm.	Material Type	C. Steel	Rate	gpm.

Diagnostics:

Signal Strength SS up: 67.1 SS dn: 67.0 (Should be over 55 highest on PVC, up and dn should be close to the same)

SNDSP: 4838.9 (Should be close to book value for the soundspeed at measured temp) Temp 65 F

Delta T (<Delta>): 581.64 Is this number stable? Yes If no please explain: _____

T up: 385.77 T dn: 395.2 (Bad: continuous large fluctuations of 1 microsecond or more)

Signal Quality: Q up 3809 Q dn 3924 (Should be + - 300 or greater)

AMPup: 28.7 AMPdn: 28.8 (Should be 20 - 28 fluctuations)

P#up: 506 P#dn: 494 (100 to 900, closest to 500 is best)

Nfup: 1 Nfdn: 1 (Should Be 0.85 to 1.0)

☐ **Installed Meter Test** Manufacturer _____ Serial # _____ Model # _____

Sensor is _____ in upstream from _____

Sensor is _____ in downstream from _____

Outside Diameter (Stamped) _____ inches (Measured) _____ inches

Inside Diameter (Stamped) _____ inches (Measured) _____ inches

Ending	gal.	Ending	gal./AF
Beginning	gal.	Beginning	gal./AF
Difference	gal.	Difference	gal./AF
Time	min.	Time	min.
Rate	gpm.	Rate	gpm.

% Error Calculation: $\frac{\text{Test} - \text{Meter}}{\text{Test}} \times 100$ % error _____

☐ **Other Flowmeter** Use Supplemental Sheet (include meter identification, data and calculations).

Water Resources Received

SEP 17 2018

KS Dept Of Agriculture

COMMENTS: Rate test only. tested rate exceeds authorized rate.

☐ Good Test

☒ Adequate Test

☐ Unacceptable Comparison

Reviewed by _____ Date _____ Entered by _____ Date _____

SCANNED

DWR 1-310.1 (Revised 12/21/2009)

METER COMPARISON FORM
FILE NO, 24690

DWR METER

Manufacturer Panametrics **Model No.** PT 878 **Serial No.** 4040

Outside Diameter	10.800	inches (measured)	
Thickness	0.243	inches (measured)	
Material	Carbon Steel	Transducer Spacing	250.249 mm

Location of Meter:

50"	Downstream from	pump
20"	Upstream from	8" orffice

Ending	11281.87		Gallons	
Beginning	0		Gallons	
Difference	11281.87		Gallons	
Minutes		Seconds 300.8	Total time	5.013 Minutes
Rate	2250.4		GPM	

DIAGNOSTICS

Signal strength	SS up	**67.1**	SS down	**67**	(50-80 good, <50 bad)
SNDSP	**4838.9**	(should be close to book based on temp.		**65**	Temp.
Delta T (<Delta>)	**581.64**	Steady? (Yes/No)	If no, explain		
T up:	**385.77**	T down:	**395.2**	(bad, continuous fluctuations of 1 microsecond or more)	
Signal quality:	Q up	**3809**	Q down:	**3924**	(+- 300 or higher good, +- 100 bad)
AMP up:	**28.7**	AMP down:	**28.8**	(20 to 28 good, <20 or > 28 bad)	
P# up:	**506**	P# down:	**494**	(100 to 900 good, <100 or >900 bad)	
Nf up:	**1**	Nf down:	**1**	(0.85 to 1.0 good, <0.85 bad)	

OWNER INSTALLED METER

Manufacturer _____ **Model No.** _____ **Serial No.** _____

Outside Diameter (stamped)		Measuered Diameter	inches
Inside Diameter (stamped)		Measuered Diameter	inches

Location of Meter:

	Downstream from	
	Upstream from	

Ending			Acre Feet	
Beginning			Acre Feet	
Difference	0		Acre Feet	0 Gallons
Minutes		Seconds	Total time	0.000 Minutes
Rate	#DIV/0!		GPM	
			Calculated error	**#DIV/0!** %

Notes Rate test only
P/D is capable of exceeding authorized rate

Good Test
X Adequate Test
Unacceptable Comparison
No Comparison Possible

Tester: Mitch French

Date: 7/27/2018

Water Resources Received
SEP 17 2018
KS Dept Of Agriculture

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE

METER FLOW RATE/VOLUME TEST

FILE NO. 24690 Date: 7/27/18 Tester: Mitch French Tested 1 of 1 installations

Point of Diversion: SW SW NW Sec. 23, T. 31S, R. 30W

Approximately 2642 ft. North and 5244 ft. West of SE corner of Sec 23.

How were distances determined? File Latitude _____ Longitude _____

Person(s) present at the test: John Borth **Relationship(s) to owner:** owner

TEST METER INFORMATION: Test meter location GCFO Last verified 2017

Manufacturer Panametrics Model # PT 878 Serial # 04040

Sensor is 20 in upstream from 8" orffice plate

Sensor is 50 in downstream from Pump

NORMAL CONDITIONS:	MAXIMUM CONDITIONS
R.P.M. POWER UNIT 1760	R.P.M. POWER UNIT _____
R.P.M. PUMP UNIT _____	R.P.M. PUMP UNIT _____
Pressure at Pump _____ psi	Pressure at Pump _____ psi

☒ **Non-Intrusive Meter Test** Meter Type UTTM Meter Serial No. 04040

Ending	11281.87 gal.			Ending	_____ gal.
Beginning	0 gal.	Meas. O.D.	10.80	Beginning	_____ gal.
Difference	11281.86 gal.	Meas. Wall	0.243	Difference	_____ gal.
Time	5.013 min.	XDCR Setting	250.249 mm	Time	_____ min.
Rate	2250.4 gpm.	Material Type	C. Steel	Rate	_____ gpm.

Diagnostics:

Signal Strength SS up: 67.1 SS dn: 67.0 (Should be over 55 highest on PVC, up and dn should be close to the same)

SNDSP: 4838.9 (Should be close to book value for the soundspeed at measured temp) Temp 65 F

Delta T (<Delta>): 581.64 Is this number stable? Yes If no please explain: _____

T up: 385.77 T dn: 395.2 (Bad: continuous large fluctuations of 1 microsecond or more)

Signal Quality: Q up 3809 Q dn 3924 (Should be + - 300 or greater)

AMPup: 28.7 AMPdn: 28.8 (Should be 20 - 28 fluctuations)

P#up: 506 P#dn: 494 (100 to 900, closest to 500 is best)

Nfup: 1 Nfdn: 1 (Should Be 0.85 to 1.0)

☐ **Installed Meter Test** Manufacturer _____ Serial # _____ Model # _____

Sensor is _____ in upstream from _____

Sensor is _____ in downstream from _____

Outside Diameter (Stamped) _____ inches (Measured) _____ inches

Inside Diameter (Stamped) _____ inches (Measured) _____ inches

Ending	_____ gal.	Ending	_____ gal./AF
Beginning	_____ gal.	Beginning	_____ gal./AF
Difference	_____ gal.	Difference	_____ gal./AF
Time	_____ min.	Time	_____ min.
Rate	_____ gpm.	Rate	_____ gpm.

% Error Calculation: $\frac{\text{Test} - \text{Meter}}{\text{Test}} \times 100$ % error _____

☐ **Other Flowmeter** Use Supplemental Sheet (include meter identification, data and calculations).

COMMENTS: Rate test only. tested rate exceeds authorized rate.

Water Resources Received SEP 17 2018 KS Dept Of Agriculture

☒ Good Test
☒ Adequate Test
☐ Unacceptable Comparison

Reviewed by _____ Date _____ Entered by _____ Date _____

DWR 1-310.1 (Revised 12/21/2009)

SCANNED

METER COMPARISON FORM
FILE NO, 24690

DWR METER

Manufacturer Panametrics **Model No.** PT 878 **Serial No.** 4040

Outside Diameter 10.800 inches (measured)

Thickness 0.243 inches (measured)

Material Carbon Steel Transducer Spacing 250.249 mm

Location of Meter:

50" Downstream from pump

20" Upstream from 8" orffice

Ending 11281.87 Gallons

Beginning 0 Gallons

Difference 11281.87 Gallons

Minutes Seconds 300.8 Total time 5.013 Minutes

Rate 2250.4 GPM

DIAGNOSTICS

Signal strength SS up **67.1** SS down **67** (50-80 good, <50 bad)

SNDSP **4838.9** (should be close to book based on temp. **65** Temp.

Delta T (<Delta>) **581.64** Steady? (Yes/No) If no, explain

T up: **385.77** T down: **395.2** (bad, continuous fluctuations of 1 microsecond or more)

Signal quality: Q up **3809** Q down: **3924** (+- 300 or higher good, +- 100 bad)

AMP up: **28.7** AMP down: **28.8** (20 to 28 good, <20 or > 28 bad)

P# up: **506** P# down: **494** (100 to 900 good, <100 or >900 bad)

Nf up: **1** Nf down: **1** (0.85 to 1.0 good, <0.85 bad)

OWNER INSTALLED METER

Manufacturer **Model No.** **Serial No.**

Outside Diameter (stamped) Measured Diameter inches

Inside Diameter (stamped) Measured Diameter inches

Location of Meter:

Downstream from

Upstream from

Ending Acre Feet

Beginning Acre Feet

Difference 0 Acre Feet 0 Gallons

Minutes Seconds Total time 0.000 Minutes

Rate #DIV/0! GPM

Calculated error **#DIV/0!** %

Notes Rate test only

P/D is capable of exceeding authorized rate

Good Test

X Adequate Test

Unacceptable Comparison

No Comparison Possible

Tester: Mitch French

Date: 7/27/2018

Water Resources Received

SEP 17 2018

KS Dept Of Agriculture

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

Hydro resources

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

JOHN BURTH 620-629-1849

AUTHORIZED FILE #24690

Customer Name: John Borth
Street Address: 10211 Road L
City, State: Plains, KS 67869
County: Meade Quarter: SW Section: 23 Township: 31 Range: 30
Location: 52' East + 19' South of Existing Well GPS: N37.33657 W100.56157
Rig #: 10002 Elevation: 2759' Static WL: 264' Estimated?
Proposed Well Depth

WO#: 13987 Test #: 2 Driller: Dale Guinn

Date: 6-13-18 E LOG:

WELL LOCATION

RECEIVED
JUN 14 2018
Garden City Field Office
Division of Water Resources

%	Footage From	Pay	To	Description of Strata
	0		2	Top Soil
	2		6	Black Dirt
	6		24	Brown Clay
	24		36	Brown Sandy Clay w/few caliche ledge + Lime Rock Strips
	36		45	Brown Sandy Clay w/fine sand + Rock Ledges
	45		57	Brown Clay
	57		73	Brown + Red Sandy Clay w/some Lime Rock strips
	73		109	Sand fine to med course few small gravel
	109		115	Gray + Brown Clay
	115		121	Brown Clay
	121		162	Sand fine to med course
	162		170	Brown Clay
	170		179	Sand fine few med
30	179	4	268	Sand fine to med course few small gravel w/couple clay stringers
	268		270	Brown Clay
25	270	20	290	Sand fine to med course - Drilled Loose -
	290		295	Brown Clay
25	295	26	321	Sand fine to med course - Drilled Loose -
	321		329	Brown + Light Blue Clay
25	329	21	350	Sand fine to med course - Drilled loose -
20	350	19	369	Sand fine to med course w/some clay stringers
25	369	26	395	Sand fine to med course - Drilled Loose -
25	395	12	407	Sand fine to med course w/couple clay stringers
15	407	16	423	Sand fine to med w/some clay stringers
10	423	16	439	Fine Sand w/many clay stringers - Drilled Loose in Places -
15	439	21	460	Fine Sand w/some clay stringers - Drilled Loose -
20	460	42	502	Fine Sand w/few clay stringers - Drilled Loose -
	502		512	Brown Sandy Clay w/Lime Rock Strips + few Red Clay Ledges
	512			Red Bed

Super Gel X -2
Bent. Plug 3/4 -6
Perma Plug -1

24690

File No. 246904

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

Hydro resources

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

630.6
315.3 AP
967.5 SFM

JOHN BORTH CELL 620-629-1849

ADDITIONAL 4690 WELL*

Customer Name: John Borth
Street Address: P.O. Box 754
City, State: MEADE, KS 67864
County: Meade Quarter: NW Section: 23 Township: 31 Range: 30
Location:
Rig #: 10002

WO#: 14413 Date: 8-20-18
Test #: 1 E LOG:
Driller: Dale Guinn
GPS: N37.34374 W100.56133
Elevation: 2750' Static WL: 262' Estimated?
Proposed Well Depth 615

ADDITIONAL WELL LOCATION 10' SW MP

%	Footage From	Pay	To	Description of Strata
	0		2	Top Soil
	2		6	Brown Sandy Clay
	6		65	Brown Sandy Clay w/some caliche
	65		83	Sand fine to med w/some Red & Brown Sandy clay mixed
	83		108	Sand fine to med course
	108		115	Brown Sandy Clay
	115		158	Sand fine to med course w/couple clay stringers
	158		164	Brown Clay
	164		244	Sand fine to med course
	244		313	Blue Clay
25	313	30	343	Sand fine to med course - Loose in places -
20	343	17	360	Fine Sand w/few thin clay stringers - Drilled Loose -
	360		364	Cemented Fine Sand
	364		388	Brown & Blue Clay w/couple fine sand strips
20	388	12	400	Sand fine to med course w/few clay ledges
25	400	20	420	Sand fine to med some course - Drilled Loose -
20	420	23	443	Sand fine to med course w/some clay stringers - Loose in places -
30	443	37	480	Sand fine to med course - Drilled Loose in places -
10	480	22	502	Sand fine to med course w/many sticky clay ledges
20	502	50	552	Fine Sand few med w/few thin clay stringers
5	552	4	556	Fine Sand few med - little cemented -
20	556	8	564	Fine Sand few med
5	564	16	580	Fine Sand & Brown Clay - Sticky -
5	580	25	605	Fine Sand w/some Purple rock & Red Bed strips
	605		620	Red Bed

Super Gel X -4
Grout -5
Bent. Plug 3/4 -6
Perm. Plug -1
4 3/4 Drag Blade -1

Water Resources Received
SEP 06 2018
KS Dept Of Agriculture

RECEIVED
AUG 21 2018
Garden City Field Office
Division of Water Resources

*LI/ACK 9/18/18

FILE NO. 24,690 1975-2018.
AUTHORIZED PD- PRIOR TO 6/18 CHG

The Professionals **MINTER-WILSON DRILLING CO.**
INCORPORATED

Phone 276-8269 • P.O. Box 493 • GARDEN CITY KANSAS 67846

Jay Borth
Meade County
10-5-75

Location: NW 23-31-30
From Northwest Corner of Plains, 5 miles North, 2 miles East, ½ mile South, 50 ft. East

Static Water Level: 150

Test # 1

0	3	Top Soil
3	29	Brown Sandy Clay
29	58	Brown Sandy Clay mixed with White Clay
58	65	Brown Sandy Clay
65	97	Fine to Med. Sand & Gravel(Tight) Small Hard Streaks
97	125	Fine to Med. Sand & Gravel, Streaks of Clay(10%)
125	158	Fine to Med. Sand & Gravel (Loose)
158	170	Fine to Med. Sand & Gravel, Streaks of Clay(10%)
170	290	Fine to Med. Sand & Gravel (Loose)
290	302	Brown Sandy Clay, Streaks of Blue Clay
302	335	Fine to Med. Sand & Gravel (Loose)
335	350	Fine to Med. Sand & Gravel, Streaks of Clay (15%)(Tight)
350	395	Fine to Med. Sand & Gravel (Loose)
395	410	Fine to Med. Sand & Gravel, Streaks of Clay (20%)(Tight)
410	430	Fine to Med. Sand, Streaks of Clay (30%)
430	440	Brown Sandy Clay mixed with Fine Sand (Tight)

TD 410'

Ireland, Leslie [KDA]

From: Meyer, Mike [KDA]
Sent: Monday, October 1, 2018 4:11 PM
To: Ireland, Leslie [KDA]
Subject: RE: Recommendation for File No. 24690_ Additional Well Borth

Approve
thanks

Mike

From: Ireland, Leslie [KDA]
Sent: Monday, October 1, 2018 1:52 PM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: Recommendation for File No. 24690_ Additional Well Borth

Mike,

Please let me know if you would recommend this application for change.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

WATER MANAGEMENT
FOR SOUTHWEST
KANSAS
GMD3

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

September 25, 2018

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Application for Additional Well
Water Right, File No. 24690

Dear Leslie:

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 request for an additional well under this water right, along with the reduction in authorized quantity, meets the criteria set for in K.A.R. 5-5-16. Spacing required by K.A.R. 5-23-3 is met with both wells. 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

WATER MANAGEMENT
FOR SOUTHWEST
KANSAS
GMD3

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

September 25, 2018

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Application for Additional Well
Water Right, File No. 24690

Dear Leslie:

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 request for an additional well under this water right, along with the reduction in authorized quantity, meets the criteria set for in K.A.R. 5-5-16. Spacing required by K.A.R. 5-23-3 is met with both wells. 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).: 24690. DWR office: HQ/GC.

App filed to change: Additional well.

Is Landowner(s) correct in WRIS: __.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? __.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-16 & KAR 5-23-3

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

	ft. North	ft. West	
Authorized PD	2642	5244	Current well
Proposed PD	5253	5174	Additional well
Difference	-2611	70	
a2 + b2 = c2	6817321	4900	2611.938 feet apart

GPS for proposed PD: Lat: 37.34374 Long: -100.56133.(Additional Well)

Is proposed PD stacking on existing WRs? NO.

Is Proposed PU overlapping existing WRs? No change.

Land Owner(s) notified: __.

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 __.

Water Resources Received

SEP 25 2018

KS Dept Of Agriculture

Base Acres: __.

Perfected Acres: 400.

Irr. Return-Flow ___%

KAR 5-5-16: (max acres X NIR80%) / 0.85

(400 X 1.34) /.085 = 630.6AF

24690 currently authorized 800AF, so will take reduction to 630.6AF (-169.4af), which the applicant requests to be split equally between the wells [315.3AF/each].

DWR flowtest shows current well could test pump more than current authorized. So 1935gpm is requested to be split equally, 967.5gpm/each.

Spacing met between proposed wells and also to neighboring wells.

Domestic spacing is met also.

Is a waiver needed: NO.

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

SCANNED

Report Date Tuesday, September 25 2018

Water Rights and Points of Diversion Within 1.00 miles of point defined as:
5253 ft N and 5174 ft W of the SE Corner of Section 23, T 31S, R 30W
Located at: 100.561329 West Longitude and 37.343742 North Latitude
GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 24689	00	IRR	NK	G	2760	--	--	CE	SW	1135	2700	14	31	30W	1		800.00	800.00	AF
A__ 24690	00	IRR	NK	G*	2612	--	SW	SW	NW	2642	5244	23	31	30W	4		800.00	800.00	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) =	1600.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1600.00	.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.
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:
100.561329 West Longitude and 37.343742 North Latitude
GROUNDWATER ONLY
WATER USE CORRESPONDENTS:

File Number Use ST SR
A__ 24689 00 IRR NK G
> JOHN D BORTH
>
> PO BOX 754
> MEADE KS 67864
>----------

A__ 24690 00 IRR NK G
> JOHN D BORTH
>
> PO BOX 754
> MEADE KS 67864
>----------

Water Resources
Received
SEP 25 2018
KS Dept Of Agriculture

SCANNED

INPUTS			
	Longitude	Latitude	
Point 1	-100.561570	37.336570	Current 24690
Point 2	-100.561330	37.343740	Additional well request

Degrees Longitude per Foot	3.43956872E-06
Degrees Latitude per Foot	2.74640369E-06
Distance Between Points (ft)	2612

Compute Distance Between Points

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

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

September 17, 2018

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

Re: Application for Change, Water Right, File No. 24,690

Dear Mr. Rude:

We are enclosing a copy of the application referred to above which appears to be in proper form. The proposed change is requesting to add an additional well per K.A.R. 5-5-16, *Additional well.*

We are delaying any further action for a period of fifteen days from the date of this letter to allow you time to submit your recommendations concerning this application.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Leslie Ireland

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li
Enclosure
pc: Garden City Field Office
John D. Borth, J.D. Borth Farms LTD

Report Date Friday, September 14 2018

Water Rights and Points of Diversion Within 1.50 miles of point defined as:
5253 ft N and 5174 ft W of the SE Corner of Section 23, T 31S, R 30W
Located at: 100.561329 West Longitude and 37.343742 North Latitude
GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 24689	00	IRR	NK	G 2760	--	--	CE	SW	1135	2700	14	31	30W	1		800.00	800.00	AF
A__ 24690	00	IRR	NK	G* 2612	--	SW	SW	NW	2642	5244	23	31	30W	4		800.00	800.00	AF
A__ 27426	00	IRR	NK	G 6487	--	--	CW	SW	1360	5215	24	31	30W	1		444.00	444.00	AF

≥ 2640

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) =	2044.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2044.00	.00

MOVING 2612' N
NOTE - LAT LONG OF 7/18 CHG.
QUARTERS - CW Sec 23

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 1.50 miles of point defined as:
100.561329 West Longitude and 37.343742 North Latitude
GROUNDWATER ONLY
WATER USE CORRESPONDENTS:

File Number Use ST SR
A__ 24689 00 IRR NK G
> JOHN D BORTH
>
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> MEADE KS 67864
>----------

A__ 24690 00 IRR NK G
> JOHN D BORTH
>
> PO BOX 754
> MEADE KS 67864
>----------

A__ 27426 00 IRR NK G
> EDNA E COLLINGWOOD TRUST
> WILLIAM L ENGLER
> PO BOX 974
> GARDEN CITY KS 67846
>----------

KGS Hydrology | Water Well Database Query

Township: 31S, Range: 30W, Section: 23
Select location of well to view details.
Click on column heading to sort.

Save Data to File

5 records returned.

T-R-S	Owner	Well Depth Ascend. Desc.	Static Water Level Ascend. Desc.	Est. Yield Ascend. Desc.	Well Use	Other ID	Action Taken	Completion Date Ascend. Desc.	Scan?
Sec. 23 SW NW SE	Edna Collingwood Trust	448 ft.	179 ft.	1400 gpm.	Irrigation		Constructed	14-Aug-1978	PDF
Sec. 23 SW NW SE	Edna Collingwood Trust	448 ft.	195 ft.		Irrigation		Plugged	10-Jun-1995	PDF
Sec. 23 SW NW SE	Edna Collingwood Trust	464 ft.	194 ft.	1200 gpm.	Irrigation		Constructed	04-May-1995	PDF
Sec. 23 SE SE SW	Borth, Jerry	268 ft.	171 ft.	20 gpm.	Domestic		Constructed	11-Aug-1987	PDF
Sec. 23 NW SE NW	Borth, Jay	410 ft.	144 ft.	1340 gpm.	Irrigation		Constructed	10-Nov-1975	PDF

Kansas Geological Survey
Comments to webadmin@kgs.ku.edu
URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html
Display Programs Updated July 2, 2014
Data added continuously.

~$24,689

File No. 24,690 Ownership 9/17/20418

Property Details for PID: 0600662300000001000
QuickRef ID : R703

Owner Name : BORTH, J D FARMS LTD
Location: 00000, Plains, KS 67869
Abbreviated Boundary Description: S23 , T31 , R30 , ACRES 472.5 , N2 & SW4 LESS R/W

Owner Information:

Owner BORTH, J D FARMS LTD

Mailing Address 14119 17 ROAD MEADE, KS 67864

Property Information: Type Agricultural Use Status Active

& 24689

File No. 24,690 Ownership 9/17/20418

Property Details for PID: 0600652200000004000
QuickRef ID : R696

Owner Name : BORTH, J D FARMS LTD
Location: 00000, Plains, KS 67869
Abbreviated Boundary Description: S22 , T31 , R30 , ACRES 158.6 , SE4 LESS R/W

Owner Information: Owner BORTH, J D FARMS LTD

Mailing Address 14119 17 ROAD MEADE, KS 67864

Property Information: Type Agricultural Use Status Active

4 24,689

File No. 24,690 Ownership 9/17/20418

Property Details for PID: 0600661400000002000

QuickRef ID : R700
Owner Name : BORTH, J D FARMS LTD
Location: 00000, Plains, KS 67869
Abbreviated Boundary Description: S14 , T31 , R30 , ACRES 149.0 , SW4 LESS R/W & LESS BEG SE COR SW4 TH N923', W32', SW864.1', S246.7', E608' TO POB

Owner Information:

Owner BORTH, J D FARMS LTD

Mailing Address 14119 17 ROAD MEADE, KS 67864

Property Information: Type Agricultural Use Status Active

Property Details for PID: 0600661400000003000
QuickRef ID : R702

Owner Name : BORTH, J D FARMS LTD
Location: 00000, Plains, KS 67869
Abbreviated Boundary Description: S14 , T31 , R30 , ACRES 157.7 , SE4 LESS R/W & LESS W32' OF S923'

Owner Information: Owner BORTH, J D FARMS LTD

Mailing Address 14119 17 ROAD MEADE, KS 67864

Property Information: Type Agricultural Use Status Active

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
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GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

JOHN D BORTH
PO BOX 754
MEADE , KS 67864

September 7, 2018

RE: File No 24690

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

☐ place of use PD
☐ point of diversion
☐ use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor... A class C misdemeanor is punishable by a fine not to exceed $500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Tourney

Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: GARDEN CITY Field Office GMD3

24690 Additional Well app

September 25, 2018

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.

1:18,056

0 800 1,600 3,200 ft

0 250 500 1,000 m

Legend

GPS Position

Wells

Other

IRR

CON IND Empty

DEW MUN WWC5 WELLS GMD3

DOM REC Sections

FPR STK

HYD THX

GMD FSA 2016

Water Resources Received

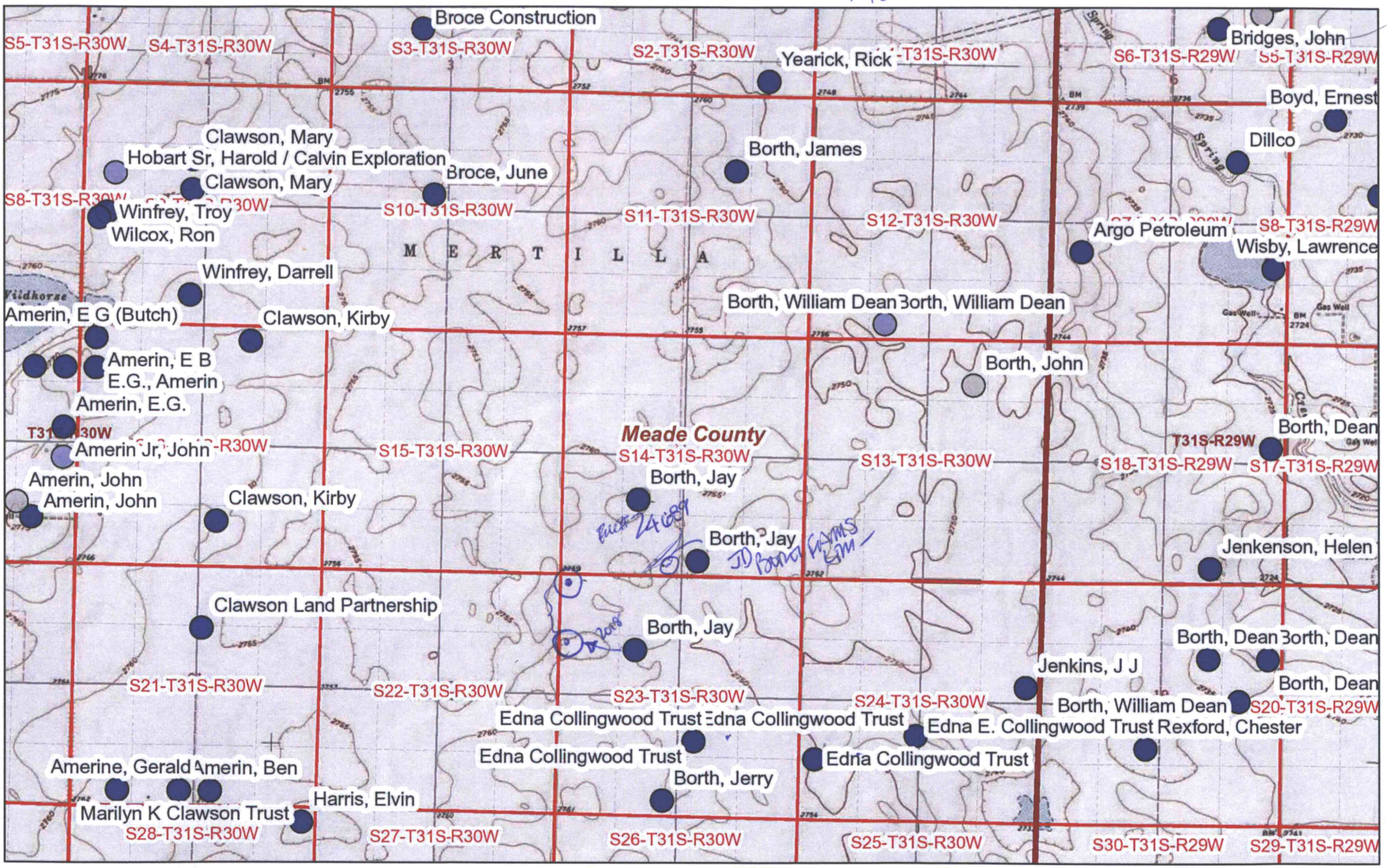
SEP 25 2018

KS Dept Of Agriculture

SCANNED

jason
GIS Workshop, LLC.

NO. DOMESTICS WELLS W/ 1/2 MILE NOT OWNED BY APPLICANT



Constructed

Reconstructed

Plugged

1:36,112

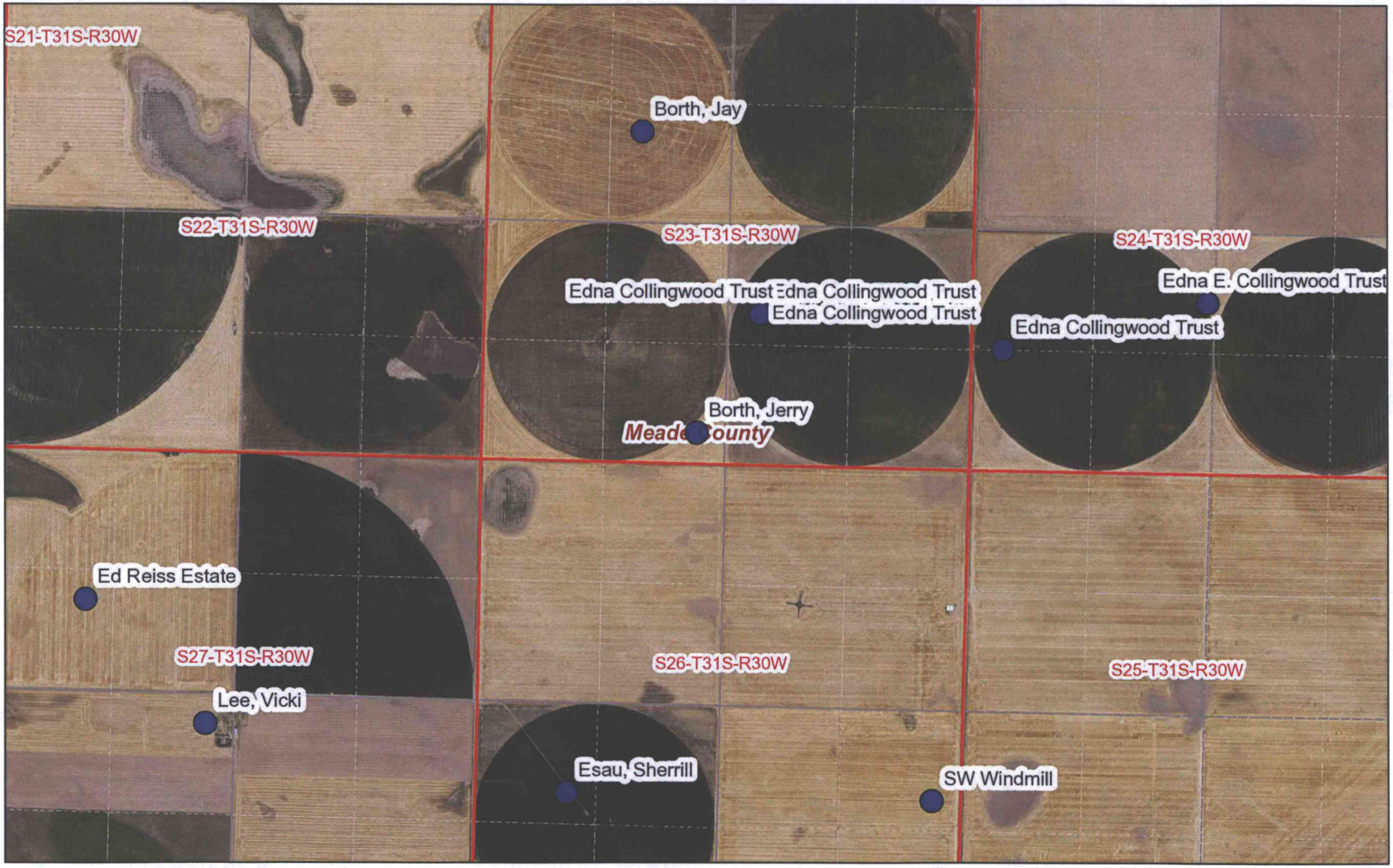
0 0.3 0.6 1.2 mi

0 0.5 1 2 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

Kansas Geological Survey - https://maps.kgs.ku.edu/wwc5

9/14/2018



Constructed

Reconstructed

Plugged

1:18,056

0 0.15 0.3 0.6 mi

0 0.25 0.5 1 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

Kansas Geological Survey - https://maps.kgs.ku.edu/wwc5

9/14/2018