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

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
18993		C1	4	3
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				9/25/2019
8a. Applicant(s) New to system □	Person ID 41058 Add Seq#	8c. Landowne		Person IDAdd Seq#
FRY FAMILY FARMS LC Attn: AG MANAGEMENT PO BOX 1013 GARDEN CITY, KS 67846				
8b. Landowner(s) New to system □	Person ID Add Seq#	8d. WUC New to sys	stem □	Person IDAdd Seq#
9. Documents and Enclosure(s): X DV	VR Meter(s) Date to Compl	y: 12/31/2019	_ N & P Date to	Comply: <u>12/31/2020</u>
☐ Anti-Reverse Meter ☐ Meter	Seal	⊠ N & P Form	⊠ Water Tube 🛮 🖾 D	oriller Copy ☐ H & E Letter
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 9/26/2 Date Entered:	2019 By: AM By:

File No.	18993	3	11. County:	GY	Ва	sin: CF	ROOK	ED CF	REEK			St	ream:							Fo	rmation Code: 21	11 Special Use:
CHK MOD	nts of Dive	ersion															and Qu			Ad	dditional	
DEL ENT	PDIV	Qualifier	S	Т	R	ID	,	N	ʻW		Com	ment ((AKA I	_ine)		Rate gpm/c		Quantity af/mgy		Rate gpm/c		Overlap PD Files
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13. Stora	age: Rate			NF	Qua	ntity					ac/ft	Ad	ddition	al Rat	e				NF	Addi	tional Quantity _	ac/ft
14. Limit	ation:	1080	af/yr a	nt	Ę	100	(gpm (_				cfs) wh	nen co	mbine	d with	file n	umber(s) 491	7 82	81 & 1	5384	
Limit	tation:		af/yr a	at		16		gpm (_				cfs) wh	nen co	mbine	d with	file n	umber(s)			5.1.01	<u> </u>
15. 5YR	Allocation	n: Allocation	Туре	St	tart Yea	r		5 YR	Amou	nt _		Amo	unt U	nit		Base	Acres		_ Co	omment _		G 2, 3
16. Plac	ce of Use		# 8 2 3		N	E1/4			NV	V1/4			SV	V1/4			s	E1⁄4	l _e	Total	Owner Chg	? Overlap Files
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Base Ac	cres:	Year:	N	linimu	ım Reas	sonable	e Quar	ntity:			-	3		, p						1		
Comme	nts:																					

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,

Austin J. McColloch

Assistant Water Commissioner

AM:

enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 27th 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 27th 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.

						1	File No	. <u>1899</u>	93			500	n taite	our-					25 2019
	Applicati	on is he	ereby r	made f	or app		of the C					the (cl		ne or b	ooth):		DIV	Garden ISION OF	City Field Offi WATER RESOI
u	nder the	e water	right v	vhich is	s the s	ubject	of this	applic	cation	n acco	ordanc	e with	the co	ndition	s desc	cribed I	below.		
Т	he sour	ce of s	upply i	s:		\boxtimes G	round	water			Surfa	ce wat	er		100				
	Name and address of Applicant: FRY FAMILY FARMS LC PO BOX 1013, GARDEN CITY, KS 67846																		
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Presently authorize	d point of diver	sion:	1911	NE .		7 K 1
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, <u>5000</u>	feet North _	3450 feet West	of Southeast corn	er of section.
Authorized Rate	A	uthorized Quantity	GNA A	Depth of well	(fe	eet)
(DWR use only: Co	mputer ID No. 3	GPS	3 40 1	feet North	feet W	(est)
				No change, point bett		
Proposed point of d	liversion: (Com	plete only if change	is requeste	ed or if existing point	is better describ	ped by GPS)
One in the	NW	Quarter of the	NE	Quarter of the _	NW	Quarter
				South, Range _		
in GY	County,	Kansas, <u>5224</u>	feet North _	3397 feet West	of Southeast corn	er of section.
Proposed Rate	P	roposed Quantity	ortio 22 et d	Proposed well dep	oth (feet)	420
This point is: Add	itional Well 🔲	Geo Center List oth	er water righ	nts that will use this po	int	15 The Sul-ne
		-2.11				W 12121-VIII.
Presently authorize	d point of diver	sion:				TO THE PERSON NAMED IN
One in the		Quarter of the		Quarter of the		Quarter
in	County	Kansas	feet North	South, Rangefeet West	of Southeast corn	er of section
Authorized Rate	A	othorized Quantity		Depth of well	(fe	et)
(DWR use only: Co	mputer ID No.	GPS.		feet North	feet W	(est)
This point will not be	changed Thi	s point will be changed	as follows:	No change, point bette	r described with GF	S as follows:
				ed or if existing point		
of Section		Township		Quarter of the _ South, Range _	CECUPI AND DESIGNATION	Quarter
				feet West		
				Proposed well dep		
If a well, is the test hole The change(s) (was)(v Ven Pero If the point of diversion (a) What are you goin Pluq (b) When will this be of	e log attached? vill be) completed vill sa well: ng to do with the completed	Yes □ No by? old well?	200 100 West 0		+ + + + + + + + + + + + + + + + + + +	200
Groundwater Manager Yes Assisted by Brandon F	No	mmendation attached?		ահավավավավա	<u>funtanlantanla</u>	- Eurlu
_			300	200 100	0 100 200 uth Scale: 1 hashm	300
If the proposed point of feet but within 2,640 fe a topographic map o sources, show all wells of the proposed point addresses of the owner ames and addresses downstream and one lines	et of the existing properties of the existing protogram (including dome of diversion and ers. For surface vers. for the landones.	point of diversion, attac aph. For groundwate stic) within one-half mi the names and mailin water sources, show th owner(s) one-half mi	th 13b.lf the er of the e diagrage diverse above	proposed point of diverse existing point of diversements shown above in sion. (PLEASE NOTE erepresents the proposed)	sion will be relocate ersion, indicate its relation to the ex : The "X" in cen	d within 300 fee location on the xisting point of ter of diagram
IP 1-121 (Revised 04/5/201		()=	age 2		File N	

...

14. If the proposed groundwater point of diversion is 3	00 or fewer feet from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of ▼ Yes No (If no, all owners m	the currently authorized place(s) of use identified in this application? nust sign this application.)
affected if this application is approved as requi	ne currently authorized place(s) of use identified in this application be adversely ested? must sign this application.)
(c) If this application is not approved expeditiously ☑ Yes ☐ No (If no, all owners m	y, will there be substantial damage to property, public health or safety? ust sign this application.)
If the application proposes a surface water change in poor a change in place of use, the application must be significant agent (attach notarized statement authorizing representation).	oint of diversion, a groundwater change in point of diversion greater than 300 feet aned by all owners of the currently authorized place of use, or their duly authorized tation).
age and the owner, the spouse of the owner, o	
Dated at Garden City KS	, Kansas, this _ 24th day of September , 2019 .
B. J. J.	r de la la la companya de la
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Owner)	The Vertical Control of the Control
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas)	
County of Finney) ss	A NOTARY PUBLIC - State of Kansas
I hereby certify that the foregoing application of	A ED BANNING
Jan v	70 h
My Commission Expires 8/30/2021	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.	To be complete, all of the applicable portions of the application form must be completed witl gnatures of all the appropriate owners' must be affixed to the application and notarized; and
	FEE SCHEDULE
	of diversion under this section shall be accompanied by the application fee set
forth in the schedule below: Make checks payable to: (1) Application to change a point of diversion 3	Cansas Department of Agriculture 00 feet or less
(2) Application to change a point of diversion m	nore than 300 feet
(3) Application to change the place of use	\$200
Decomber 15, 2022 se calpay	(((wow))) My Appointment Expires
The same of the supposite property of the same of the	December 15, 2022
Julie Joyles	a we make the management of the contraction of the
DWR 1-121 (Revised 04/5/2018)	Page 3

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit lim	s Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable visions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, h the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and tations of File No. 18993
1.	A change application was received on <u>September 75, 2019</u> requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2.	On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4.	The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable \square Not Applicable
7.	The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
8.	Installation of the works for diversion of water shall be completed on or before December 31, 20 , or within any authorized extension of time. By March 1, 20 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable
9.	The completed well log shall be submitted with the required notice. Applicable
10.	All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11.	Additional Conditions are attached. ☐ Yes ☑ No
12.	In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.
	Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY
lf vo	bu are aggrieved by this order, pursuant to K.S.A. 82a-1901, YRATON APPROVED AND SUMMARY ORDER ISSUED
you	may request an evidentiary hearing before the Chief A & 13
⊨ng Aar	ineer or request administrative review by the Secretary of culture. A request for hearing by the Chief Engineer must be
filed	within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer
adn dav	ninistrative review by the Secretary must be filed within 30 s pursuant to K.S.A. 77-531. Any request for administrative (Print Name): Austin McCollock
revi	ew must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture
File Lec	any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: Seetember 27, 2019
665	02. Failure to timely request a hearing or review may
pre	For Use by Register of Deeds County of County
	For Use by Register of Deeds County of County of
	by Austin McColloch.
	Signature: A second sec
	Signature: Notary Public
	JULIE JONES
	My Appointment Expires My commission expires: My Appointment Expires My commission expires: 7202 'cj. Jequisoeq 700000 70000 70000 70000 70000 70000 700000 70000 70000 70000 700000 70000 700000 700000 700000 700000
	Sandra (bledialide (sp.)) (Sandra (s

DATE: 8/7/2019

CUSTOMER NAME: FRY FAMILY FARMS

TEST HOLE #1 - EAST

LEGAL: NW 12-29S-30W

COUNTY: GRAY CO, KS

GPS: 37.547298

100.55481

τw	FROM	то	TYPE	R: ROBERTO HARDNESS	COLOR	SPEED	WO:	19-693 OTHER / DRILLIN 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	СНОРРУ
	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	NOT AS FAST	NO	SMOOTHER
	128	163	FINE-MEDIUM GRAVEL	SOFT	RED	FAST	NO	CHATTER
	163					NOT AS		
		167	SILT, SANDY CLAY TR. FINE GRAVEL 195 STATIC	SOFT	TAN	FAST	NO	SMOOTHER
	184	209	FINE - MED GRAVEL	SOFT	RED	NOT AS	NO	GOOD CHATTER
	209	211	SILT LAYER	SOFT	TAN	FAST	NO	SMOOTHER
-	211	248	FINE GRAVEL	SOFT	RED	NOT AS	NO	GOOD CHATTER
_	248	253	SANDY CLAY	SOFT	BROWN	FAST	NO	SMOOTHER
_	253	312	VERY, VERY COARSE SAND, FINE GRAVEL TR. MED GRAVEL	STIFF	RED	FAST	NO	CHATTER
	312	313	CEMENT SAND	FIRM	WHITE	SLOW	YES	СНОРРУ
	313	321	MEDIUM-COARSE SAND WITH SILT LENSES	SOFT	BROWN	FAST	NO	LIGHT CHATTER
	321	328	MEDIUM SAND	SOFT	TAN	FAST	NO	LIGHT CHATTER
	328	352	MEDIUM-COARSE, VERY-COARSE SAND, TR. FINE GRAVEL	SOFT	TAN BROWN,	FAST	NO	CHATTER
	352	371	CLAY, SANDY CLAY WITH MAG	FIRMER	WHITE	SLOWER	NO	SMOOTHER
	371	381	FINE SAND	SOFT	TAN	FASTER	NO	LIGHT CHATTER
	381	382	CEMENTED SAND	FIRM	WHITE	SLOW	YES	CHOPPY, ROUGH
	382	386	TRACES OF BROWN ROCK WITH CLAY	SOFTER	BROWN	FASTER	NO	LIGHT CHATTER
	386	400	CLAY (STICKY)	STIFF	TAN, BROWN	SLOW	NO	sмоотн
	400	420	CLAY, SHALE	DENIOE	BLUE, TR.	OI OW	NO	CMOOTH
	400	420	CLAY, SHALE	DENSE	DARK	SLOW	NO ;	SMOOTH
			QUIKGEL - 5		13.5		1.	
			SODA ASH - 0.25					
			EZ MUD - 0.25					
			HOLEPLUG - 2					
			CASING SEAL - 1					ROSESTINE.
			ONOINO GENE- I					
_		+						

FRY FAMILY FARMS

NW 12-29S-30W GRAY CO.

TH #2 ELEV=2750'

IRR WELL ELEV: 2756' TH #1 ELEV=2755'

Legend

6

Google Earth

2018 Google

∧ N

800 ft