



File No. **9549**      11. County: **ST**      Basin: **N F CIMARRON RIVER**      Stream:      Formation Code: **211/330**      Special Use:

12. Points of Diversion  
 Rate and Quantity  
 Authorized      Additional  
 Rate      Quantity      Rate      Quantity  
 gpm      af      gpm      af      Overlap PD Files

**DEL 38686**  
**ENT SW NW NE 27 29S 39W 4464 2477 1070 320 1070 320 NONE**

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

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

15. 5YR Allocation: Allocation Type \_\_\_\_\_ Start Year \_\_\_\_\_ 5 YR Amount \_\_\_\_\_ Amount Unit \_\_\_\_\_ Base Acres \_\_\_\_\_ Comment \_\_\_\_\_

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
<b>MOD 9916</b>	<b>27</b>	<b>29S</b>	<b>39W</b>	<b>3</b>		40	40	40	40													<b>8b</b>	<b>Y</b>	<b>NONE</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

November 25, 2019

5-K FARMS LLC  
6744 S ROAD C  
JOHNSON, KS 67855

RE: Water Right, File No. 9549

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, appearing to read "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

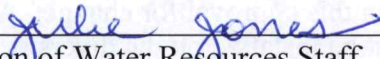
**CERTIFICATE OF SERVICE**

On this 25<sup>th</sup> day of November, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 9,549 dated 25<sup>th</sup> day of November, 2019 was mailed postage prepaid, first class, US mail to the following:

5-K FARMS LLC  
6744 S ROAD C  
JOHNSON, KS 67855

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.

**RECEIVED**  
 4:45 Am  
 OCT 16 2019

*Garden City Field Office  
 Division of Water Resources*

File No. 9549

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: TED GOERTZEN

6744 S RD C JOHNSON, KS. 67855

Phone Number: (620)353 7245

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: THEODORE & ELVERA TTEES GOERTZEN TRUST

6744 SROAD C JOHNSON, KS. 67855

Phone Number: (620)353 7245

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: NO CHANGE - Ownership S-K Farms LLC  
 ADDRESS: 6744 S RD C Johnson KS 67855

(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>_____</del>																			
<del>_____</del>																			
<del>_____</del>																			

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: NO CHANGE  
 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>_____</del>																			
<del>_____</del>																			
<del>_____</del>																			

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 10-16-19 Check # 1257

5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the SW Quarter of the NE Quarter  
 of Section 27, Township 29 South, Range 39 (W),  
 in STANTON County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate 1070 GPM Authorized Quantity 320AF Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 2 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 SW Quarter of the NW Quarter of the NE Quarter  
 of Section 27, Township 29 South, Range 39 (W),  
 in STANTON County, Kansas, 4464 feet North 2477 feet West of Southeast corner of section.  
 Proposed Rate 1070 GPM Proposed Quantity 320 AF Proposed well depth (feet) \_\_\_\_\_  
 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) lack of production on current PD

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

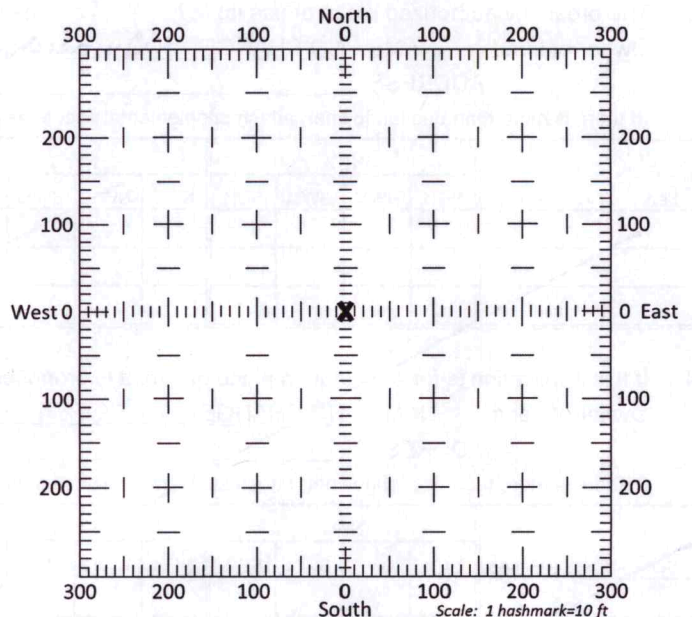
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
To be plugged  
 (b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by CAC

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, Kansas, this 16<sup>th</sup> day of OCTOBER, 2019.

<p><u>5-M Farms L.L.C</u>  <u>[Signature]</u>          (Owner)</p> <p>_____          (Please Print)</p> <p>_____          (Owner)</p> <p>_____          (Please Print)</p> <p>_____          (Owner)</p> <p>_____          (Please Print)</p>	<p>_____          (Spouse)</p> <p>_____          (Please Print)</p> <p>_____          (Spouse)</p> <p>_____          (Please Print)</p> <p>_____          (Spouse)</p> <p>_____          (Please Print)</p>
---	---

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 16<sup>TH</sup> day of OCT, 2019.



Catherine Reinert  
 Notary Public

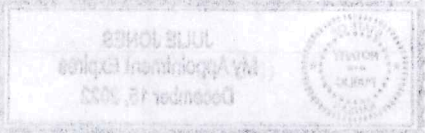
My Commission Expires 9/4/20

**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



**SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

This 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 provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 9549.

1. A change application was received on October 16, 2019 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 50 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  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, 2020**, 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, 2020**, or within any authorized extension of time. By March 1, 2021 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  Not Applicable
9. **The completed well log shall be submitted with the required notice.**  Applicable  Not 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 *Kansas Water Appropriation Law* and the *Rules and Regulations* 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**

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND SUMMARY ORDER ISSUED**

By: Austin McColloch  
Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: November 25, 2019

State of Kansas )

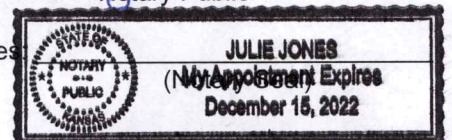
County of Finney ) SS

Acknowledged before me on November 25, 2019

by Austin McColloch

Signature: Julie Jones  
Notary Public

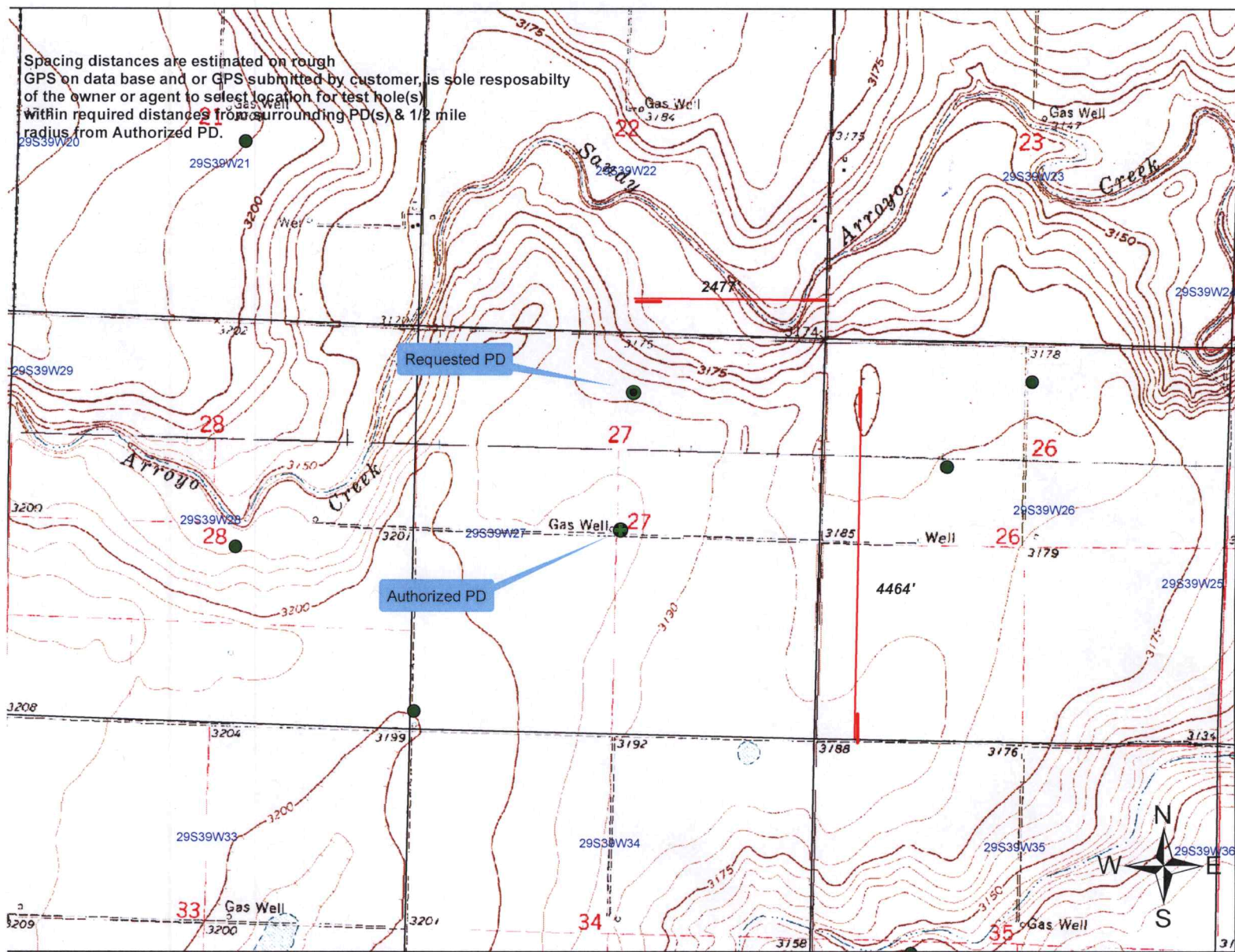
My commission expires




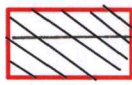


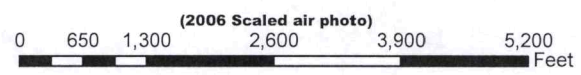
**Point of Diversion Change  
WR 9549  
T29 R39 Section 27  
Stanton County**

Spacing distances are estimated on rough GPS on data base and or GPS submitted by customer, is sole responsibility of the owner or agent to select location for test hole(s) within required distances from surrounding PD(s) & 1/2 mile radius from Authorized PD.



- Authorized PD
- Requested PD
- Point of Diversion

-  Authorized PU
-  Requested PU



Applicant Signature

*By signing this map the applicant is aware that no other wells (Irrigation, Domestic, Industrial etc) are within the 1/2 mile radius circle.*

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



nr 9549  
T29 R39 Mc 27  
MAD 83 4464' N / 24.77' W  
SW NW NE

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

TEO GOERTZEN 620-353-7245

Customer Name: SK Farm 1/2 Ted Goertzen  
Street Address: 6744 S Rd C  
City, State: Johanna, KS, 67858  
County: Shelby Quarter: NE Section: 27  
Location: \_\_\_\_\_  
Rig #: 10003 Elevation: 3101

WO#: 19129 Date: 10/14/10  
Test #: 1 E LOG: Yes  
Driller: David Trizzo  
Township: 29 Range: 39  
GPS: 37.50204°N 101.57098°W  
Static WL: 310 Estimated? Yes  
Proposed Well Depth: 557

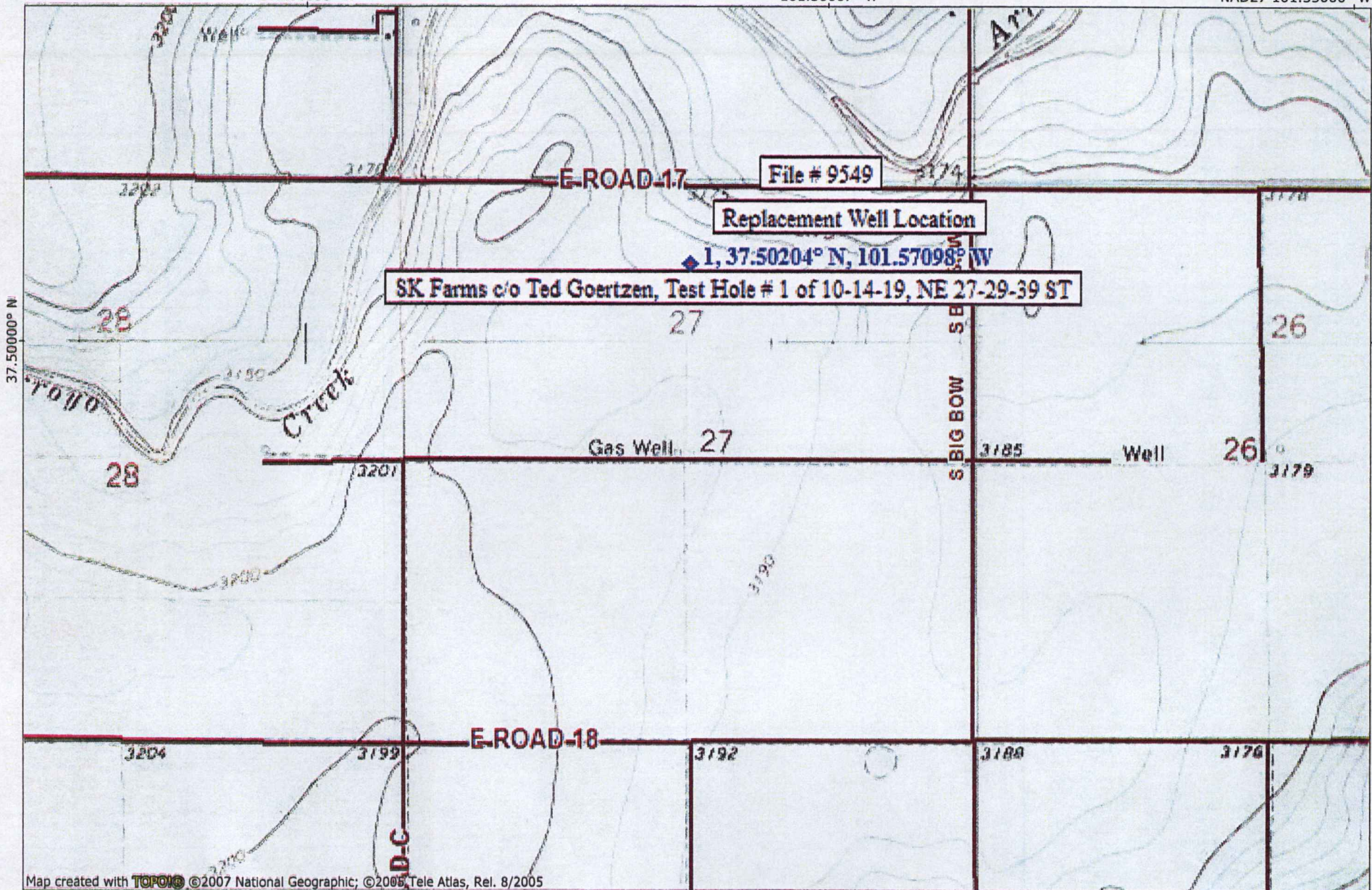
WELL LOCATION 20' SUMP

%	Footage			Description of Strata
	From	Pay	To	
	0		2	Surface
	2		48	Brown Clay, Cobble
	48		97	Brown Clay (firm), few limestone
	97		111	Brown Clay, limestone, few sand
	111		144	Sand, fine to med, coarse
	144		162	Brown, light blue clay, few limestone
	162		177	Brown Clay, few sand
	177		202	Light blue & white clay, few sand
	202		217	Brown Clay (firm) few limestone & sand
	217		309	Sand, fine to med, coarse
	309		325	Brown Clay, (Sluffey Sand)
15%	325	9	334	Sand, fine to small, thin clay
	334		345	Brown Clay
30%	345	35	380	Sand, fine to med, coarse, few small gravel, brown rock
35%	380	33	413	Sand, fine to med, coarse, small to med gravel, brown & white rock
15%	413	5	418	Sand, fine to med, coarse brown rock (HARD + coarse!) 2 Holes
	418		456	Sandstone (firm + sticky) limestone (hard) few sandstone 3 Sluffing
10%	456	24	480	Sandstone (brown + yellow) (Hole Sluffing)
15%	480	34	514	Sandstone (Hole Sluffing), few soapstone (Porky hole to house)
15%	514	23	537	Sandstone, few soapstone, brown + yellow sandstone (Slightly coarse - 1 - coarse)
	537		543	Soapstone limestone (HARD)
	543		560	Red Bed (HARD)
				9549
				- Test Rig -
				- Set up West -
				- Pit to North -
				2 - Super Gel X
				5 - Gravel
				5 - Barite Plug
				1 - Perma Plug

101.58333° W

101.56667° W

NAD27 101.55000° W



37.50000° N

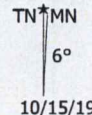
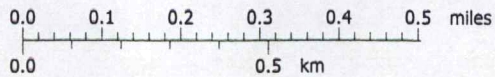
37.50000° N

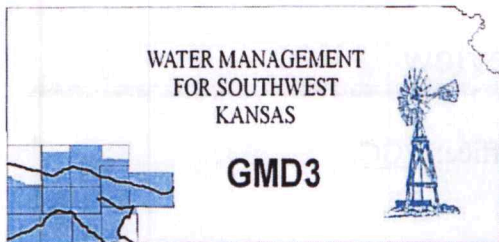
Map created with **TOPO!** ©2007 National Geographic; ©2005 Tele Atlas, Rel. 8/2005

101.58333° W

101.56667° W

NAD27 101.55000° W





**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

November 25, 2019

RECEIVED

NOV 25 2019

Austin J. McColloch  
Division of Water Resources  
4532 W Jones Ave., Suite B  
Garden City, Kansas 67846

Garden City Field Office  
Division of Water Resources

RE: Application for Change in Point of Diversion  
Water Right, File No. 9549

Dear Austin:

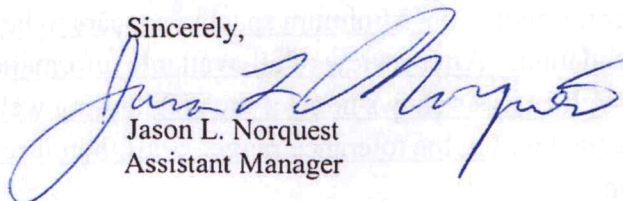
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4 ft in cases where saturated thickness is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that none of the well exceeded the 4.0 ft maximum allowable threshold. The results were based on the proposed well pumping at full authority. We did not receive any comments from our notices. Therefore, GMD3 sees this move as reasonable and unlikely to impair neighboring wells. It is therefore recommended that the application be approved.

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,

A handwritten signature in blue ink, which appears to read "Jason L. Norquest", is written over the typed name and title.

Jason L. Norquest  
Assistant Manager

## GMD3 Change Review

---

File No(s): 9549.

DWR office: GC.

App filed to change: PD

Is Landowner(s) correct in WRIS: Ted Goertzen.

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) 02 being changed.

	ft. North	ft. West	
Authorized PD	2661	2599	Sect 27-29-39
Proposed PD	4464	2477	
Difference	-1803 n	122 e	
a2 + b2 = c2	3250809	14884	1807.123 foot move NE

GPS for proposed PD: Lat: 37.50204 Long: -101.57098.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? \_\_\_.

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 \_\_\_%

**Spacing more than met to neighboring certified wells. They are moving closer to a domestic well, but still meet minimum spacing.**

Is a waiver needed: No. Minimum spacing appears to be met.

Recommendation: After review of all available information, it appears current area rules are met. Well analysis shows none of the neighboring wells are critical and the proposed effects are well within the tolerance range. Staff therefore recommends approval of the application.



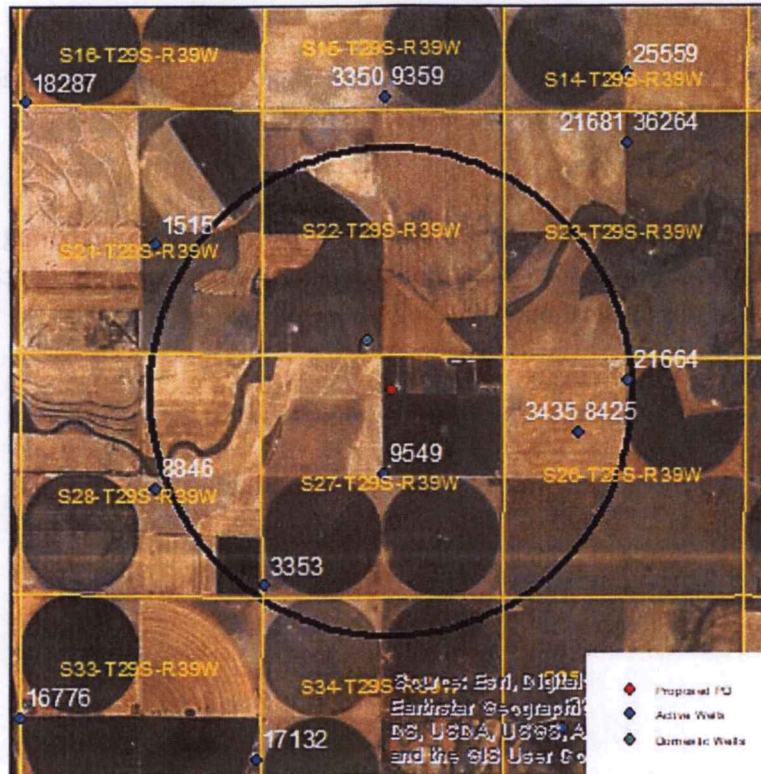
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NOV 25 2019

Evaluation of proposed move for Water Right No 9549

Garden City Field Office  
Division of Water Resources

Proposed: Move water right no. 9549 a distance of 1,807 ft to the north.



Wells within 1 mile: 3353, 3435 & 8425, and a domestic well.

The saturated thickness at the proposed well location is estimated to be 224 ft, based upon measurements from a monitoring well in section 21-29-39 and the driller's log at the proposed well location. For saturated thickness greater than 200 ft, the drawdown allowance is 4.0 ft.

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

$S = 0.1761$ ,  $T = 10,971 \text{ ft}^2/\text{day}$ ,  $t_{p\text{current}} = 99 \text{ days}$  (based upon average use and observed rate),  
 $Q_{\text{current}} = 526 \text{ gpm}$  (based upon 2018 field inspection),  $t_{p\text{proposed}} = 68 \text{ days}$ ,  $Q_{\text{proposed}} = 1070 \text{ gpm}$

These drawdowns were calculated as follows:

3353: Drawdown from current location = 1.27 ft  
Drawdown from proposed location = 1.41 ft  
Net drawdown = 0.1 ft

3435 & 8425: Drawdown from current location = 1.11 ft  
Drawdown from proposed location = 1.61 ft  
Net drawdown = 0.5 ft

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NOV 25 2013

Division of Water Resources  
Garrett County  
Domestic

Drawdown from current location = 1.45 ft

Drawdown from proposed location = 4.10 ft

Net drawdown = 2.7 ft

Net drawdown does not exceed the drawdown allowance of 4.0 ft for any well located within 1 mile of the proposed point of diversion, so no further analysis is necessary.

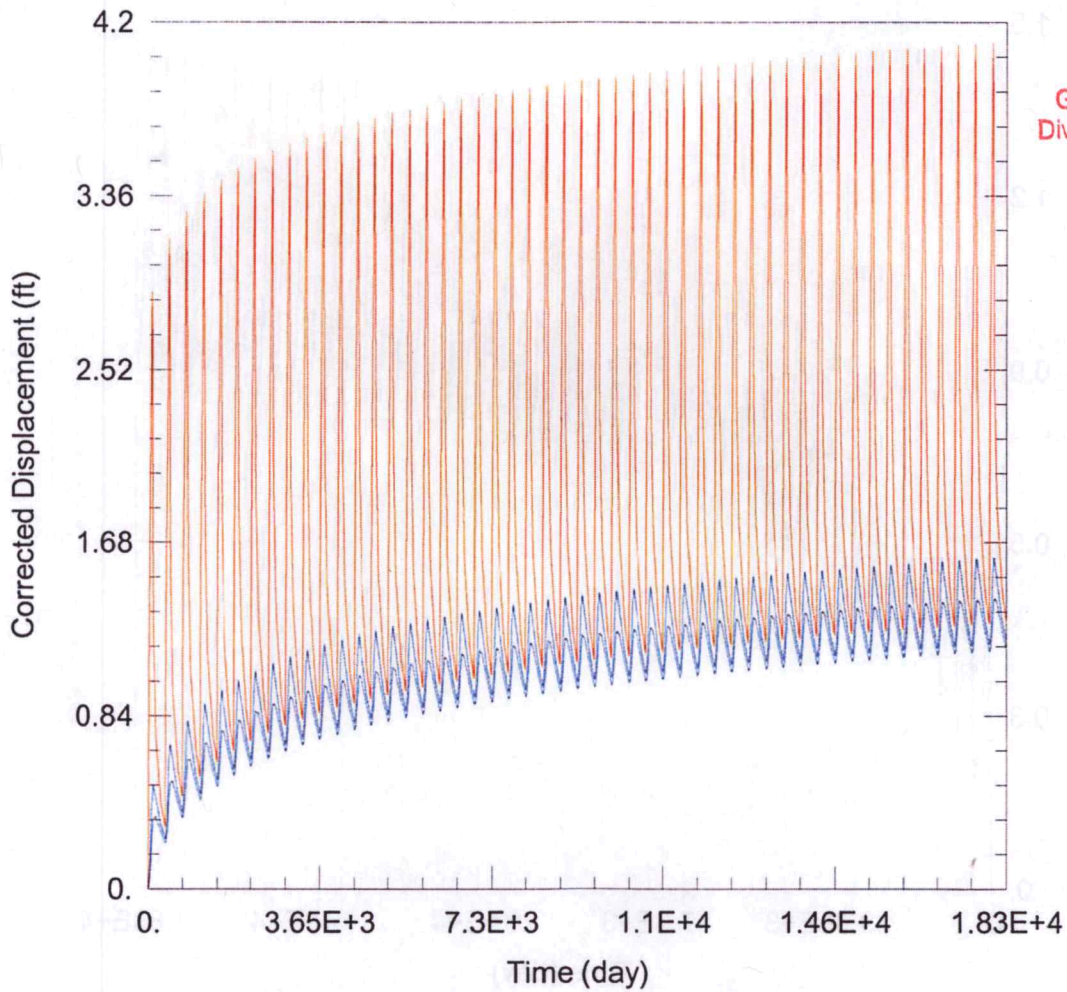
**Conclusion:**

The proposed change is unlikely to have more than a negligible effect on neighboring wells, based upon the aquifer characteristics shown in the GMD3 model and local aquifer saturated thickness. GMD3 staff recommends approval of this application.

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NOV 25 2019

Garden City Field Office  
Division of Water Resources



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2019\_moves\9549\9549 Proposed.aqt  
Date: 11/15/19 Time: 15:36:43

PROJECT INFORMATION

Company: GMD 3  
Project: 9549  
Location: Stanton County  
Test Well: 9549

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
9549	-223818	229228

Observation Wells

Well Name	X (ft)	Y (ft)
□	-223818	229228
□ 3353	-226573	225023
□ 3435 & 8425	-219706	228336
□ Domestic	-224321	230339

SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

T = 1.097E+4 ft<sup>2</sup>/day

S = 0.1761

Kz/Kr = 1.

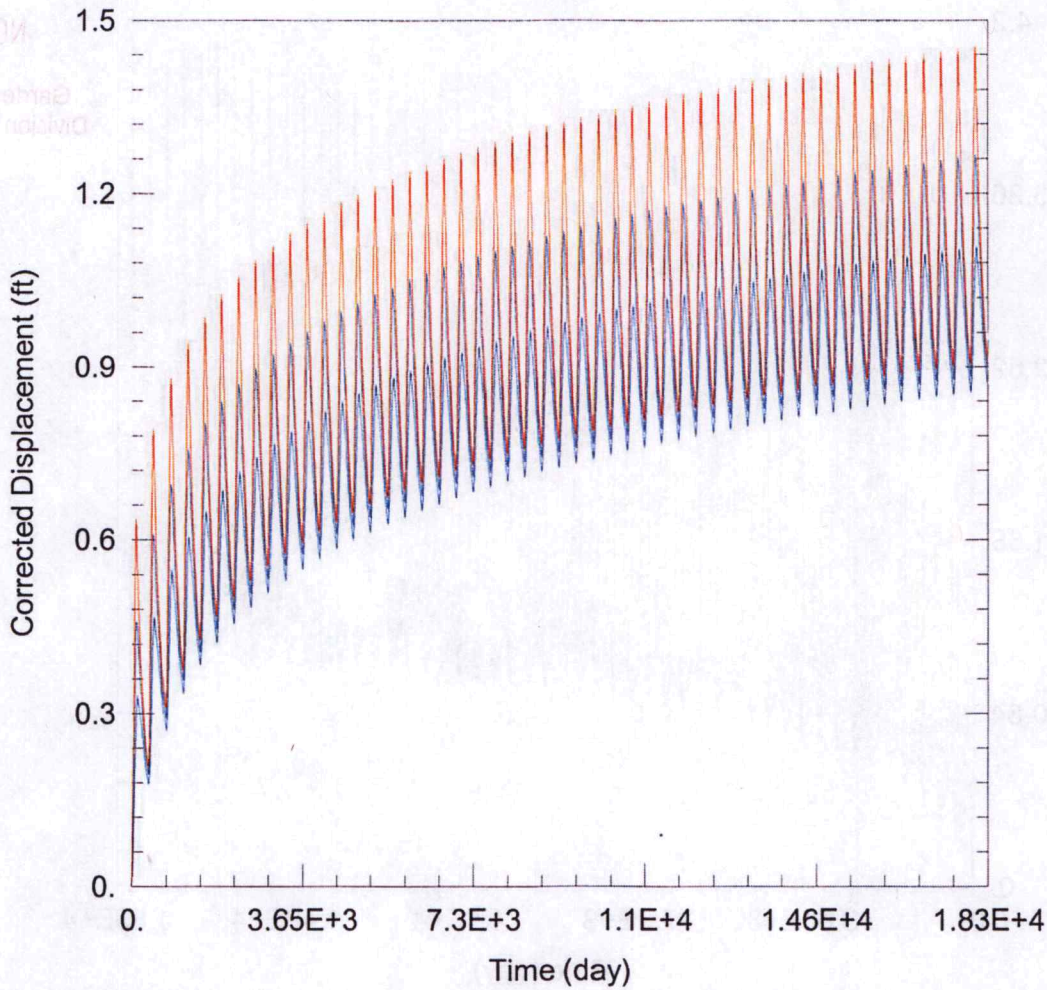
b = 224. ft



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NOV 27 2019

Stanton County Office  
Division of Water Resources



### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2019\_moves\9549\9549 Current.aqt  
 Date: 11/15/19 Time: 15:37:14

### PROJECT INFORMATION

Company: GMD 3  
 Project: 9549  
 Location: Stanton County  
 Test Well: 9549

### WELL DATA

#### Pumping Wells

Well Name	X (ft)	Y (ft)
9549	-223962	227426

#### Observation Wells

Well Name	X (ft)	Y (ft)
□	-223962	227426
□ 3353	-226573	225023
□ 3435 & 8425	-219706	228336
□ Domestic	-224321	230339

### SOLUTION

Aquifer Model: Unconfined

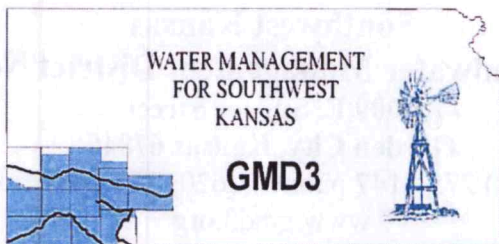
Solution Method: Theis

T = 1.097E+4 ft<sup>2</sup>/day

S = 0.1761

Kz/Kr = 1.

b = 224. ft



**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

November 18, 2019

RECEIVED

Ronald & Joanne Snowbarger  
10463 E RD 17  
Johnson, Kansas 67855

NOV 25 2019

RE: Application for Change in Point of Diversion Water Right, File No. 9549  
Garden City Field Office  
Division of Water Resources

Dear Ronald & Joanne Snowbarger:

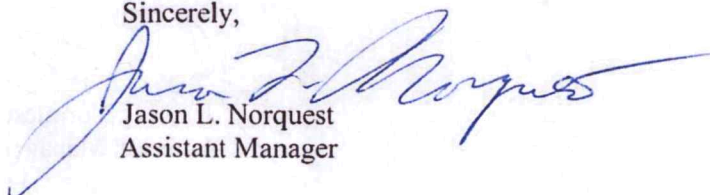
This is to inform you that Noble Dairy has applied to relocate their well roughly 1800 feet NE of their current well location in Section 27, Township 29s, Range 39w, in Stanton county. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. An analysis was performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4 ft in cases where saturated thickness is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. Review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

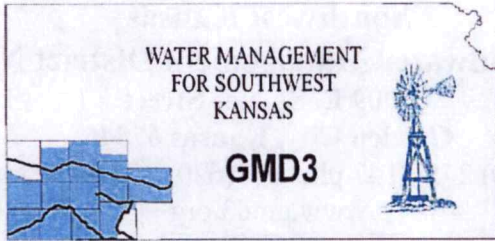
A copy of the full change application can be found on the Division of Water Resources site, [https://sftp.kda.ks.gov:4443/Notices/Garden\\_City\\_Field\\_Office/2019/](https://sftp.kda.ks.gov:4443/Notices/Garden_City_Field_Office/2019/). The results of the analysis can be found at <http://www.gmd3.org/what-we-do/well-to-well-analysis/>. Please review the analysis for the proposed change to Water Right 9549. If you have any questions or wish to provide better information, please contact our office by November 26, 2019. If no response is provided to our office, we will proceed with our recommendation to the Chief Engineer.

Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest  
Assistant Manager



**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

November 18, 2019

RECEIVED

Ronald & Joanne Snowbarger  
10463 E RD 17  
Johnson, Kansas 67855

NOV 25 2019

RE: Application for Change in Point of Diversion  
Water Right, File No. 9549

Garden City Field Office  
Division of Water Resources

Dear Ronald & Joanne Snowbarger:

This is to inform you that ted Goertzen has applied to relocate their well roughly 1800 feet NE of their current well location in Section 27, Township 29s, Range 39w, in Stanton county. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. An analysis was performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4 ft in cases where saturated thickness is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. Review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

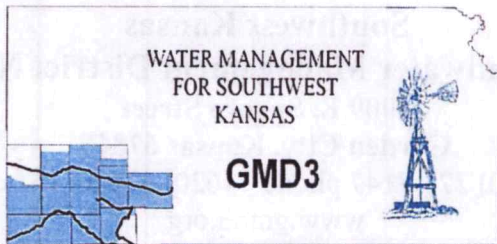
A copy of the full change application can be found on the Division of Water Resources site, [https://sftp.kda.ks.gov:4443/Notices/Garden\\_City\\_Field\\_Office/2019/](https://sftp.kda.ks.gov:4443/Notices/Garden_City_Field_Office/2019/). The results of the analysis can be found at <http://www.gmd3.org/what-we-do/well-to-well-analysis/>. Please review the analysis for the proposed change to Water Right 9549. If you have any questions or wish to provide better information, please contact our office by November 26, 2019. If no response is provided to our office, we will proceed with our recommendation to the Chief Engineer.

Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest  
Assistant Manager



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

November 18, 2019

RECEIVED

NOV 25 2019

John & Carolyn Smith  
PO Box 526  
Johnson, Kansas 67855

Garden City Field Office  
Division of Water Resources

RE: Application for Change in Point of Diversion  
Water Right, File No. 9549

Dear John & Carolyn Smith:

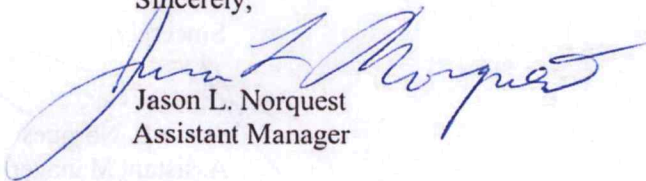
This is to inform you that Ted Goertzen has applied to relocate their well roughly 1800 feet NE of their current well location in Section 27, Township 29s, Range 39w, in Stanton county. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

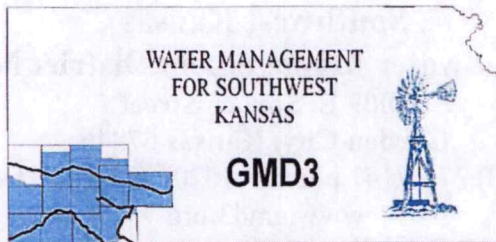
Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. An analysis was performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4 ft in cases where saturated thickness is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. Review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

A copy of the full change application can be found on the Division of Water Resources site, [https://sftp.kda.ks.gov:4443/Notices/Garden\\_City\\_Field\\_Office/2019/](https://sftp.kda.ks.gov:4443/Notices/Garden_City_Field_Office/2019/). The results of the analysis can be found at <http://www.gmd3.org/what-we-do/well-to-well-analysis/>. Please review the analysis for the proposed change to Water Right 9549. If you have any questions or wish to provide better information, please contact our office by November 26, 2019. If no response is provided to our office, we will proceed with our recommendation to the Chief Engineer.

Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,

  
Jason L. Norquest  
Assistant Manager



**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

RECEIVED

November 18, 2019

NOV 25 2019

LTW Trust  
% Leonard Wilson  
212 W Wilson St  
Ulysses, Kansas 67880

Garden City Field Office  
Division of Water Resources

RE: Application for Change in Point of Diversion  
Water Right, File No. 9549

Dear Leonard Wilson:

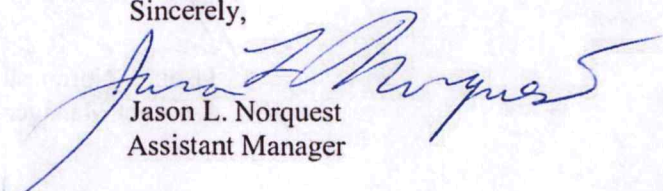
This is to inform you that Ted Goertzen has applied to relocate their well roughly 1800 feet NE of their current well location in Section 27, Township 29s, Range 39w, in Stanton county. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

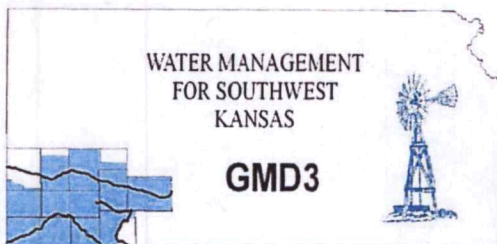
Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. An analysis was performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4 ft in cases where saturated thickness is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. Review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

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Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,

  
Jason L. Norquest  
Assistant Manager



**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

November 18, 2019

RECEIVED

Westwind Farms  
% Jon & Rita Wilson  
PO Box 142  
Johnson, Kansas 67855

NOV 25 2019

Garden City Field Office  
Division of Water Resources

RE: Application for Change in Point of Diversion  
Water Right, File No. 9549

Dear Jon & Rita Wilson:

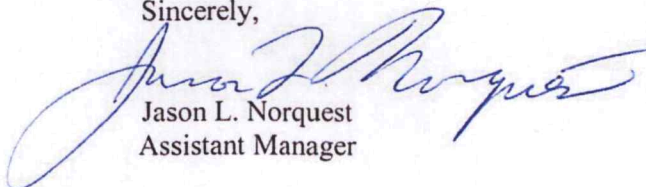
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Thank you for the for your time to review the application and to provide any information. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest  
Assistant Manager

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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

November 5, 2019

GROUNDWATER MANAGEMENT DISTRICT #3  
2009 E SPRUCE ST  
GARDEN CITY KS 67846

Change Application,  
File No. 9549

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Ted goertzen and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin McColloch".

Austin McColloch  
Assistant Water Commissioner

Enclosure  
pc:

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

October 17, 2019

RONALD & JOANNE SNOWBARGER  
10463 E RD 17  
JOHNSON KS 67855

RE: Water Right, File No. 9549

Dear Sir or Madam:

This is to advise you that Ted Goertzen has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application. An irrigation well is proposed to be relocated to the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 27, Township 29 South, Range 39 West, Stanton County.

You can find the complete applications posted by water right file number as referenced above at: <https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED



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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

October 17, 2019

BYRON GOERTZEN  
5122 S BIG BOW GRADE  
JOHNSON KS 67855

RE: Water Right, File No. 9549

Dear Sir or Madam:

This is to advise you that Ted Goertzen has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application. An irrigation well is proposed to be relocated to the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 27, Township 29 South, Range 39 West, Stanton County.

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Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED