

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PU WORKSHEET

1. File Number: 101	2. Status Change Date: 4/22/2019	3. Change Num: C2	4. Field Office: 04	5. GMD: 03
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-DEC-2018
8a. Applicant(s) New to system <input type="checkbox"/> ROME FARMS STEVE D ROME 1096 ROAD BB HUGOTON KS 67951		Person ID <u>27615</u> Add Seq# <u>1</u>	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/> ROME FARMS STEVE D ROME 1096 ROAD BB HUGOTON KS 67951		Person ID <u>27615</u> Add Seq# <u>1</u>	8d. WUC New to system <input type="checkbox"/> Person ID <u>27615</u> Add Seq# <u>1</u> ROME FARMS STEVE D ROME 1096 ROAD BB HUGOTON KS 67951 Both uses as above per change app	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/2019</u> <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 4/16/19 By: RAK Date Entered: 4/23/2019 By: UM				

File No. **101** 11. County: **SV** Basin: **CIMARRON RIVER** Stream: Formation Code: **211** Special Use:

12. Points of Diversion										Rate and Quantity							
CHK	MOD	DEL	PDIV	ENT	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Additional Rate gpm/cfs	Quantity af/mgy	Overlap PD Files

No changes

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) _____
 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				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files							
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼											
STK MOD 24635	8	31S	37W	5		LIVESTOCK FACILITY (DAIRY) SE¼ 8-31S-37W																	8b	YES	101							
IRR MOD 64272	5	31S	37W	2																	31.00	31.00	31.00	31.00	124.00	8B	NO	101; 135; 5099; 10716; 17722; & 18167				
IRR MOD 27595	7	31S	37W	1																					8B	NO	101; 135; 5099; 10716; 17722; & 18167					
KEEP PU COMMENT L-1 (NW NW), L-2(SW NW), L-3 (NW SW),L-4 (SW SW)						12.00	35.00	40.00	35.00	35.00	Lot 1 12.00	Lot 2 35.00	40.00	40.00	Lot 3 35.00	Lot 4 12.00	35.00	35.00	40.00	35.00	12.00	488.00										
IRR MOD 38051	8	31S	37W	2		31.00	31.00	31.00	31.00												31.00	31.00	31.00	31.00	248.00	8B	NO	101; 135; 5099; 10716; 17722; & 18167				
IRR MOD 4761	9	31S	37W	2																	35.00	12.00	35.00	40.00	12.00	35.00	40.00	35.00	244.00	8B	NO	101; 135; 5099; 10716; 17722; & 18167
IRR MOD 30493	16	31S	37W	1		35.00	40.00	35.00	12.00	40.00	35.00	12.00	35.00												244.00	8B	NO	101; 135; 5099; 10716; 17722; & 18167				
IRR MOD 7519	17	31S	37W	1		12.00	35.00	40.00	35.00	35.00	12.00	35.00	40.00	40.00	35.00	12.00	35.00	35.00	40.00	35.00	12.00	488.00										
IRR MOD 5338	18	31S	37W	1		31.00	31.00	31.00	31.00																124.00	8B	NO	101; 135; 5099; 10716; 17722; & 18167				

Base Acres: Year: Minimum Reasonable Quantity:

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: April 17, 2019

FROM: Richelle A. Krueger

RE: Water Right
File Nos. 101; 135; 183; 5,099;
10,716; 17,722 and 18,167

Keith G. Rome, on behalf of Rome Farms, owner of the above referenced water rights, filed an application for approval to change the place of use for Water Right, File No. 101, authorized stockwatering and irrigation use; an application for approval to change the place of use, point of diversion and use made of water for Water Right, File No. 183, authorized irrigation use, and reductions in place of use for Water Right, File Nos. 135; 5,099; 10,716; 17,722 and 18,167, all authorized irrigation use in the Cimarron River basin. Mandy Fox, Ag Oasis L.L.C., assisted the water right owners in filing the applications.

The referenced file numbers do not appear abandoned pursuant to K.S.A. 82a-718.

File No. 101 is authorized two wells with assigned rates and quantities, no overlaps and is authorized 13.03 million gallons (40 acre-feet) for stockwatering use at a feedlot in the East Half of the Southeast Quarter (E½ SE¼) of Section 8, Township 31 South, Range 37 West, Stevens County (no pu overlaps); and 643 acre-feet for irrigation of 2,036 acres in Sections 5, 7, 8, 9, 16, 17 and 18 of the aforementioned township and range. The irrigation place of use overlaps Water Right, File Nos. 135; 183; 5,099; 10,716; 17,722 and 18,167. File No. 183 is authorized 480 acre-feet and 2,245 gallons per minute from one well with no overlaps for irrigation of the same place of use as File No. 101. The water right owner proposes to construct a new dairy in the Southeast Quarter (SE¼) of the aforementioned Section 8 and to convert File No. 183 from irrigation use to solely stockwatering use pursuant to K.A.R. 5-5-9 *Approval of application for a change in the use made of water from irrigation to any other type of beneficial use of water*. After application of the regulation a total of 427.7 acre-feet (139.37 million gallons) of water will be authorized for stockwatering use under File No. 183; the applicant proposes to reduce the diversion rate to 500 g.p.m.

The irrigation place of use of overlapping File Nos. 101; 135; 5,099; 10,716; 17,722 and 18,167 will be reduced to 1,960 acres to remove the overlap with the proposed dairy. The total quantity to be authorized for irrigation use by File Nos. 101; 135; 5,099; 10,716; 17,722 and 18,167, 3,631 acre-feet, can irrigate the proposed 1,960 acres with 1.85 AF per acre; effluent will also be available for the remaining irrigation acres. An additional quantity limitation placed on File No. 18,167 by a November 5, 2012 Findings and Order will be removed since the combined quantity for irrigation use under File Nos. 101; 135; 5,099; 10,716; 17,722 and 18,167 is less than the 4,095 acre-feet to which File No. 18,167 is now limited.

The stockwatering place of use of File No. 101 will be changed to overlap the proposed dairy place of use of File No. 183. A total of 467.7 acre-feet (152.4 million gallons) under File Nos. 101 and 183 will be available for the dairy for future growth of up to 6,000 mature dairy cows and 300 heifers.

The water right owner also proposes to move the authorized point of diversion for File No. 183 to an existing well currently not in use, based on the November 15, 2018 letter by Mandy Fox accompanying the application. The proposed existing well is located 75 feet North and 4,995 feet West of the Southeast corner the aforementioned Section 8, a distance of approximately 2,618 feet.

Memorandum

File Nos. 101; 135; 183; 5,099; 10,716; 17,722 and 18,167

April 17, 2019

Page 2

There is an irrigation well (File No. 135) and a domestic well under common ownership within one-half mile of the proposed point of diversion.

The local source of supply will not change, previously determined to be Tertiary System (200)\Ogallala Formation (211).

In a letter dated April 10, 2019 Jason Norquest, Manager of Southwest Kansas Groundwater Management District No. 3, indicated that the Board of Directors of GMD No. 3 recommended approval of the applications with a waiver of the well spacing requirements of K.A.R. 5-23-3 for File No. 183 since the proposed existing well does not meet well spacing requirements to a domestic well and an irrigation well authorized by File No. 135, both wells under common ownership.

In an e-mail dated April 15, 2019, Mike Meyer, Water Commissioner of the Garden City Field Office, indicated no objection to approval of the applications.

Water flow meters are required. Check valves are required if chemigating.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, that no change in the same local source of supply will occur, and if the Chief Engineer waives K.A.R. 5-23-3 it has been recommended that the referenced applications be approved.


Richelle A. Krueger
Environmental Scientist

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



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

Mike Beam, Secretary

Laura Kelly, Governor

April 24, 2019

FILE COPY

ROME FARMS
KEITH G ROME
1096 ROAD BB
HUGOTON KS 67951

RE: Water Right, File Nos. 101; 135; 183; 5,099; 10,716; 17,722; & 18,167

Dear Mr. Rome:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under File Nos. 101 and 183.

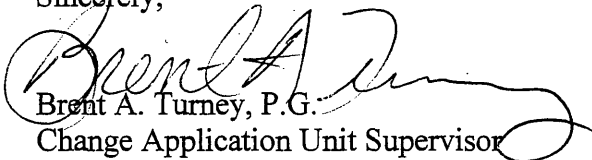
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

Also enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, which sets forth the authorized place of use under File Nos. 135; 5,099; 10,716; 17,722; & 18,167. Please advise us if you no longer have an interest in the above referenced water rights so that we may bring our records up to date.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,



Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:rak

pc: Garden City Field Office
Groundwater Management District No. 3
Ag Oasis L.L.C., Attn Mandy Fox

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 101

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Keith G. Rome, on behalf of Rome Farms, 1096 Road BB, Hugoton, Kansas, 67951, received in this office on December 12, 2018, for approval of a change in the location of the place of use 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 October 5, 1972, approving the application to change the place of use, by the Order of the Chief Engineer dated October 15, 1976, approving the application to change the point of diversion, by the Order of the Chief Engineer dated February 2, 1987, approving the application to change the place of use and reducing the authorized quantity, by the Order of the Chief Engineer dated January 17, 1995, approving the application to change the point of diversion, place of use and use made of water, by the Order of the Chief Engineer dated April 30, 1997, approving the application to change the place of use, by the Order of the Chief Engineer dated September 21, 1998, approving the application to change the point of diversion, by the Findings and Order of the Chief Engineer dated November 5, 2012, reducing the authorized place of use, by the Order of the Chief Engineer dated February 14, 2013, approving the application to change the place of use, and by the Correctional Order of the Chief Engineer dated March 12, 2013, correcting an error in the description of the authorized place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

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	
5	31S	37W													31.00	31.00	31.00	31.00	124.00
7	31S	37W	12.00	35.00	40.00	35.00	Lot 1 Lot 2				Lot 3 Lot 4				35.00	40.00	35.00	12.00	488.00
8	31S	37W	31.00	31.00	31.00	31.00					31.00	31.00	31.00	31.00					248.00
9	31S	37W									35.00	12.00	35.00	40.00	12.00	35.00	40.00	35.00	244.00
16	31S	37W	35.00	40.00	35.00	12.00	40.00	35.00	12.00	35.00									244.00
17	31S	37W	12.00	35.00	40.00	35.00	35.00	12.00	35.00	40.00	40.00	35.00	12.00	35.00	35.00	40.00	35.00	12.00	488.00
18	31S	37W	31.00	31.00	31.00	31.00													124.00

a total of 1960.00 acres in Township 31 South, Range 37 West, Stevens County, Kansas,

and the authorized location of the stockwatering place of use shall be:

a livestock facility (dairy) in the Southeast Quarter (SE $\frac{1}{4}$) of Section 8, Township 31 South, Range 37 West, Stevens County, Kansas,

located substantially as shown on the maps accompanying the application to change the place of use.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating 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. 101, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated October 13, 1948, as modified and amended by the aforementioned orders.

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.

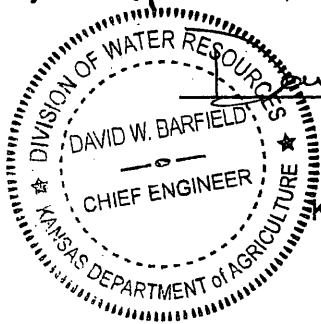
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal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

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 22nd day of April, 2019, in Manhattan, Riley County, Kansas.



David W. Barfield
David W. Barfield, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 22nd day of April, 2019, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter
Notary Public

CERTIFICATE OF SERVICE

On this 24th day of April, 2019, I hereby certify that the attached original Approval of Change in Place of Use, File No. 101, dated April 22nd, 2019, was mailed postage prepaid, first class, US mail to the following:

ROME FARMS
1096 ROAD BB
HUGOTON KS 67951

With photocopies to:

AG OASIS, LLC
ATTN MANDY FOX
PO BOX 1138
LIBERAL KS 67905

Garden City Field Office
Groundwater Management District No. 3

Danielle Wilson
Staff

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.

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

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

Water Resources
Received

DEC 12 2018

11:08
KS Dept Of Agriculture

File No. 101

2. Name of applicant: Rome Farms

Address: 1272 Rome Farms Road or 1096 Road BB

City, State and Zip: Hugoton, KS 67951

Phone Number: (620) 544-8991

E-mail address: rf1@pld.com or rfarms@pld.com

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

Name of water use correspondent: same as above

Address: _____

City, State and Zip: _____

Phone Number: (_____) _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): A new dairy will be constructed in the SE 1/4 of Section 8 T31S R37W. This application modifies the current place of use to remove the land that serve the new operation. Additionally, the existing stockwater right for this file will be transferred to the new dairy location as one of their sources for stockwater.

The change(s) (was) (will be) completed by June 2019

(Date)

For Office Use Only:

F.O. 4 GMD 3 Meets K.A.R. 5-5-1 (YES/NO) Use RR ESTK Source (G) S County SV By LI Date 12/12/18
Code CRU Fee \$ 200.00 TR # _____ Receipt Date 12/12/18 Check # 27796

4. The presently authorized place of use is:

Owner of Land — NAME: Rome Farms

ADDRESS: 1272 Rome Farms Road or 1096 RD BB, Hugoton, KS 67951

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					
8	T31S	R37W	31	31	31	31					38	31	31	38			31	31		324			
5	T31S	R37W										*	*				31	31	31	124			
7	T31S	R37W	12	* 35 40	* 40 32		35			35	12	* Lot 1 35	* Lot 2 35	40	40	* Lot 3 35	* Lot 4 12	35	35	40	35	12	488

List any other water rights that cover this place of use. 10716, 183, 135, 18167, 5099, 17722

* per WRTS

Owner of Land — NAME: same as above

ADDRESS:

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			
17	T31S	R37W	12	35	40	35	35	12	35	40	40	35	12	35	35	40	35	40	35	12	488
18	T31S	R37W	31	31	31	31															124
16	T31S	R37W	35	40	35	12	40	35	12	35											244

List any other water rights that cover this place of use. same as above

(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: Same as above

ADDRESS:

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					
8	T31S	R37W	31	31	31	31					31	31	31	31	livestock facility (dairy)				248				
5	T31S	R37W					*	* Lot 1	* Lot 2			*	*				31	31	31	31	124		
7	T31S	R37W	12	35	40	35	35	12	35	40	40	* Lot 3 35	* Lot 4 12	35	35	40	35	12	35	40	35	12	488

List any other water rights that cover this place of use. 10716, 183, 135, 18167, 5099, 17722

Owner of Land — NAME:

ADDRESS:

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			
17	T31S	R37W	12	35	40	35	35	12	35	40	40	35	12	35	35	40	35	40	35	12	488
18	T31S	R37W	31	31	31	31															124
16	T31S	R37W	35	40	35	12	40	35	12	35											244

List any other water rights that cover this place of use. same as above

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* per WRTS * PAIC/OWN 3/12/17

Water Resources
 Headwaters
 DEC 12 2018
 SCANNED
 KS Department of Agriculture

4. The presently authorized place of use is:

Owner of Land — NAME: Rome Farms

ADDRESS: 1272 Rome Road or 1096 Road BB, Hugoton, KS 67951

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		
9	T31S	R27W																		244

List any other water rights that cover this place of use. 183,10716,5099,17722, 18167, 135*

Owner of Land — NAME: _____

ADDRESS: _____

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		

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: same as above

ADDRESS: _____

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		
9	T31S	R37W																		244

List any other water rights that cover this place of use. 183,10716,5099,17722, 18167 135*

Owner of Land — NAME: _____

ADDRESS: _____

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		

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

Water Resources

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY
 Received
 DEC 12 2018

* 11-10 WATS * RAIL/own 3/92/19

KS Dept Of Ag **SCANNED**

- 6. The presently authorized point(s) of diversion (is) (are) 2 Points of Diversion
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) _____
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **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 _____

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 183 for stock and backup

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. _____
 stockwater well for 101 will be capped and no longer used

Water Resources
Received

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

DEC 12 2018

KS Dept Of Agriculture

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12. The presently authorized use of water is for irrigation/stockwater 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.
Water rights 101, 135, 183, 5099, 17722, 18167, and 10716 currently cover the same place of use and have a combined quantity and rate. Water right 183 will be separated from this group to be used for a new dairy located in the SE 1/4 Section 8 T31S R37W. Existing stockwater well for 101 will be used at new dairy location as one of their sources of stockwater.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to no change (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to no change 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 1/2 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 1/2 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) 1/2 mile downstream and 1/2 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.

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.
Additional support documentation has been filed with the Change Application for water right 183.

Water Resources
 Received
IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY
DEC 12 2018

KS Dept Of Agriculture
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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 Lugaton, Kansas, this 7th day of December, 2018.

Rome Farms Keith G. Rome
(Owner) (Spouse)

Rome Farms Rome Farms by Keith G. Rome
(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

State of Kansas)
County of Stevens) SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of December, 202018.

[Signature]
Notary Public

My Commission Expires 07/06/2022

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.**

Water Resources
Received
DEC 12 2018
KS Dept Of Agriculture
SCANNED

Krueger, Richelle [KDA]

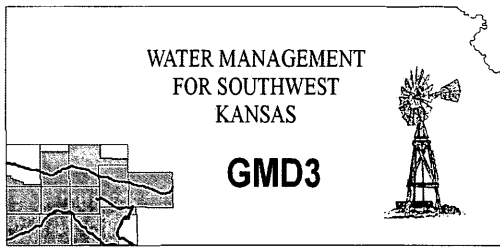
From: Meyer, Mike [KDA]
Sent: Monday, April 15, 2019 1:17 PM
To: Krueger, Richelle [KDA]
Subject: RE: Request for Recommendation Change in PU File No. 101; Change in PU PD UMW File No. 183 and reductions Rome Farms

Yes
thanks

Mike

From: Krueger, Richelle [KDA]
Sent: Monday, April 15, 2019 11:46 AM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Cc: McColloch, Austin [KDA] <Austin.McColloch@ks.gov>
Subject: Request for Recommendation Change in PU File No. 101; Change in PU PD UMW File No. 183 and reductions Rome Farms

Hi Mike,
Attached is a draft memo for the referenced changes and reductions for Rome Farms, do you recommend approval?
Thanks,
Richelle



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

April 10, 2019

Richelle A. Krueger
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

Water Resources
Received

APR 12 2019

RE: Change Application
Water Right, File Nos. 101, 135, 183, 5099, 10716, 17722 & 18167
KS Dept Of Agriculture

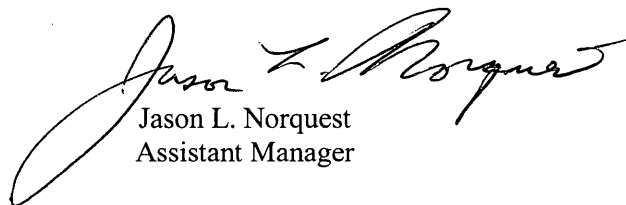
Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The proposals for change/reductions in place of use for both the irrigated acres and in order to cover the feedlot expansion, is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11.

The application to convert water right 183 from IRR to STK, with the calculated consumptive use reduction, is in accordance with K.A.R. 5-5-10. At the same time, it is proposed to relocate this well to an older site previously covered by a water right and spacing for this stock will does not meet spacing requirements set forth in K.A.R. 5-23-3. The spacing issue is between wells owned and operated in the same system by the applicant, specifically their domestic well to the well and the well to the east under water right File No. 135. At our April 10, 2019 Board meeting, there was discussion of these permanent changes being applied for with the applicant Keith Rome in attendance. As already stated, the wells in question are owned by the applicant and they did submit a signed letter knowing their wells could be affected. It was noted that the conversion would reduce the authorized quantity and also rate for this water right. Staff performed our well to well analysis for all wells within a mile, results are attached. The results showed that the proposed change would have 1.2' additional affect or less on the wells in the area. All but one of the wells was owned by the applicant and staff contacted that owner by phone to discuss the changes. The neighbor had no objections to the proposed changed. The Board moved at that time to recommend a waiver of the spacing. It is therefore recommended that applications be approved at this time, with a waiver to K.A.R. 5-23-3 for the change under File No. 183. All other changes do not need a waiver.

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

Krueger, Richelle [KDA]

From: Jason Norquest <norquest@gmd3.org>
Sent: Wednesday, April 10, 2019 3:35 PM
To: Krueger, Richelle [KDA]
Cc: Meyer, Mike [KDA]
Subject: Rome Farms
Attachments: 2019_April10_ReviewMat_RomeFarms.pdf

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon Richelle. Hope you are having a good day. Attached is the review for the Rome Farms packet you sent me. We reviewed the application with theBoard today since the relocation for WR183 didn't meet spacing. The attachment will have or well analysis with it also. We recommended a waiver since it is their own wells that don't meet spacing and the results show there should not be a big effect. If you have any questions on the information, just let me know.

Thanks and have a good day. The cover letter will be put in the mail in morning.

Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289

Office: 620-275-7147

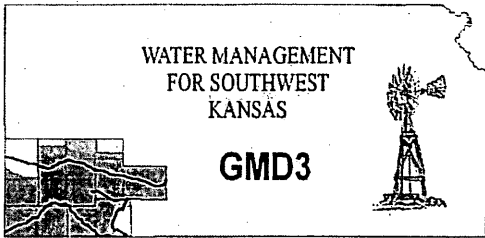
www.gmd3.org

Water Resources
Received

APR 10 2019

KS Dept Of Agriculture

SCANNED



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

April 10, 2019

Richelle A. Krueger
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Change Application
Water Right, File Nos. 101, 135, 183, 5099, 10716, 17722 & 18167

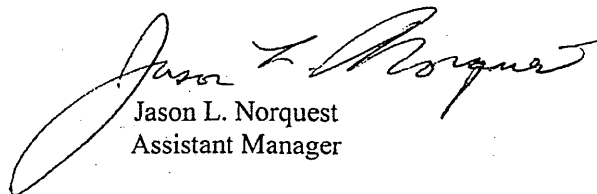
Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The proposals for change/reductions in place of use for both the irrigated acres and in order to cover the feedlot expansion, is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11.

The application to convert water right 183 from IRR to STK, with the calculated consumptive use reduction, is in accordance with K.A.R. 5-5-10. At the same time, it is proposed to relocate this well to an older site previously covered by a water right and spacing for this stock well does not meet spacing requirements set forth in K.A.R. 5-23-3. The spacing issue is between wells owned and operated in the same system by the applicant, specifically their domestic well to the well and the well to the east under water right File No. 135. At our April 10, 2019 Board meeting, there was discussion of these permanent changes being applied for with the applicant Keith Rome in attendance. As already stated, the wells in question are owned by the applicant and they did submit a signed letter knowing their wells could be affected. It was noted that the conversion would reduce the authorized quantity and also rate for this water right. Staff performed our well to well analysis for all wells within a mile, results are attached. The results showed that the proposed change would have 1.2' additional affect or less on the wells in the area. All but one of the wells was owned by the applicant and staff contacted that owner by phone to discuss the changes. The neighbor had no objections to the proposed changed. The Board moved at that time to recommend a waiver of the spacing. It is therefore recommended that applications be approved at this time, with a waiver to K.A.R. 5-23-3 for the change under File No. 183. All other changes do not need a waiver.

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 Resources
Received
APR 10 2019
KS Dept Of Agriculture

GMD3 Change Review

File No(s): 101, 135, 183, 5099, 10716, 17722 & 18167. DWR office: HQ/GC.

App filed to change: PU, Reductions, and WR 183 PD, PU & UMW.

Is Landowner(s) correct in WRIS: Rome Farms.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Yes.

If NO, is documentation included?

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

Point of diversion ID No(s) 04 being changed.

	ft. North	ft. West			
Authorized PD	2779	132	Sect 18-31-37		
Proposed PD	75	4995	Sect 8-31-37		
Difference	2576	416			
a ² + b ² = c ²	6635776	173056	2609.374	foot move NE	

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? No, but it was the old location, so existing hole.

Is Proposed PU overlapping existing WRs? Bring in the STK and keep IRR overlap with reductions.

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 .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Applications to adjust the IRR acres and will expand the STK area.

WR183 converting to STK: 480AF X 89.1% = 427.7AF. Reduction of 52.3AF from conversion. Also will be reducing maximum authorized rate down to 500gpm.

WR 101 had the STK acreage expanded to cover the new area and take it off the IRR portion of the water right.

Reduction requests for PU on WRs 135, 5099, 10716, 17722 & 18167 to take off the IRR land that will be part of the new dairy facility.

Water Resources
Received
APR 10 2019
KS Dept Of Agriculture



Specific Water Well Detail

Believe this is well moving too

or close

Well T31S, R37W, Sec. 8, SW SW SW, Action: Constructed

Location Info		
Owner: Spikes, Warren		Status: Constructed
Location: T31S, R37W, Sec. 8, SW SW SW		County: Stevens
Directions: From Moscow, 2.5 miles North and 9 miles West		
Longitude: -101.3744599	Latitude: 37.3598065	Datum NAD 27
Longitude: -101.3748996	Latitude: 37.3598296	Datum NAD 83
Longitude and latitude calculated by Survey from township-range-section-quarter calls. Only good to within the quarter call accuracy.		
View well on interactive map This link will create a new window and display an interactive map of this well and its neighbors.		
General Info		
Well Depth: 493 ft.		Elevation: ft.
Static Water Level: 254 ft.		Est. Yield: 1500 gpm.
Comp. Date: 24-Jul-1991		Well Use: Irrigation
DWR Applic. #: 183		Other ID:
Links		
View info from Wizard Water Level Data base...		
View info from WIMAS Water Right Data base...		
Driller Info		
Driller: Hydro Resources Mid Continent, Inc.		License #: 145
Scanned Form		
View scan of this form in PDF format.		
You will need the Acrobat PDF Reader, available free from Adobe, to read this file.		
Chemical Sample Submitted?: No		
Water Well disinfected?:		
Ground water encountered: 254 ft. , 0 ft. , 0 ft.		
Pump test data: Well water was 282 ft after 4 hours pumping 1523 gpm		
Casing Info		
Casing Type: Steel		Diam: 16 in. to 493 ft
Casing Joints:		Diam: 0 in. to 0 ft
		Diam: 0 in. to 0 ft
Casing height above land surface: in		
Casing Weight: lbs/ft		
Wall thickness or gauge no.:		
Screen and Perforation Info		

Water Resources Received APR 10 2019 KS Dept Of Agriculture

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

75 ft N and 4995 ft W of the SE Corner of Section 8, T 31S, R 37W

Located at: 101.374456 West Longitude and 37.359154 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__	101 00	IRR	NK	G*	5041	--	--	CE	SE	1169	75	8	31	37W	1	2300	643.00	643.00	AF	
A__	101 00	STK	NK	G*	4435	--	--	SE	SE	800	620	8	31	37W	7	2100	39.99	39.99	AF	
A__	135 00	IRR	NK	G	2083	--	--	SE	SE	SW	55	2912	8	31	37W	9	2300	708.00	708.00	AF
A__	183 00	IRR	NK	G*	2618	--	--	SE	SE	NE	2779	132	18	31	37W	4	400.00	427.00	AF	
A__	5099 00	IRR	NK	G	3780	--	--	SW	SW	NE	2730	2324	17	31	37W	6	2300	600.00	600.00	AF
A__	25891 00	IRR	NK	G	2817	--	--	--	--	--	2685	3925	8	31	37W	3	2300	444.00	444.00	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) =	2914.99	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2914.99	.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:

101.374456 West Longitude and 37.359154 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR	
A__	101 00	IRR	NK	G
>	ROME FARMS			
>	STEVE D ROME			
>	1096 ROAD BB			
>	HUGOTON KS 67951			

A__	101 00	STK	NK	G
>	NORTH HARMONY AG LLC			
>				
>	1096 ROAD BB			
>	HUGOTON KS 67951			

A__	135 00	IRR	NK	G
>	ROME FARMS			
>	STEVE D ROME			
>	1096 ROAD BB			
>	HUGOTON KS 67951			

A__	183 00	IRR	NK	G
>	ROME FARMS			

Water Resources
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 APR 10 2019
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*Applicant's well
 Analysis shows minimal affect*

> STEVE D ROME
> 1096 ROAD BB
> HUGOTON KS 67951

A_ 5099 00 IRR NK G

> ROME FARMS
> STEVE D ROME
> 1096 ROAD BB
> HUGOTON KS 67951

A_ 25891 00 IRR NK G

> JACK & PATRINA REYNOLDS
>
> 201 N MAIN ST
> HUGOTON KS 67951

=====

Water Resources
Received
APR 10 2019
KS Dept Of Agriculture

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



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

Mike Beam, Acting Secretary

Laura Kelly, Governor

SOUTHWEST KANSAS GROUNDWATER March 13, 2019
MANAGEMENT DISTRICT NO 3
ATTN JASON NORQUEST
2009 E SPRUCE ST
GARDEN CITY KS 67846

FILE COPY

Re: Water Right, File Nos. 101; 135; 183; 5,099; 10,716; 17,722 and 18,167

Dear Jason:

We are enclosing copies of the application to change the place of use for Water Right, File No. 135 and the application to change the place of use, point of diversion and use made of water for Water Right, File No. 183; and reductions in place of use for Water Right, File Nos. 135; 5,099; 10,716; 17,722 and 18,167.

We are delaying further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications.

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Garden City Field Office

SCANNED

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

ROME FARMS
1272 ROME FARMS RD
HUGOTON, KS 67951

January 3, 2019

RE: File No 101

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 PU
- 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...

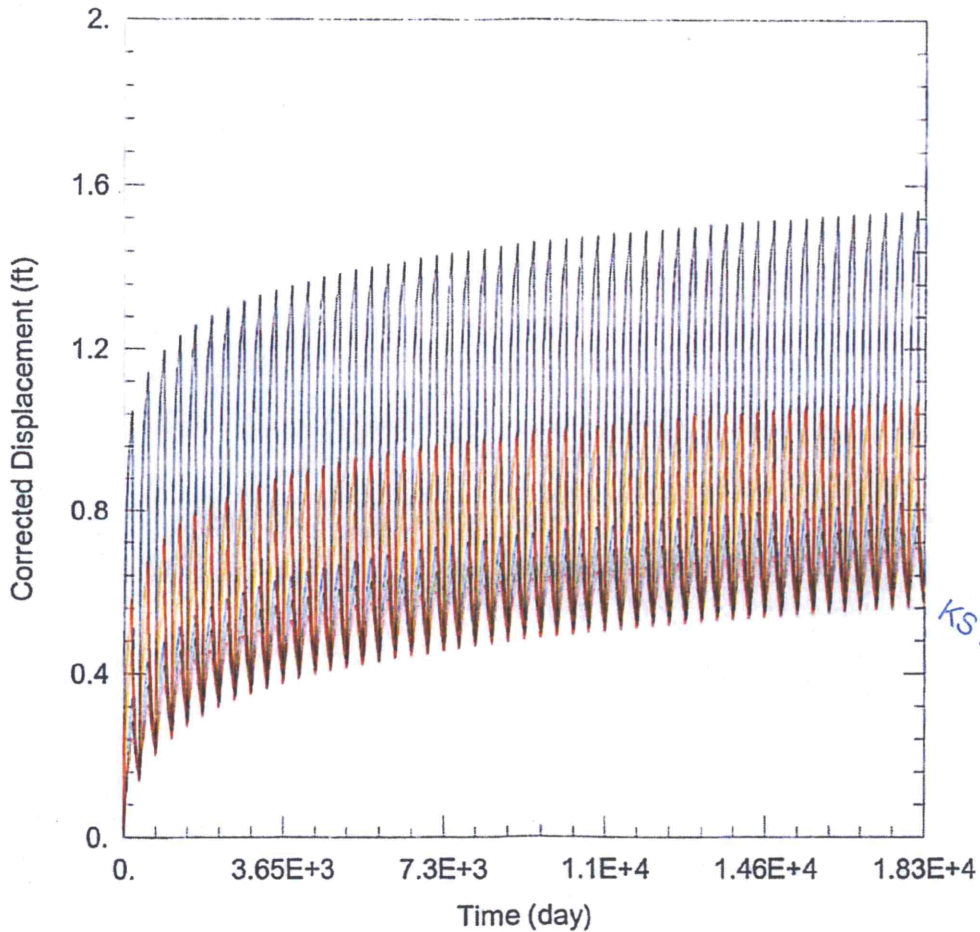
A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

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

BAT: DLW
pc: GARDEN CITY Field Office GMD3



Water Resources
 Received
 APR 10 2019
 KS Dept Of Agriculture

WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2019_moves\183\183 Proposed Theis.aqt
 Date: 03/29/19 Time: 13:35:15

PROJECT INFORMATION

Company: GMD 3
 Project: 183
 Location: Stevens County
 Test Well: 183

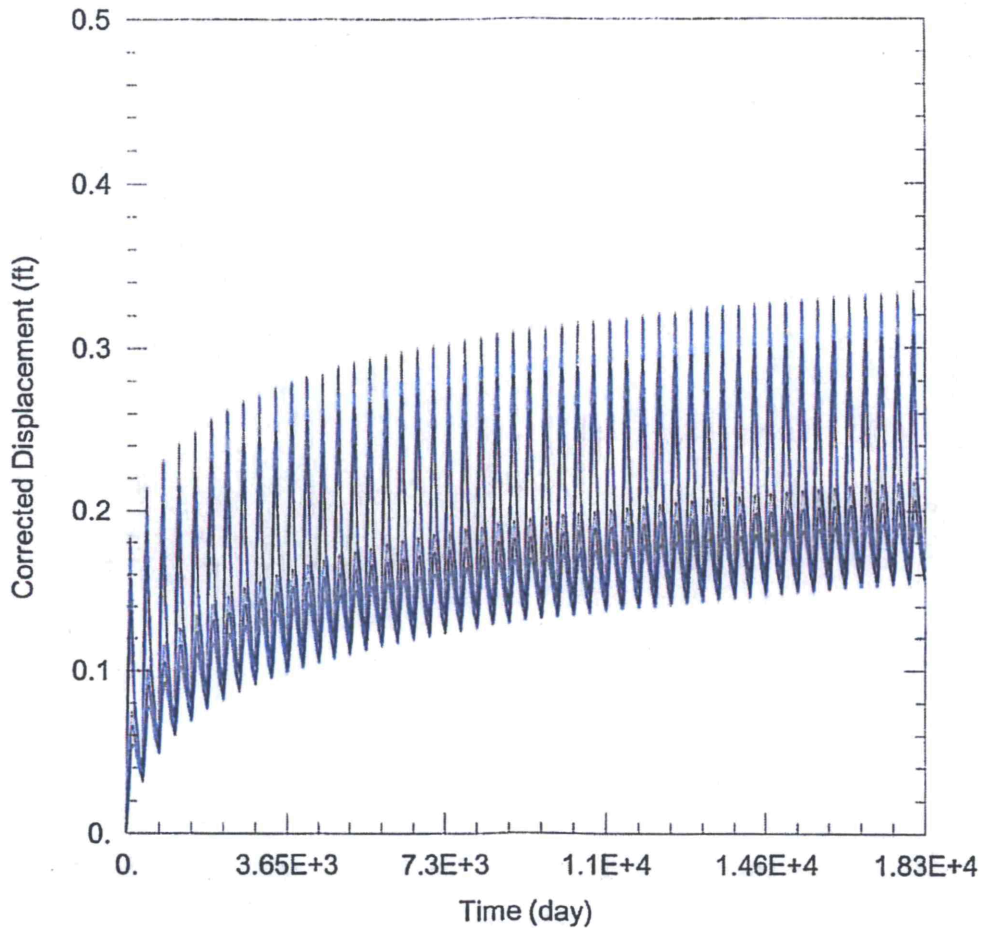
WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
183	-167227	176798	□	-167227	176798
			□ 5099	-164555	174155
			□ 135	-165140	176771
			□ 101 ID7	-162875	177499
			□ 101 ID1	-162328	177868
			□ 25891	-166169	179399
			□ Domestic 7-31-37	-167907	177044

SOLUTION

Aquifer Model: Unconfined
 $T = 3.408E+4 \text{ ft}^2/\text{day}$
 $Kz/Kr = 1.$

Solution Method: Theis
 $S = 0.2681$
 $b = 150. \text{ ft}$



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2019_moves\183\183 Current Theis.aqt
 Date: 03/29/19 Time: 13:35:24

PROJECT INFORMATION

Company: GMD 3
 Project: 183
 Location: Stevens County
 Test Well: 183

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WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
183	-167707	174292

Observation Wells

Well Name	X (ft)	Y (ft)
□	-167707	174292
□ 5099	-164555	174155
□ 135	-165140	176771
□ 101 ID7	-162875	177499
□ 101 ID1	-162328	177868
□ 25891	-166169	179399
□ Domestic 7-31-37	-167907	177044

SOLUTION

Aquifer Model: Unconfined
 T = 3.408E+4 ft²/day
 Kz/Kr = 1.

Solution Method: Theis
 S = 0.2681
 b = 150. ft

SCANNED

Net drawdown = 0.8 ft

101 ID 7: Drawdown from current location = 0.21 ft
Drawdown from proposed location = 0.76 ft
Net drawdown = 0.6 ft

101 ID 1: Drawdown from current location = 0.19 ft
Drawdown from proposed location = 0.71 ft
Net drawdown = 0.5 ft

25891: Drawdown from current location = 0.22 ft
Drawdown from proposed location = 0.94 ft
Net drawdown = 0.7 ft

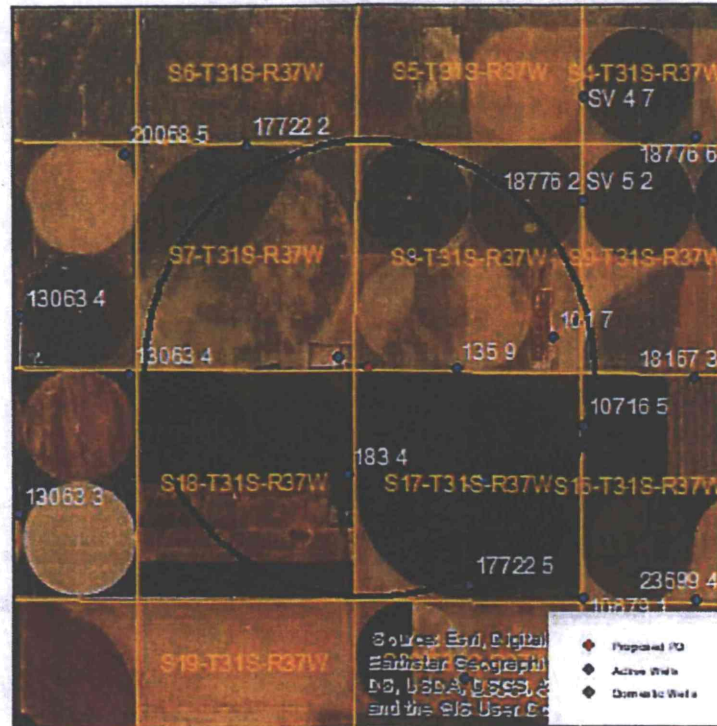
Domestic 7-31-37: Drawdown from current location = 0.33 ft
Drawdown from proposed location = 1.54 ft
Net drawdown = 1.2 ft

Net drawdown effects do not exceed the maximum drawdown allowance of 3.0 ft on any well, so no further evaluation is necessary.

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Evaluation of proposed move for Water Right No 183

Proposed: Move the well authorized under water right no. 183 2,552 ft to the northeast, at an existing well location in section 8-31-37.



Wells within 1 mile: 5099, 135, 101 ID 7, 101 ID 1, 25891, and a domestic well in section 7-31-37.

The saturated thickness at the proposed well location is estimated to be 150 ft, based upon measurement at the observation well in section 9-31-37 and local drillers logs. For saturated thicknesses between 125 ft and 150 ft, the maximum allowable Theis drawdown to neighboring critical wells is 3.0 ft.

50 year Theis Analysis: The following values were used to run the analysis:

$S = 0.2681$, $T = 34,081 \text{ ft}^2/\text{day}$, $tp_{\text{current}} = 109 \text{ days}$ (based upon observed rate and reported quantity),
 $Q_{\text{current}} = 267 \text{ gpm}$ (based upon observation during 2012 field visit), $tp_{\text{proposed}} = 194 \text{ days}$,
 $Q_{\text{proposed}} = 500 \text{ gpm}$.

Theis drawdown calculations are as follows:

- 5099: Drawdown from current location = 0.31 ft
 Drawdown from proposed location = 0.81 ft
 Net drawdown = 0.5 ft
- 135: Drawdown from current location = 0.29 ft
 Drawdown from proposed location = 1.07 ft

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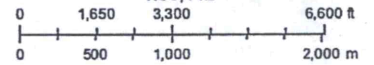
March 25, 2019
11:14 AM

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.

1:36,112

- | | | | | | | | | | |
|--------------|-------|-----|-----|-----|-----|-----|-----|-----|-----------------|
| Wells | + | CON | ● | FPR | ▲ | MUN | ⚡ | THX | |
| ? | Other | ⊠ | DEW | ○ | HYD | ⚡ | REC | ? | Empty |
| ● | IRR | ⊠ | DOM | ★ | IND | ⊠ | STK | ● | WWC5 WELLS GMD3 |

□ Sections



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GMD3 Change Review

Well to well evaluation showed effects to domestic well and well 183 to be within the criteria of minimal effect and once again, both belong to applicant.

Saturated thicknesses of 125-150' allow a de minimus effect not to exceed 3'.

Evaluations show that none of the neighboring wells exceed that limit

Is a waiver needed: Spacing to WR 135 (2300' minimum) not met for the PD change under WR 183. The change/reduction in PU meets current area rules.

Recommendation: Review of all available information shows that all spacing is NOT met to a domestic well and another water right. Will be taken to Board for waiver request.

Reviewed with the Board at April 10, 2019 monthly meeting with the applicant in attendance. After review of all the analysis and discussion, the Board recommends a waiver for the application and approvals.



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