

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

1. File Number: <b>18993</b>	2. Status Change Date:	3. Change Num: <b>C1</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <b>9/25/2019</b>
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID <b>41058</b> Add Seq# _____  <b>FRY FAMILY FARMS LC</b> <b>Attn: AG MANAGEMENT CONSULTANTS</b> <b>PO BOX 1013</b> <b>GARDEN CITY, KS 67846</b>	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> Person ID _____ Add Seq# _____  <b>8a</b>
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2019**     N & P Date to Comply: **12/31/2020**

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter  
 Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **9/26/2019**    By: **AM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **18993**      11. County: **GY**      Basin: **CROOKED CREEK**      Stream:      Formation Code: **211**      Special Use:

12. Points of Diversion  
 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

**DEL 2229**

**ENT      NW NE NW      12      29S      30W      5224      3397      1680      378      1680      100**

13. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: **1080** af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **4917 8281 & 15384**  
 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				
<b>CHK 19125</b>																				
<b>CHK 24517</b>																				

Base Acres:      Year:      Minimum Reasonable Quantity:

Comments:

Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



Phone: 620-276-2901  
Fax: 620-276-9315  
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

September 27, 2019

FRY FAMILY FARMS LC  
Attn: AG MANAGEMENT CONSULTANTS  
PO BOX 1013  
GARDEN CITY, KS 67846

RE: Water Right, File No. 18993

Dear Sir or Madam:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

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

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

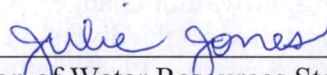
**CERTIFICATE OF SERVICE**

On this 27<sup>th</sup> day of September, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 18,993 dated 27<sup>th</sup> day of September, 2019 was mailed postage prepaid, first class, US mail to the following:

FRY FAMILY FARMS LC  
Attn: AG MANAGEMENT CONSULTANTS  
PO BOX 1013  
GARDEN CITY, KS 67846

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

  
\_\_\_\_\_  
Division of Water Resources Staff

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.

Call for address:

Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

## DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



**STATE OF KANSAS**

**Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.**  
 Fee Schedule is on the third page of this application form.

**Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions.** If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 18993

**RECEIVED**  
 10:50 AM  
 SEP 25 2019  
 Garden City Field Office  
 DIVISION OF WATER RESOURCES

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:                       Groundwater                       Surface water

2. Name and address of Applicant: FRY FAMILY FARMS LC

PO BOX 1013, GARDEN CITY, KS 67846

Phone Number: (     )                      Email address: emb@wbsnet.org

Name and address of Water Use Correspondent: FRY FAMILY FARMS LC

PO BOX 1013, GARDEN CITY, KS 67846

Phone Number: (     )                      Email address: emb@wbsnet.org

3. The presently authorized place of use is:

Owner of Land ---- NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
																			<del>160</del>
																			320

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(If there is more than one landowner, attach supplemental sheets as necessary.)

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

For Office Use Only: Code \_\_\_\_\_ Fee \$ 100.00 TR # \_\_\_\_\_ Receipt Date 9-25-19 Check # 13043

5. **Presently authorized point of diversion:**  
 One in the NW Quarter of the NE Quarter of the NW Quarter of Section 12, Township 29 South, Range 30 W, in GY County, Kansas, 5000 feet North 3450 feet West of Southeast corner of section.  
 Authorized Rate ---- Authorized Quantity --- Depth of well            (feet)  
**(DWR use only: Computer ID No. 3 GPS            feet North            feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the NW Quarter of the NE Quarter of the NW Quarter of Section 12, Township 29 South, Range 30 (W), in GY County, Kansas, 5224 feet North 3397 feet West of Southeast corner of section.  
 Proposed Rate --- Proposed Quantity --- Proposed well depth (feet) 420  
 This point is:  Additional Well  Geo Center List other water rights that will use this point           

6. **Presently authorized point of diversion:**  
 One in the            Quarter of the            Quarter of the            Quarter of Section           , Township            South, Range            (E/W), in            County, Kansas,            feet North            feet West of Southeast corner of section.  
 Authorized Rate            Authorized Quantity            Depth of well            (feet)  
**(DWR use only: Computer ID No.            GPS            feet North            feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the            Quarter of the            Quarter of the            Quarter of Section           , Township            South, Range            (E/W), in            County, Kansas,            feet North            feet West of Southeast corner of section.  
 Proposed Rate            Proposed Quantity            Proposed well depth (feet)             
 This point is:  Additional Well  Geo Center List other water rights that will use this point           

7. The changes herein are desired for the following reasons?  
 (please be specific) loss of water for  
reason of shallow old well

8. If a well, is the test hole log attached?  Yes  No

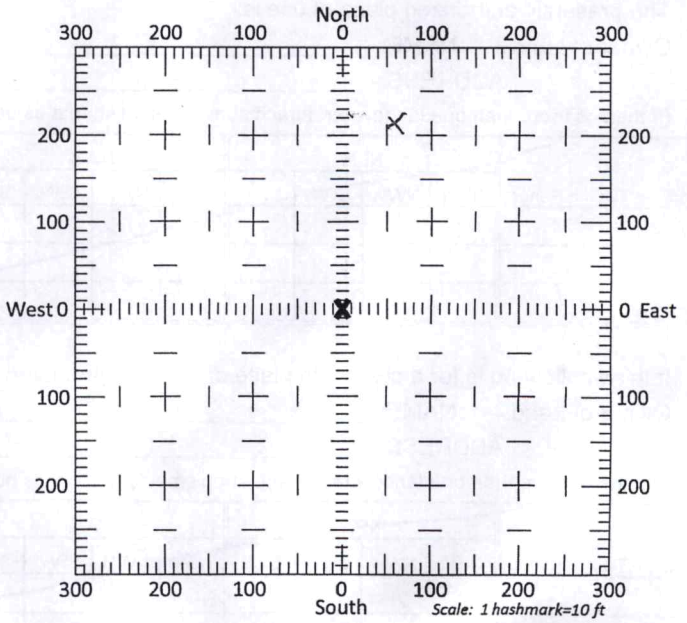
9. The change(s) (was)(will be) completed by?  
Upon Approval

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
Plug  
 (b) When will this be done? after new well completed

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by Brandon Friedman

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

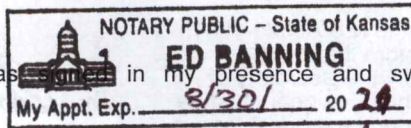
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Garden City, KS, Kansas, this 24<sup>th</sup> day of September, 2019.

<u>Ardis Fry</u> (Owner)	_____ (Spouse)
<u>Ardis Fry</u> (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }  
County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24<sup>th</sup> day of September, 2019.



ED Banning  
Notary Public

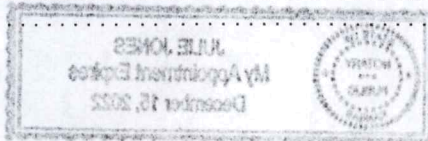
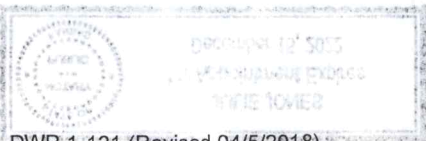
My Commission Expires 8/30/2021

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200







# WELL LOG

189 93

DATE: 8/7/2019

**Downey  
Drilling Inc.**



CUSTOMER NAME: FRY FAMILY FARMS TEST HOLE #1 - EAST

LEGAL: NW 12-29S-30W

COUNTY: GRAY CO, KS

GPS: 37.547298

100.55481

DRILLER: ROBERTO WO: 19-693

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	4	TOPSOIL	SOFT	DARK BROWN	FAST	NO	SMOOTH
	4	15	CLAY	SOFT	BROWN	FAST	NO	SMOOTH
	15	20	CLAY	STIFF	LIGHT BROWN	SLOW	NO	CHOPPY
	20	31	CLAY	STIFF	LIGHT BROWN	SLOW	NO	SMOOTH
	31	40	CLAY	STIFF	TAN	SLOWER	NO	SMOOTH
	40	45	CLAY	STIFF	TAN	SLOW	NO	SMOOTH
	45	89	CLAY	SOFT	LIGHT BROWN	FAST	NO	SMOOTH
	89	94	CLAY/SILT W/SAND	SOFT	LIGHT BROWN	FAST	NO	SMOOTH
	94	110	VERY COARSE SAND,, FINE - MED GRAVEL	SOFT	RED	FAST	NO	CHATTER
	110	128	SILT, SANDY CLAY MIXED W/ FINE GRAVEL	SOFT	LIGHT BROWN	NOT AS FAST	NO	SMOOTHER
	128	163	FINE-MEDIUM GRAVEL	SOFT	RED	FAST	NO	CHATTER
	163	167	SILT, SANDY CLAY TR. FINE GRAVEL	SOFT	TAN	NOT AS FAST	NO	SMOOTHER
	167	184	FINE - MED GRAVEL	SOFT	RED	FAST	NO	GOOD CHATTER
	184	209	SILT LAYER	SOFT	TAN	NOT AS FAST	NO	SMOOTHER
	209	211	FINE GRAVEL	SOFT	RED	FAST	NO	GOOD CHATTER
	211	248	SANDY CLAY	SOFT	BROWN	NOT AS FAST	NO	SMOOTHER
	248	253	VERY, VERY COARSE SAND, FINE GRAVEL TR. MED GRAVEL	STIFF	RED	FAST	NO	CHATTER
	253	312	CEMENT SAND	FIRM	WHITE	SLOW	YES	CHOPPY
	312	313	MEDIUM-COARSE SAND WITH SILT LENSES	SOFT	BROWN	FAST	NO	LIGHT CHATTER
	313	321	MEDIUM SAND	SOFT	TAN	FAST	NO	LIGHT CHATTER
	321	328	MEDIUM-COARSE, VERY-COARSE SAND, TR. FINE GRAVEL	SOFT	TAN	FAST	NO	CHATTER
	328	352	CLAY, SANDY CLAY WITH MAG	LITTLE FIRMER	BROWN, WHITE	SLOWER	NO	SMOOTHER
	352	371	FINE SAND	SOFT	TAN	FASTER	NO	LIGHT CHATTER
	371	381	CEMENTED SAND	FIRM	WHITE	SLOW	YES	CHOPPY, ROUGH
	381	382	TRACES OF BROWN ROCK WITH CLAY	SOFTER	BROWN	FASTER	NO	LIGHT CHATTER
	382	386	CLAY (STICKY)	STIFF	TAN, BROWN	SLOW	NO	SMOOTH
	386	400	CLAY, SHALE	DENSE	LIGHT BLUE, TR. DARK	SLOW	NO	SMOOTH
	400	420						
			QUIKGEL - 5					
			SODA ASH - 0.25					
			EZ MUD - 0.25					
			HOLEPLUG - 2					
			CASING SEAL - 1					

195' STATIC

# FRY FAMILY FARMS

NW 12-29S-30W GRAY CO.

Legend

TH #2 ELEV=2750'

IRR WELL ELEV= 2756'

TH #1 ELEV=2755'

6

Google Earth

© 2018 Google



800 ft