



File No. **183**      11. County: **SV**      Basin: **CIMARRON RIVER**      Stream:      Formation Code: **200/211**      Special Use:

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate	Quantity	Rate	Quantity	Overlap PD Files
ENT												gpm/cfs	af/mgy	gpm/cfs	af/mgy	
IRR DEL 60553				SE¼SE¼ NE¼	18	31	37W	4	2779	132						NO
STK ENT 4829				SW¼SW¼SW¼	8	31	37W	4	75	4995		500 g.p.m.	139.37 m.g.y.(427.7AF)	500 g.p.m.	139.37 m.g.y. (427.7AF)	NO

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	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files								
	CHK	MOD	DEL	ENT	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				
PUSE	S	T	R	ID																								
STK ENT 24635					8	31S	37W	5	LIVESTOCK FACILITY (DAIRY) SE¼ 8-31S-37W																	8b	NO	101
IRR DEL 64272					5	31S	37W	2									31.00	31.00	31.00	31.00	124.00	8B	NO	101; 135; 5099; 10716; 17722; & 18167				
IRR DEL 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	Lot 2			Lot 3	Lot 4							488.00						
IRR DEL 38051					8	31S	37W	2														8B	NO	101; 135; 5099; 10716; 17722; & 18167				
					31.00	31.00	31.00	31.00														248.00						
IRR DEL 4761					9	31S	37W	2														8B	NO	101; 135; 5099; 10716; 17722; & 18167				
																						244.00						
																						8B	NO	101; 135; 5099; 10716; 17722; & 18167				
IRR DEL 30493					16	31S	37W	1														8B	NO	101; 135; 5099; 10716; 17722; & 18167				
					35.00	40.00	35.00	12.00	40.00	35.00	12.00	35.00										244.00						
IRR DEL 7519					17	31S	37W	1														8B	NO	101; 135; 5099; 10716; 17722; & 18167				
					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 DEL 5338					18	31S	37W	1														8B	NO	101; 135; 5099; 10716; 17722; & 18167				
					31.00	31.00	31.00	31.00														124.00						

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

ROME FARMS  
KEITH G ROME  
1096 ROAD BB  
HUGOTON KS 67951

**FILE COPY**

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.

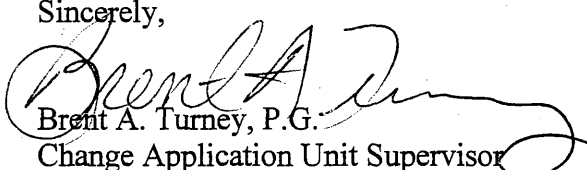
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return 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  
POINT OF DIVERSION AND USE MADE OF WATER  
AND ORDER REDUCING THE AUTHORIZED QUANTITY  
AND DIVERSION RATE  
WATER RIGHT  
FILE NO. 183**

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, point of diversion and use made of water under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated February 19, 1982, establishing the ten acre tract upon which the point of diversion is located, by the Order of the Chief Engineer dated February 2, 1987, approving the application to change the place of use, by the Order of the Chief Engineer dated July 19, 1991, approving the application to change the point of diversion, by the Findings and Order of the Chief Engineer dated January 17, 1995, reducing the authorized place of use, 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 February 6, 2001, 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, and by the Order of the Chief Engineer dated February 14, 2013, approving the application to change the place of use, finds that the changes are reasonable and will not impair existing rights, that the changes relate to the same local source of supply and that the application should be and is hereby approved.

This order effectively reduces the authorized quantity to 139.37 million gallons (427.7 acre-feet) of water per calendar year and the authorized diversion rate to 500 gallons per minute (1.11 c.f.s.) in accordance with the Application for Approval to Change the Place of Use, Point of Diversion and Use Made of Water received in this office on December 12, 2018.

The effective date of the changes shall be the date this order is executed by the Chief Engineer, after which the authorized use made of water shall be:

**Stockwatering Use**

the authorized 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,

and the authorized location of the point of diversion shall be:

one(1) well located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 8, more particularly described as being near a point 75 feet North and 4,995 feet West of the Southeast corner of said section, in 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, point of diversion and use made of water.

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 water right owner 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.

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. 183, 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.

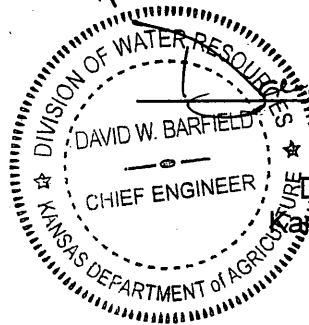
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal 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 22<sup>nd</sup> 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 22<sup>nd</sup> 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 24<sup>th</sup> day of April, 2019, I hereby certify that the attached original Approval of Change in Place of Use, Point of Diversion and Use Made of Water, File No. 183, dated April 22nd, 2019, was mailed postage prepaid, first class, US mail to the following:

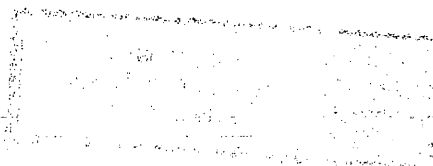
ROME FARMS  
1096 ROAD BB  
HUGOTON KS 67951

With photocopies to:

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

Garden City Field Office  
Groundwater Management District No. 3

  
\_\_\_\_\_  
Staff



Kansas Department of Agriculture  
 Division of Water Resources  
**WAIVER REQUEST & WAIVER RULE WORKSHEET**

File Number: 183

FO: 4

GMD: 3

**WAIVER REQUEST:**

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR/STK	12/12/18	27		Well Spacing	Well to Well Spacing
Rule Number	Date Granted	Date Denied	Justification:	GMD No. 3 recommends a waiver of well spacing regulations. The wells in question are under common ownership.	
K.A.R. 5-23-3(a)(1)	4/23/19				

**WAIVER RULE:**

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 04/16/19 By RAK

Date Entered 4/23/2019 By UM

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

WAIVER OF REGULATION  
K.A.R 5-23-3(a)(1) Well Spacing

Date: 4/22/2019

Re: Water Right, File No. 183

1. That K.A.R. 5-23-3(a)(1) states in part that the minimum well spacing shall be based on the maximum annual quantity of water in acre-feet either authorized and requested for the proposed well, or authorized and requested by a senior application, permit, or water right for the nontemporary, nondomestic well to which the spacing is being measured, whichever is greater.
2. That the application to change the place of use, point of diversion and use made of water for Water Right, File No. 183 received in the office of the Chief Engineer on December 12, 2018, requests to relocate the authorized point of diversion to a previously authorized well.
3. The proposed existing well will not meet well spacing requirements of K.A.R. 5-23-3(a)(1) *Minimum well spacing requirements: high plains aquifer* to an irrigation well under common ownership authorized by Water Right, File No. 135 or to a domestic well also under common ownership.
4. That in a letter dated April 10, 2019, Jason L. Norquest, Assistant Manager of Southwest Kansas Groundwater Management District No. 3, indicated that the Board of Directors of Southwest Kansas Groundwater Management District No. 3 reviewed the application, and has recommended a waiver of the spacing requirement of K.A.R. 5-23-3(a)(1) for the referenced change application for File No. 183. The wells in question are under common ownership, and GMD staff analyses indicated the propose change would have 1.2 feet or less of additional drawdown on nearby wells.
5. That the referenced application for File No. 183 should be approved with a waiver of the well spacing requirement of K.A.R. 5-23-3(a)(1).
6. That the waiver of K.A.R. 5-23-3(a)(1) will neither prejudicially nor unreasonably affect the public interest and it will not impair an existing water right.

Comments:

A handwritten signature in black ink, reading "David W. Barfield", written over a horizontal line.

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

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

KS Dept Of Agriculture

File No. 183

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 changes a point of diversion, adds a use made of water to include stockwater, and modifies the current place of use to serve the new operation.

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 IRK Source G/S County SV By LE Date 12/12/18  
Code C3 Fee \$ 700.00 TR # \_\_\_\_\_ Receipt Date 12/12/18 Check # 27766

APPLICATION COMPLETE  
4/10/19  
Reviewer RAIC

Assisted by: \_\_\_\_\_

SCANNED  
1/3/2019 LLM

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	<del>35</del> 40	<del>40</del> 12		35	<del>Lot 1</del> 12	<del>Lot 2</del> 35	40	40	<del>Lot 3</del> 35	<del>Lot 4</del> 12	35		35	40	35	12	488

List any other water rights that cover this place of use. 10716, 101, 135, 18167, 5099, 17722

\* per WALS \* RAILDOWN 3/6/19  
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	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															31	31	31	124	
* 7	T31S	R37W	12	35	40	35	<del>35</del> 40	<del>12</del> 35	<del>35</del> 12	<del>40</del> 35	40	<del>Lot 3</del> 35	<del>Lot 4</del> 12	35		35	40	35	12	488	

List any other water rights that cover this place of use. 10716, 101, 135, 18167, 5099, 17722

\* 101 only stock only

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	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

Water Resources Received

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

\* per WALS \* RAILDOWN 3/6/19  
Stock only - PU removed per 3/11/19 email MilkMeyer GCFO  
& Mandy Fox Ag Oasis LLC \* RAILDOWN 3/12/19

KS Dept Of Agriculture

SCANNED

DEC 1 2 2019

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. 101,10716,5099,17722, 18167, 135\*

\* per WRIS \* Rail/Dwn 3/6/19  
 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																		

List any other water rights that cover this place of use. 101,10716;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

DEC 12 2018

KS Dept Of Agriculture  
 SCANNED

\* per WRIS \* Rail/Dwn 3/6/19  
 \* irrigation PU removed per 3/11/19 email  
 Mike Meyer GCFO & Mandy Fox Ag Oasis LLC

\* Rail/Dwn 3/12/19

- 6. The presently authorized point(s) of diversion (is) (are) One located Section 18 T31S R37W  
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) SW SW SW 8 T31S R37W  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the SE Quarter of the SE Quarter of the NE Quarter of Section 18, Township 31S South, Range 37W (E/W), in Stevens County, Kansas, 2779 feet North 132 feet West of Southeast corner of section.  
 Authorized Rate 2245 GPM Authorized Quantity 480 AF  
 (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 SW Quarter of the SW Quarter of the SW Quarter of Section 8, Township 31S South, Range 37W (E/W), in Stevens County, Kansas, 75 feet North 4995 feet West of Southeast corner of section.  
 Proposed Rate 500 gpm Proposed Quantity 427.7 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. Both points of diversion will be used. A combined quantity of 427.7 will be allowed for the use of stock water and/or irrigation.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

\* Meaning File No. 101 & 183

\* Stockwatering use only File No 183  
Per 3/11/19 email Mike Meyer GCFD  
& Mandy Fox Ag Oasis LLC

DEC 12 2018

KS Dept Of Agriculture

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\* Roll Down 3/12/19

12. The presently authorized use of water is for irrigation purposes.  
It is proposed that the use be changed to stockwater purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
Water right 183 will be reduced from 480 AF to 427.7 according to the Consumptive Use Percentages in Kansas map.  
Additionally, the place of use for irrigation will be reduced by 80 acres. There is an existing stockwater right (101)  
for a small feedlot that will continue to be used for stockwater purposes at the new dairy (39.9 AF). The dairy will  
then have a total of 467.6 AF.
- (Please show any calculations here.)
14. It is requested that the maximum annual quantity of water be reduced to 427.7 (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to 500 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](http://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.
- If a change in the location of the point(s) of diversion is proposed, show:
    - 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.
    - 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.
    - 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.
  - 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.  
The Change in Point of Diversion does not met spacing requirements. It is move less than 2640 feet, and is  
2079 feet from the closest well. A petition is asked for to waive this requirement due to the well being used for a dairy  
at a low flow rate. Rome Farms is in support of this and would sign a waiver for the petition if needed. A wavier is  
included for for the domestic well that is within 660 feet of the new location.
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.  
The proposed change in point of diversion would locate the new dairy stockwater well 2079 feet from Water Right  
135 (authorized for 708 AF). According to GMD #3 5-23-3 the minimum spacing requirement for a well of this size  
would need to be 2300 feet. A waiver from this regulation is being requested and a waiver can be signed if needed.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Received  
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 Hugoton, Kansas, this 7<sup>th</sup> day of December, 2018.

Rome Farms of Keith A. Rome  
(Owner) (Spouse)

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

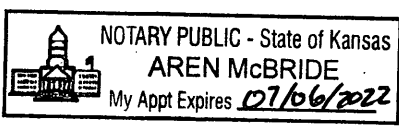
(Owner) (Spouse)

(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 7<sup>th</sup> 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**

I/We, Rome Farms, the owner(s) of a domestic water well

located at SE ¼ Section 7 T31S R37W and within a distance of 2,100 feet West

of the perimeter of Dairy Tech, LLC c/o Brian Hemann

hereby state that I/we are aware of the construction or expansion of a confined feeding facility and have no objections to such construction or expansion of the confined feeding facility.

I/We reserve the right to seek relief from all personal or property damages resulting from the subsequent operation of these facilities.

Rome Farms by Keith D. Rome

12-7-18

Signature of Water Well Owner

Date

1096 Rd RR

620-544-8991

Address

Telephone number

Hugoton, KS 67951

City, State, Zip

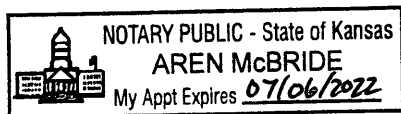
\*\*\*\*\*

State of Kansas

County of Stevens

Signed or attested before me on 12/7/18 [Date]

by Keith Rome



[Name(s) of person(s) owning habitable structures]

[Signature]  
Signature of Notarial Officer

(Notary Seal) My appointment expires: 07/06/2022 Water Resources 20

Received

This agreement shall be filed in the register of deeds office of the county in which the domestic well is located.

DEC 12 2018

KS DEEDS DIVISION SCANNED Signature



Ag Oasis LLC  
PO Box 1138  
Liberal, KS 67905

(620) 626-7151  
(620) 624-8064

Water Resources  
Received

**DEC 12 2018**

DATE: November 15, 2018

TO: Kansas Department of Agriculture, Division of Water Resources

KS Dept Of Agriculture

FROM: Mandy Fox, Ag Oasis

RE: Change Application for Future Dairy

Included in this packet of information are Change Applications for Water Right File Numbers 101 and 183, Reduction Forms for 135, 5099, 10716, 17722, and 18167, associated maps, stockwater justification, wavier for domestic well, applicable fees, and well spacing waiver request.

Water Right File Number 183 will be converted from Irrigation Use to Stockwater Use. Currently, the water right is appropriated for 480 acre-feet with 240 base acres. The converted right will be used for a new dairy with a maximum capacity of 4,900 mature dairy cows and 300 heifers, based on the Kansas Department of Health and Environment (KDHE) permit.

**Ag Oasis requests the use of the Consumptive Use Percentages in Kansas, by County based on area-weighted average irrigation return flow (August 3, 2017). The percentage for Stevens County is 89.1.**

**Water Right File Number 183 becomes 427.7 acre-feet for stockwater.**

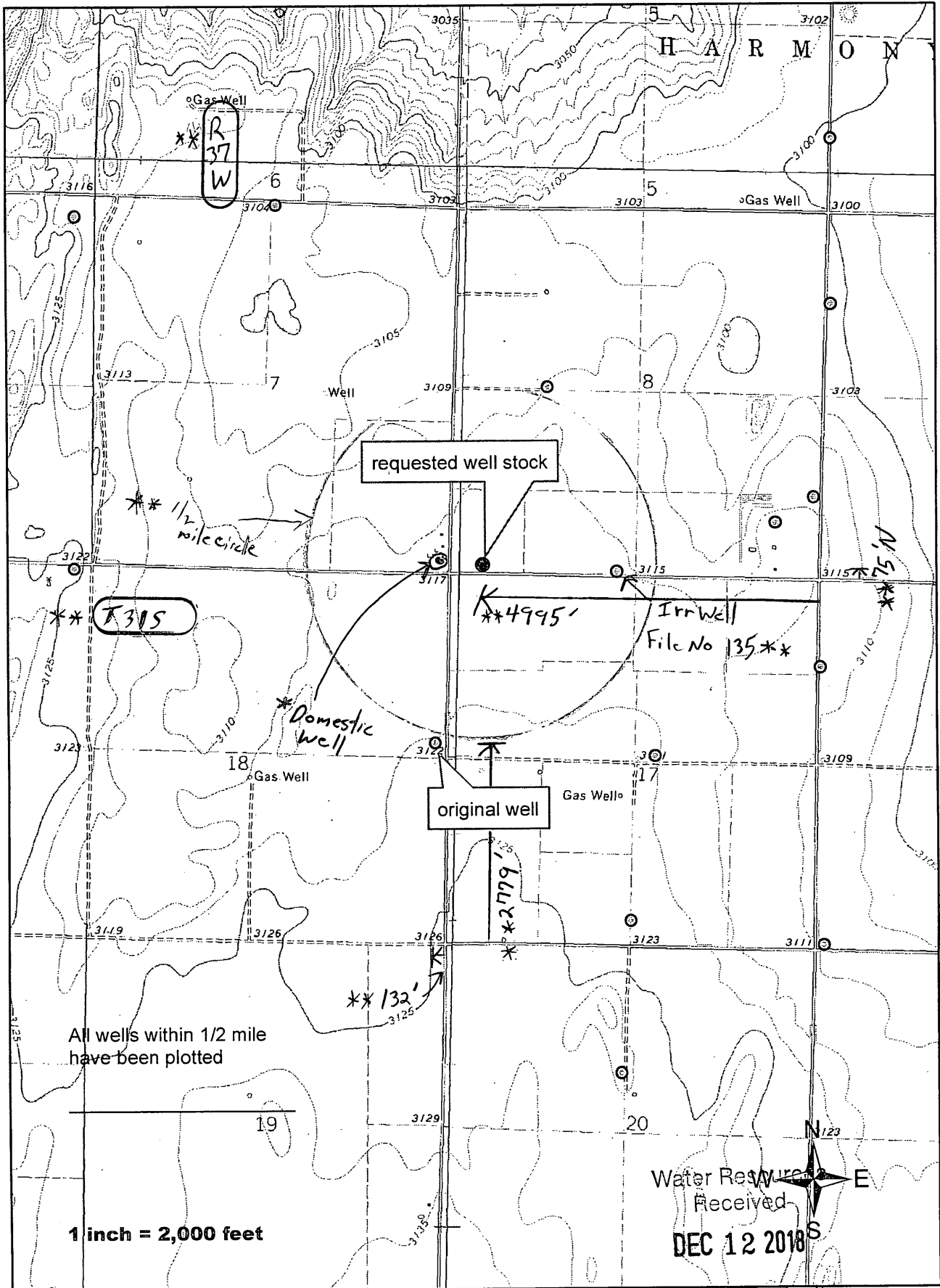
The existing stockwater right for Water Right File Number 101 will remain unchanged and provide and additional 39.9 acre-feet of stockwater for a total of 467.6 acre-feet for the new dairy.

The current stockwater justification suggests a need of 389.6 acre-feet. The additional stockwater requested in the application will be used for future growth (up to 6,000 mature dairy cows). Additionally, this is a new facility and will be an enclosed operation. There are not similar operations to this in Western Kansas so comparative water use is not fully understood. This application and its requests will allow for any unforeseen developments within this type of operation.

The proposed change also includes moving the point of diversion from the SE SE NE Quarter of Section 18 Township 31 South Range 37 West to the SW SW SW of Section 8 Township 31 South Range 37 West. This move is to an existing well that is currently not in use. The move does not meet the spacing requirements set for in the Southwest Groundwater Management District #3 5-23-3. The closest well, Water Right File #135, is 2,047 feet and is authorized for 708 Acre Feet. The minimum spacing requirements for this is 2,300 feet. Ag Oasis is requesting a waiver from this requirement and Rome Farms would agree signing a waiver if necessary. The new location and well for the dairy would be a lower flow well at a reduced quantity that is believed will not adversely impact the nearby well.

SCANNED

# pd change 183



All wells within 1/2 mile have been plotted

1 inch = 2,000 feet

Water Resources Received  
DEC 12 2018

KS Dept Of Agriculture

\* per place of use map 183 received 12/12/18  
\* RAILDOWN 3/12/19  
\*\* per Par 8 + WRTS \*\* RAILDOWN 3/12/19

SCANNED



STOCKWATER USE - SUPPLEMENTAL SHEET

	MAXIMUM	UNITS	TIME	TOTAL USE				
				GAL/YEAR	AF/YEAR			
			HOURS/DAY	DAYS/YEAR				
<b>DRINKING</b>								
LACTATING COWS	4,900	35	GAL/HEAD		365	62,597,500	192.1	197.2
HEIFERS	300	15	GAL/HEAD		365	1,642,500	5.0	
OVERFLOW WATER		10,800	GAL/DAY		120	1,296,000	4.0	Could be eliminated
<b>COOLING</b>								
MISTERS		1,500	GAL/HOUR	12	150	2,700,000	8.3	
FOGGERS		85	GAL/MIN	12	150	36,720,000	112.7	Could be reduced to 50-65 gpm (75%)
MILK COOLING		46,500	GAL/DAY		365	16,972,500	52.1	Could be reused for drinking
<b>SANITATION</b>								
ROTARY WASH		50	GAL/HOUR	22	365	401,500	1.2	
WASH-UP CYCLE		4,000	GAL/DAY		365	1,460,000	4.5	
MILK BARN FLUSH		6,000	GAL/DAY		365	2,190,000	6.7	Could be recycled
<b>OTHER</b>								
HOSPITAL		2,600	GAL/DAY		365	949,000	2.9	
<b>TOTAL</b>						<b>126,929,000</b>	<b>389.6</b>	
						<b>Reduced Use</b>	<b>298.6</b>	

Water Resources  
 Received  
 DEC 12 2018  
 KS Dept Of Agriculture  
 SCAM/TFN

## 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

## Krueger, Richelle [KDA]

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Monday, March 25, 2019 7:37 AM  
**To:** 'Jason Norquest'  
**Subject:** RE: Rome Apps

Hi Jason,

Wow, that is crazy you had such a delay in going to see your son, but glad you finally made it! Bet they have plenty of water up that way too.

Based on the letter dated November 15, 2018 Mandy Fox of Ag Oasis sent with the application, I think the proposed well for File No. 183 is an existing well that is currently not in use.

Thanks,  
Richelle

Richelle Krueger, Environmental Scientist  
Kansas Department of Agriculture  
Water Appropriation Program  
(785) 564-6635  
[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov) (please note e-mail address change)  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

---

**From:** Jason Norquest <[norquest@gmd3.org](mailto:norquest@gmd3.org)>  
**Sent:** Wednesday, March 20, 2019 11:33 AM  
**To:** Krueger, Richelle [KDA] <[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov)>  
**Subject:** Rome Apps

**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 morning Richelle, it seems nice to see the sun again for a change. Hope you have been doing well since we haven't talked for a while.

I was going over these applications and had a question. For WR 183, are they going to an existing well or drilling a new well? If it is new, do we have a drillers log yet? Really was wanting to make sure we GPS it correctly on the maps and studies.

I guess I will be heading to Topeka this afternoon for a quick meeting tomorrow so will probably look at these closer this evening.

Had a good visit with my family over the weekend. We all met in Duluth where my son no lives. Only problem was my daughter and I met up at airport in Chicago and was supposed to be in Duluth around 11pm last Wednesday, ended up there late Thursday because of weather. It was crazy, we couldn't even find a rental car in Chicago to drive there. But we made it and made the most of our time.

Thanks for the info and talk to you later. Have a good day.



*Jason Norquest*

Assistant Manager, GMD3

Cell: 620-271-1289

Office: 620-275-7147

[www.gmd3.org](http://www.gmd3.org)

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,

A handwritten signature in cursive script that reads "Richelle A. Krueger".

Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

Enclosures

pc: Garden City Field Office

**SCANNED**

## Krueger, Richelle [KDA]

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Monday, March 11, 2019 2:44 PM  
**To:** Meyer, Mike [KDA]  
**Cc:** Turney, Brent [KDA]  
**Subject:** RE: FW: Question Change in PUPDUMW FILE NO 183 Rome Farms

Okay, thanks Mike, just wanted to make sure...I will remove the irrigation place of use completely under File No. 183(will be stock only).

The proposed irrigation place of use for the overlapping irrigation files (File Nos. 101; 5099; 10716; 17722; 18167) will be 1960 acres (they previously had 2036 acres) as shown on the submitted reduction forms and application for File No. 101. The are apparently removing the acres to make way for the dairy.....

Thanks Mike!  
Richelle

---

**From:** Meyer, Mike [KDA]  
**Sent:** Monday, March 11, 2019 2:29 PM  
**To:** Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Subject:** RE: FW: Question Change in PUPDUMW FILE NO 183 Rome Farms

No dual use. keep acres justified by the effluent applicaiton

*Mike*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Monday, March 11, 2019 1:49 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** RE: FW: Question Change in PUPDUMW FILE NO 183 Rome Farms

Is File No. 183 going to be dual use (irrigation and stock?) they show the irrigation place of use remaining authorized under File No. 183?

---

**From:** Meyer, Mike [KDA]  
**Sent:** Monday, March 11, 2019 1:46 PM  
**To:** Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Subject:** FW: FW: Question Change in PUPDUMW FILE NO 183 Rome Farms

*Mike*

---

**From:** Mandy Fox [<mailto:mandy@agoasis.com>]  
**Sent:** Monday, March 11, 2019 1:29 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** Re: FW: Question Change in PUPDUMW FILE NO 183 Rome Farms

**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.

Mike - Yes the old well will not be used. The stockwells will be 101 and 183. and yes the reduction acres are correct. Let me know what else you need.

On Mon, Mar 11, 2019 at 7:28 AM Meyer, Mike [KDA] <Mike.Meyer@ks.gov> wrote:

Mandy,

See below some questions on rome dairy

Also to confirm again, the old hole under 183 will not be used. The stockwell will be at the vacant well casing to the north correct? the application says both wells for stockwater, you mean 101 and 183 when all final, correct?

Mike

They are reducing the irrigation place of use on all of the files to account for the dairy location from 2036 acres to 1960 acres correct?

File No. 183 is to be dual use correct?

Just want to make sure I understand, thanks!

--

Thanks!

MLF

Mandy Fox, CPAg-CCA

785-410-2633

## Krueger, Richelle [KDA]

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Monday, March 11, 2019 7:29 AM  
**To:** Meyer, Mike [KDA]  
**Cc:** Turney, Brent [KDA]  
**Subject:** RE: Question Change in PUPDUMW FILE NO 183 Rome Farms

Okay, thanks, I was just asking because they show the irrigation pu authorized on File No. 183 after the change yet paragraph 13 shows just stockwatering use.....

---

**From:** Meyer, Mike [KDA]  
**Sent:** Monday, March 11, 2019 7:27 AM  
**To:** Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Subject:** RE: Question Change in PUPDUMW FILE NO 183 Rome Farms

Let me find out

*Mike*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Monday, March 11, 2019 7:26 AM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** RE: Question Change in PUPDUMW FILE NO 183 Rome Farms

They are reducing the irrigation place of use on all of the files to account for the dairy location from 2036 acres to 1960 acres correct?

File No. 183 is to be dual use correct?

Just want to make sure I understand, thanks!

---

**From:** Meyer, Mike [KDA]  
**Sent:** Monday, March 11, 2019 7:15 AM  
**To:** Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Subject:** RE: Question Change in PUPDUMW FILE NO 183 Rome Farms

yes

*Mike*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Monday, March 11, 2019 7:13 AM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** RE: Question Change in PUPDUMW FILE NO 183 Rome Farms

This is for Rome farms right?

---

**From:** Meyer, Mike [KDA]  
**Sent:** Monday, March 11, 2019 7:13 AM  
**To:** Krueger, Richelle [KDA] <[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov)>  
**Subject:** RE: Question Change in PUPDUMW FILE NO 183 Rome Farms

You got this correct?

*Mike*

---

**From:** Meyer, Mike [KDA]  
**Sent:** Friday, March 8, 2019 4:00 PM  
**To:** Krueger, Richelle [KDA] <[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov)>  
**Subject:** RE: Question Change in PUPDUMW FILE NO 183 Rome Farms

Also, paragraph 11 speaks to File No. 101 also  
Retain acres due to effluent being pumped

*Mike*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Wednesday, March 6, 2019 5:29 PM  
**To:** Meyer, Mike [KDA] <[Mike.Meyer@ks.gov](mailto:Mike.Meyer@ks.gov)>  
**Cc:** McColloch, Austin [KDA] <[Austin.McColloch@ks.gov](mailto:Austin.McColloch@ks.gov)>; Turney, Brent [KDA] <[Brent.Turney@ks.gov](mailto:Brent.Turney@ks.gov)>  
**Subject:** Question Change in PUPDUMW FILE NO 183 Rome Farms

Hi Mike,

I have begun reviewing the referenced change and was hoping you may have more info on what they really want to do... 😊

I have attached their letter and portions of the change app which appear to conflict each other.....Paragraph No. 8 the maps and Paragraph No. 11 seem to conflict

- Do you know if they are planning an additional well(the proposed well is an existing old well I think) keeping current well too or just the proposed well?
- Paragraph No. 11 seems to indicate they want to be able to use both points of diversion at quantity of 427 AF and 500 g.p.m. and they have retained the irrigation pu under File No. 183 yet they do not have a pump test submitted.....Do you think they are trying to do dual use?
- Or are they in a WCA?

Looks like Thom may have helped them with reductions for overlapping irrigation rights and Mandy Fox has helped them too apparently....

Thanks for any info you have on this one!

Richelle

## Krueger, Richelle [KDA]

---

**From:** Meyer, Mike [KDA]  
**Sent:** Thursday, March 7, 2019 8:01 PM  
**To:** Krueger, Richelle [KDA]  
**Subject:** Re: Question Change in PUPDUMW FILE NO 183 Rome Farms

No additional well. I will try to get back to this

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** "Krueger, Richelle [KDA]" <Richelle.Krueger@ks.gov>  
**Date:** 3/6/19 5:29 PM (GMT-06:00)  
**To:** "Meyer, Mike [KDA]" <Mike.Meyer@ks.gov>  
**Cc:** "McColloch, Austin [KDA]" <Austin.McColloch@ks.gov>, "Turney, Brent [KDA]" <Brent.Turney@ks.gov>  
**Subject:** Question Change in PUPDUMW FILE NO 183 Rome Farms

Hi Mike,

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Richelle

## Krueger, Richelle [KDA]

---

**From:** Meyer, Mike [KDA]  
**Sent:** Friday, March 8, 2019 4:00 PM  
**To:** Krueger, Richelle [KDA]  
**Subject:** RE: Question Change in PUPDUMW FILE NO 183 Rome Farms

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Retain acres due to effluent being pumped

*Mike*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Wednesday, March 6, 2019 5:29 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Cc:** McColloch, Austin [KDA] <Austin.McColloch@ks.gov>; Turney, Brent [KDA] <Brent.Turney@ks.gov>  
**Subject:** Question Change in PUPDUMW FILE NO 183 Rome Farms

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- Or are they in a WCA?

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Thanks for any info you have on this one!

Richelle



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 183

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/PD/UMW
- 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.**

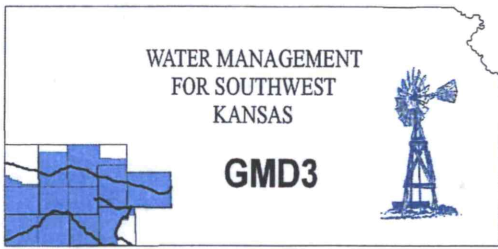
If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT: DLW  
pc: GARDEN CITY Field Office GMD3

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

Water Resources  
Received

APR 12 2019

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

KS Dept Of Agriculture

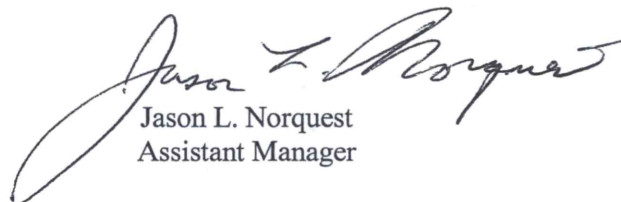
Dear Richelle:

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 moring.

*Jason Norquest*

Assistant Manager, GMD3

Cell: 620-271-1289

Office: 620-275-7147

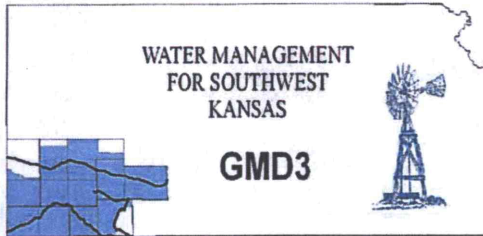
[www.gmd3.org](http://www.gmd3.org)

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

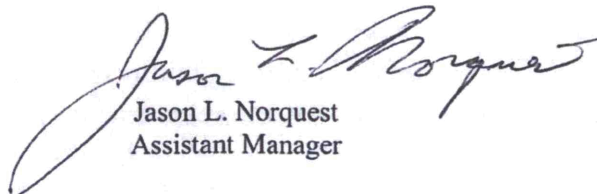
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Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

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 n	416 e	
a2 + b2 = c2	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*

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

*or close*

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.		
<a href="#">View well on interactive map</a> 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		
<a href="#">View info from Wizard Water Level Data base...</a>		
<a href="#">View info from WIMAS Water Right Data base...</a>		
Driller Info		
Driller: Hydro Resources Mid Continent, Inc.	License #: 145	
Scanned Form		
<a href="#">View scan of this form in PDF format.</a>		
You will need the <a href="#">Acrobat PDF Reader</a> , 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		

*Hydro 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	480.00	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  
 Received  
 APR 10 2019  
 KS Dept Of Agriculture

- Applicant's well  
 Analysis shows minimal effect

> 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

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Water Resources  
Received  
APR 10 2019  
KS Dept Of Agriculture



## 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.



Water Resources  
Received

APR 10 2019

KS Dept Of Agriculture

SCANNED

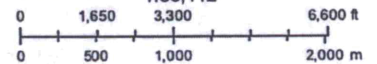


March 25, 2019  
11:14 AM

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

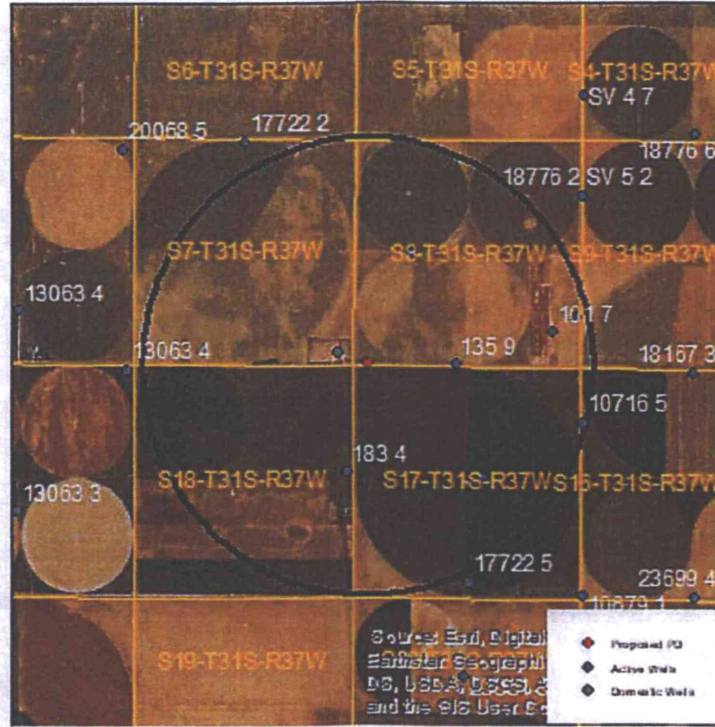
- |              |       |     |     |     |     |     |     |     |                 |          |
|--------------|-------|-----|-----|-----|-----|-----|-----|-----|-----------------|----------|
| <b>Wells</b> | +     | CON | ●   | FPR | ▲   | MUN | ⚡   | THX | □               | Sections |
| ?            | Other | ⊗   | DEW | +   | HYD | ⊖   | REC | ?   | Empty           |          |
| ●            | IRR   | ★   | DOM | ★   | IND | ⊗   | STK | ●   | WWC5 WELLS GMD3 |          |



Water Resources  
Received  
APR 10 2019  
KS Dept Of Agriculture

**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:

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

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

Water Resources  
 Received  
 APR 10 2019  
 KS Dept Of Agriculture

**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**

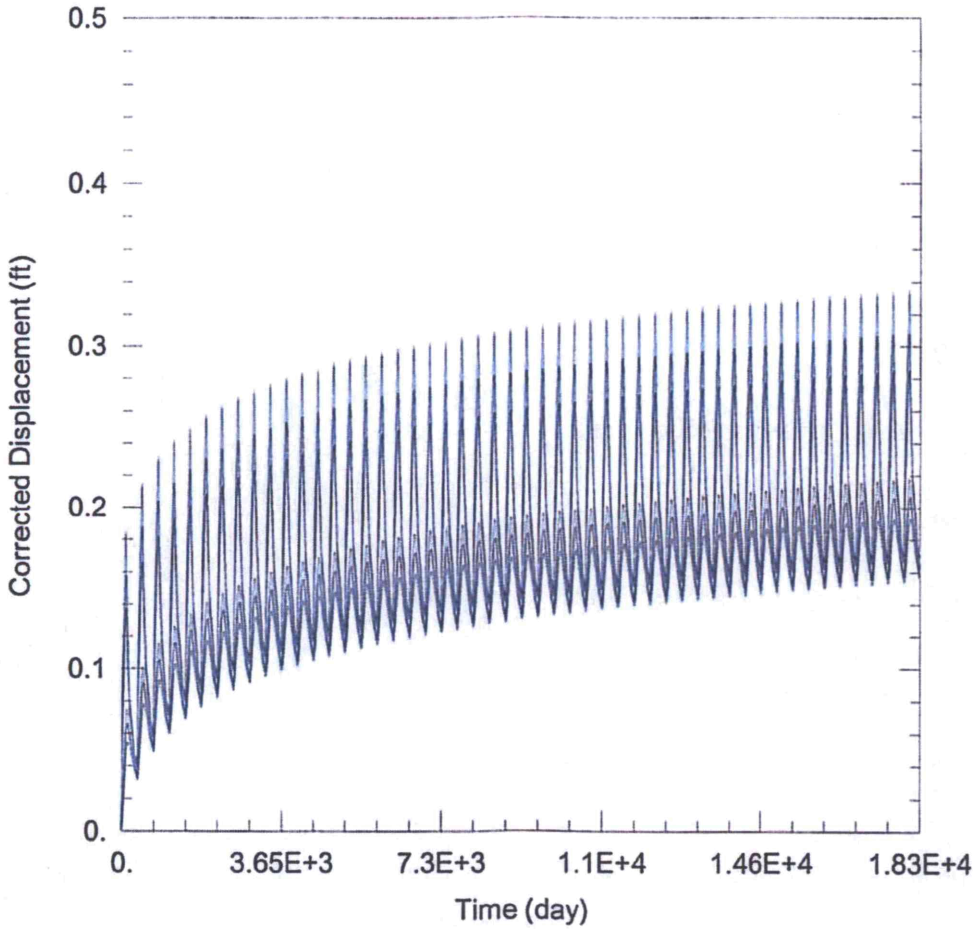
**101 ID 1:** Drawdown from current location = 0.19 ft  
Drawdown from proposed location = 0.71 ft  
**Net drawdown = 0.5 ft**

**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.**

Water Resources  
Received  
APR 10 2019  
KS Dept Of Agriculture



**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

Water Resources  
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**APR 10 2019**

KS Dept Of Agriculture

**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

Solution Method: Theis

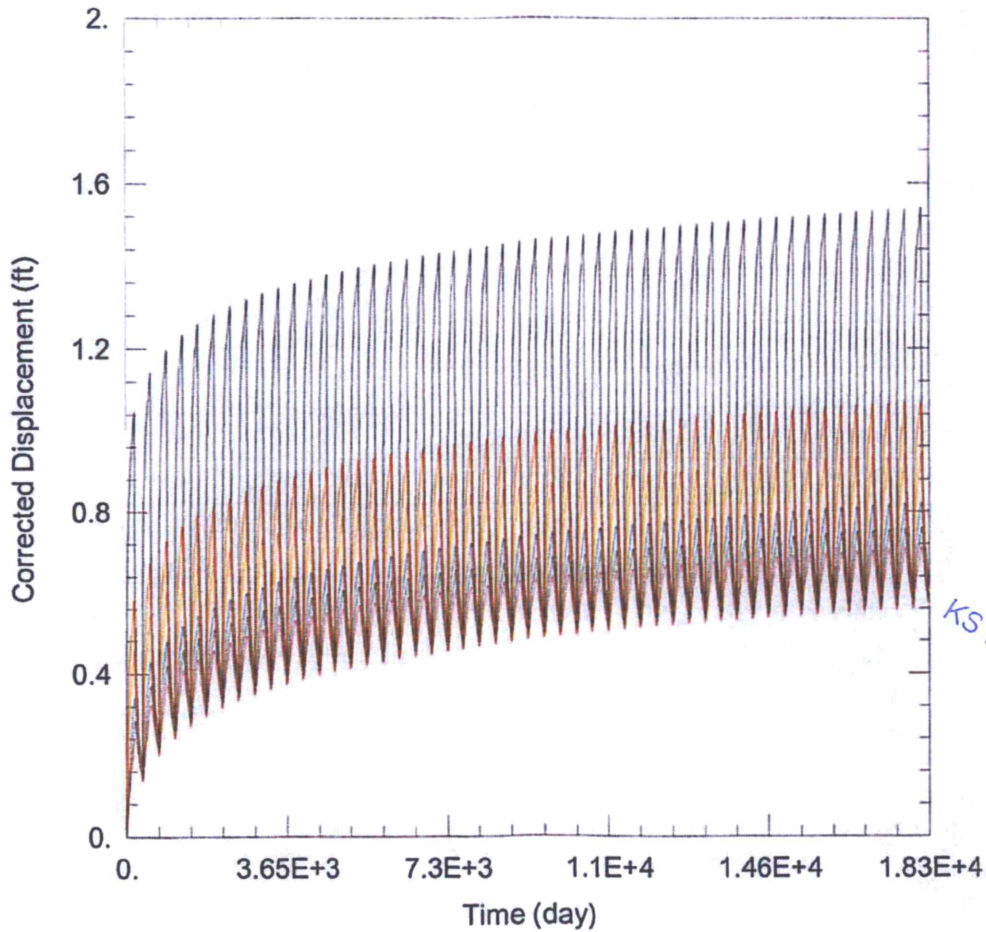
T = 3.408E+4 ft<sup>2</sup>/day

S = 0.2681

Kz/Kr = 1.

b = 150. ft

**SCANNED**



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**APR 10 2019**  
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### 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

Well Name	X (ft)	Y (ft)
183	-167227	176798

#### Observation Wells

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

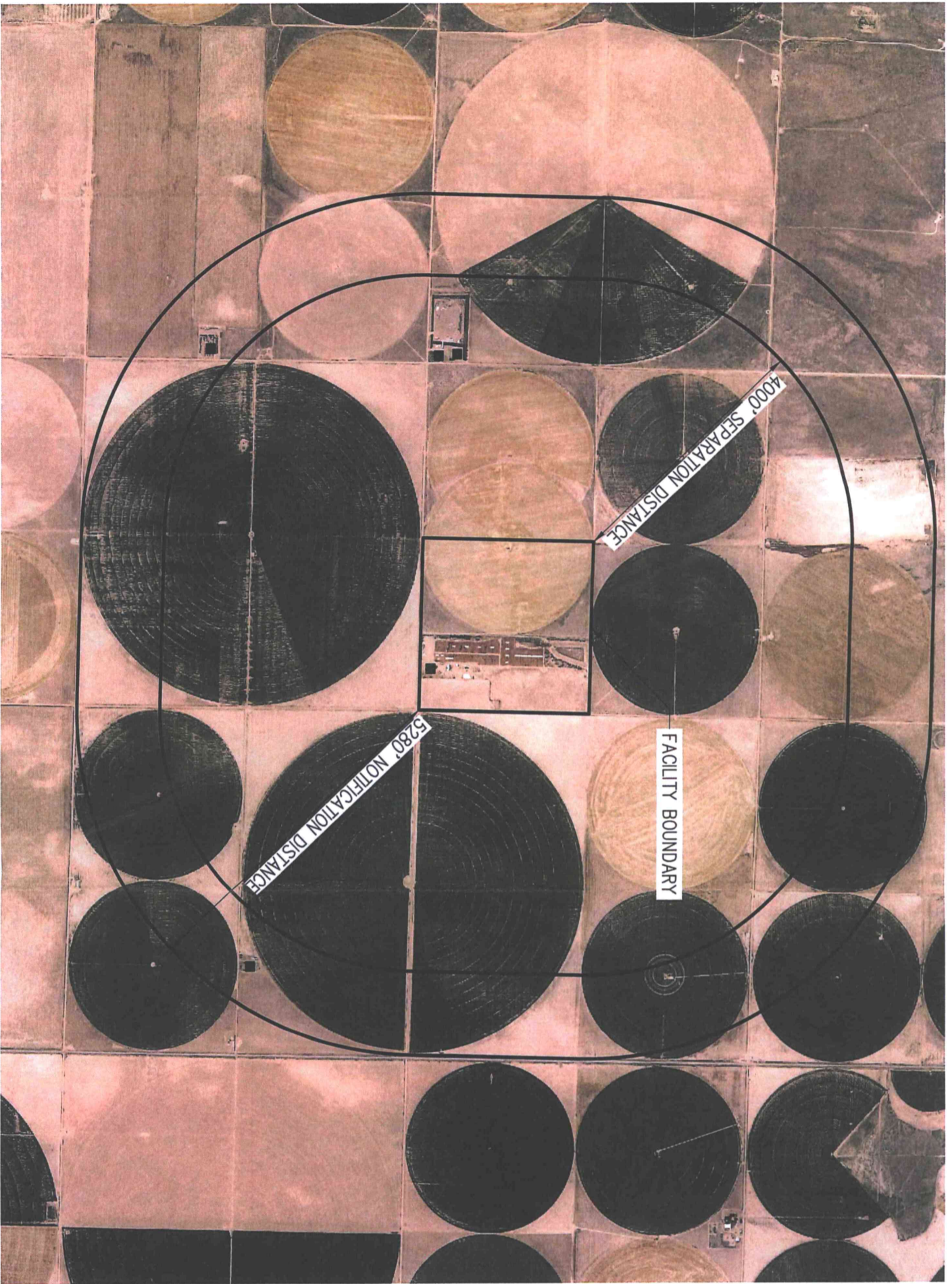
### SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

T = 3.408E+4 ft<sup>2</sup>/day  
Kz/Kr = 1.

S = 0.2681  
b = 150. ft



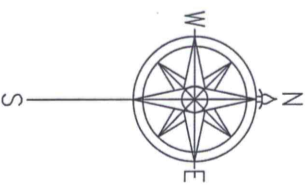
**LEGEND**

HABITABLE STRUCTURE ■

Water Resources  
Received

**DEC 12 2018**

KS Dept Of Agriculture



DRAWN	ERH	DATE
CHECKED		DATE
APPROVED		DATE

**BRIAN HEMANN**  
MILK PRODUCTION FACILITY  
SE 1/4 SECTION 8 T31S R37W  
STEVENS COUNTY, KANSAS

1700 E. IRON  
SALINA, KANSAS 67401  
(785) 823-0097

1303 YUCCA STREET  
SCOTT CITY, KANSAS 67871  
(620) 872-2300

**KLA**  
ENVIRONMENTAL  
SERVICES, INC.

CAD FILE NAME: