

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

6/12/2020

Water Resources
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9:21

KS Dept Of Agriculture

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-4283
www.ksda.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

** 1320 Research Park Drive
Manhattan KS 66507*

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

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JUN 11 2020
1:30
KS DEPT OF AGRICULTURE

File No. 13.618

2. Name of applicant: Phil Dirks

Address: 18005 3 Rd

City, State and Zip: Incolls, KS 67853

Phone Number: (620) 290-6408

E-mail address: dirkscattle@gmail.com

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

Name of water use correspondent: Same as applicant

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): Purchased
about 2012 with irrigation water right and unused 2500 capacity cattle yard with stock well and no stock water right. Change
adds livestock well and use to supply up to 42 AF @ 50 GPM while still irrigating from original well with 130.5 AF @
A waiver of well spacing rule between proposed stock well and neighboring irrigation well. file no. 22.526 is requested.
The change(s) (was) (will be) completed by existing infrastructure in place when purchased property in 2012.

For Office Use Only:															
F.O.	<u>4</u>	GMD	<u>3</u>	Meets K.A.R. 5-5-1	(<input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO)	Use	<u>IRR/STK</u>	Source	<input type="checkbox"/> G / <input type="checkbox"/> S	County	<u>HS</u>	By	<u>KJN</u>	Date	<u>6/12/2020</u>
Code	<u>CGT, CPU, CWU</u>			Fee \$	<u>700.00</u>	TR #		Receipt Date	<u>6-11-2020</u>	Check #	<u>112007</u>				

Assisted by: MARK RUDE
GMD 3

Sticky Note:
Changes/Edits made by
me in discussion with
Mike Meyer @ Garden City
and I approve of the changes.

Phil Dirks
6-9-20

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4. The presently authorized place of use is:
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Owner of Land — NAME: Phil and Julie Dirks

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ADDRESS: 18005 3 Rd. Ingalls, KS 67853

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					
3	28	31w																	40	40	40	40	160

List any other water rights that cover this place of use. none

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. none

(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: Phil and Julie Dirks

ADDRESS: 18005 3 Rd. Ingalls, KS 67853

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					
3	28	31w																	40	40	40	40	160

10 20 31 31 98 *

List any other water rights that cover this place of use. None

Owner of Land — NAME: Phil and Julie Dirks

ADDRESS: 18005 3 Rd. Ingalls, KS 67853

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					
3	28	31w																	Feed lot	In N/2 SE/4			

List any other water rights that cover this place of use. None

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6-9-20

* P.D.
initials

date

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6. The presently authorized point(s) of diversion is one irrigation well, pump, motor and pipe.
(Provide description and number of points)

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7. The proposed point(s) of diversion are one irrigation well and one stock water well that are not connected.
(Provide description and number of points)

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List all presently authorized point(s) of diversion:

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8. Presently authorized point of diversion:

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One in the SE Quarter of the SW Quarter of the SE Quarter
of Section 3, Township 29 South, Range 31 W,
in Haskell County, Kansas, 68 feet North 1687 feet West of Southeast corner of section.
Authorized Rate 2100 GPM Authorized Quantity 180 AF
(DWR use only: Computer ID No. 11 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 SE Quarter of the SW Quarter of the SE Quarter
of Section 3, Township 29 South, Range 31 (EW),
in HS County, Kansas, 68 feet North 1687 feet West of Southeast corner of section.
Proposed Rate 764 GPM Proposed Quantity 130.5 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 _____ (EW),
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 NW Quarter of the NE Quarter of the SE Quarter
of Section 3, Township 29 South, Range 31 W,
in Haskel County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Proposed Rate 50 GPM Proposed Quantity 42 AF OR 13.685 MG

This point is: Additional Well Geo Center List other water rights that will use this point None

10. Presently authorized point of diversion:

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (EW),
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 _____ (EW),
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. N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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File No. 13,618

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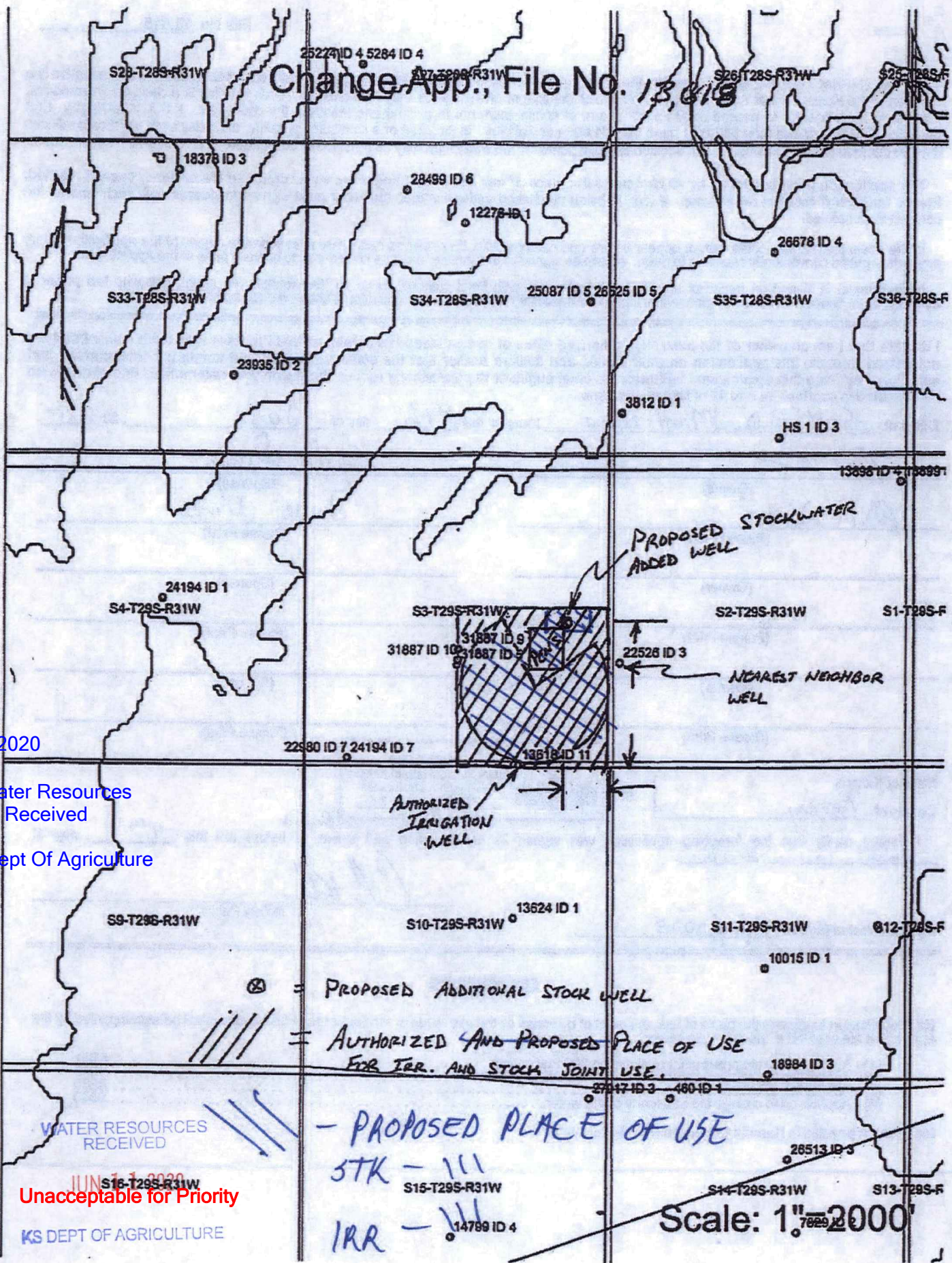
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12. The presently authorized use of water is for irrigation purposes.
It is proposed that the use be changed to Joint use Irrigation and Stockwater purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
The most conservative consumptive use calculation for a dual use additional well spacing waiver proposal relies on K.A.R. 5-5-9 change rule requiring a limit of 19.26 AF less than present annual quantity of 180 AF. Applicant agrees to be limited to 160.74 AF/year overall and the additional well to be limited to 42 AF/year. Limits instead of reductions are requested to preserve perfected property right and avoid preventing a future return to a restored fully irrigated field and water right if the small feedyard is ever removed. See "Change Policy GMD3 Calculations attached to this form. (Please show any calculations here.)
14. It is requested that the maximum annual quantity of water be reduced to limit to 172.5 AF/year (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to limited to 814 gallons per minute (____ c.f.s.).
16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
- 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 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
 - 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.
- Attached is documentation of the GMD3 well drawdown estimates according to GMD3 guidelines that indicate the proposed additional well and rate will have a deminimus effect on any other wells and will therefore meet the spirit of the spacing rules and not impair other water rights.
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.
- A GMD3 well spacing waiver of K.A.R. 5-23-3 is needed and supported by a written statement from the owner of the conflicting well, the favorable well drawdown effects estimated under the GMD3 adopted guidelines, the higher value use for Type (1) water conservation under the public interest of the draft revised GMD3 groundwater management program.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Change App., File No. 13,619



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UNACCEPTABLE FOR PRIORITY
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⊗ = PROPOSED ADDITIONAL STOCK WELL
▨ = AUTHORIZED AND PROPOSED PLACE OF USE FOR IRR. AND STOCK JOINT USE.

5TK - ▨
IRR - ▨
Scale: 1" = 2000'

528-T28S-R31W
Unacceptable for Priority

Ch... File No.

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S33-T28S-R31W

S34-T28S-R31W

S36-T28S-R31W

S38-T28S-R31W

23935 ID 2

28499 ID 6

12276 ID 1

25087 ID 5 26525 ID 5

26678 ID 4

3812 ID 1

HS 1 ID 3

24194 ID 1

S4-T29S-R31W

S3-T28S-R31W

S2-T29S-R31W

S1-T29S-R31W

31887 ID 9
31887 ID 10
31887 ID 5

22526 ID 3

13898 ID 4 13899

22980 ID 7 24194 ID 7

13618 ID 11

13624 ID 1

S10-T29S-R31W

S11-T29S-R31W

S12-T29S-R31W

10015 ID 1

18984 ID 3

S29S-R31W

14799 ID 4

22017 ID 3 460 ID 1

26513 ID 3

S14-T29S-R31W

S29S-R31W

Scale

7523 ID 2

****Change Policy GMD3 Calculations****

Water Right(s):

AF Auth:

Application calculations

Water Right 13618: 180AF @ 2100gpm

KAR 5-5-11 5 year MOU

NIR 50% / .85 X base acres

X 5 for the five year allocation

NIR 50%: Avg. AF 0.0
 Base Acres: 5 year allocation: 0.0

	NIR50%	NIR80%	Consumptive %
Finney	1.21	1.36	87.4%
Ford	1.14	1.31	89.4%
Grant	1.24	1.39	86.9%
Gray	1.15	1.34	89.3%
Hamilton	1.27	1.41	83.0%
Haskell	1.21	1.37	84.9%
Kearny	1.24	1.38	87.3%
Meade	1.19	1.34	84.8%
Morton	1.28	1.43	88.3%
Seward	1.21	1.37	87.6%
Stanton	1.30	1.43	86.6%
Stevens	1.23	1.40	89.1%

KAR 5-5-9 Change UMW

Consumptive % X Current allocation

Con %: 84.9% New Allocation: 152.82
 Current AF: 180 This would also be allocation for dual use

KAR 5-5-10 Partial Change UMW

Con %: 84.9%
 Base Acres: 160 **Assumed in this case
 Current AF: 180
 AF needed: 42 **2500 head would be 42AF/year
 Step 1: Consumptive % X Current Allocation = Max AF available
 152.82 AF
 Step 2: AF wanted / Max AF available = % changed to new use
 27.5% to new use
 72.5% to remain IRR
 Step 3: % remaining IRR X Current AF = AF still IRR
 130.5 AF remaining IRR

Water Right 13624 was stacked on this WR
 Until change app in 2002 moved
 it so section 10

KAR 5-5-16 Additional well

(Max acres * NIR 80%) / .85

Max Acres: 160 **Assumed in this case
 Nir 80% 1.37
 257.9 AF available to split
 **this would allow all to be split

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Jason Norquest, GMD3

6/12/2020

3812: Net drawdown = 0.4 ft
HS 1: Net drawdown = 0.3 ft
Domestic 2-29-31: Net drawdown = 0.5 ft
Domestic 35-28-31: Net drawdown = 0.4 ft

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WATER RESOURCES
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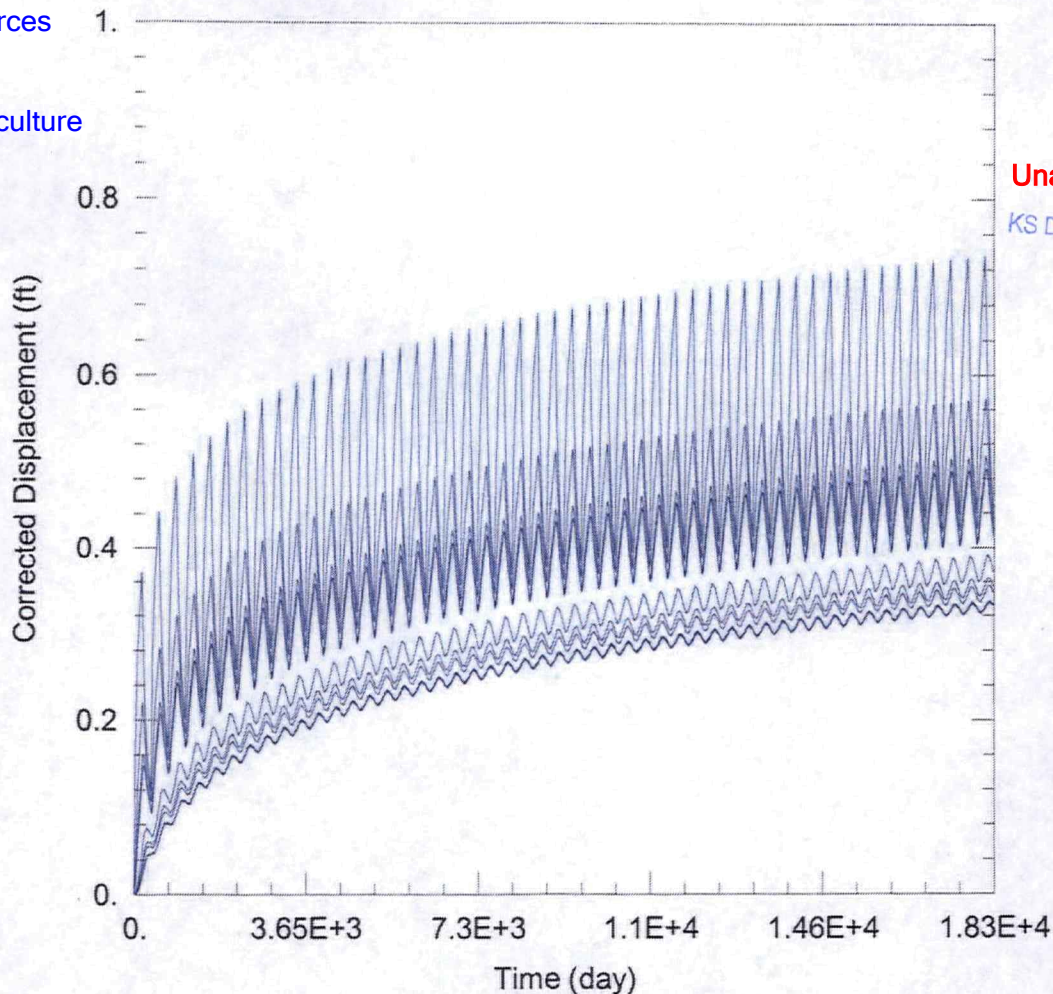
Net drawdown does not exceed the drawdown allowance of 3.5 ft for any wells within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

Conclusion:

Based upon information from the GMD3 model, this proposal will cause minimal effects on neighboring wells, and is unlikely to create an impairment. On the question of well to well interference, GMD3 staff recommends supporting the application.

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WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020_moves\13618\13618.aqt
Date: 05/29/20 Time: 11:32:56

PROJECT INFORMATION

Company: GMD 3
Project: 13618
Location: Haskell County
Test Well: 13618

WELL DATA

Pumping Wells

Observation Wells

Well Name	X (ft)	Y (ft)
Proposed PD	31278	247239

Well Name	X (ft)	Y (ft)
□	31278	247239
□ 22980 & 24194	27544	245079
□ 31887	29448	246743
□ 13618	30511	244969
□ 13624	30425	242395
□ 22526	32259	246705
□ 3812	32274	250922
□ HS 1	35011	250501
□ Domestic 2-29-31	33710	246567
□ Domestic 35-28-31	34360	250538

SOLUTION

Analysis Method: Unconfined

Solution Method: Theis

WATER RIGHT INFORMATION REPORT FOR: 13618 00
 RIGHT TYPE: Appropriation
 SOURCE: Groundwater USE: IRR
 CURRENT STATUS: Certificate Issued
 PRIORITY DATE: 19-JUN-67
 CURRENT COMPLETE BY DATE: 31-DEC-71
 COMPLETION ACKNOWLEDGED DATE: 15-FEB-71
 CURRENT PERFECT BY DATE: 31-DEC-75
 YEAR PERFECTED:
 CERTIFICATE ISSUE DATE: 13-APR-84

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APPLICANTS:

> THOMAS L WARD BOX 65 COPELAND KS 67837
 > PERSON ID (Old Address Code): 18884
 > CORRESPONDENT SEQUENCE NUMBER: 1

WATER USE CORRESPONDENT(S):

> PHIL & JULIE DIRKS 19505 7 RD INGALLS KS 67853
 > PERSON ID (Old Address Code): 59144
 > CORRESPONDENT SEQUENCE NUMBER: 1

ACTION TRAIL:

> 19-JUN-67 Pending Initial Review
 > 28-APR-70 Approved Pending Completion N+P BY 31-DEC-71 PERF BY 31-DEC-75
 > 15-FEB-71 Completed Pending Inspection
 > 24-AUG-78 Inspected Pending Perfection
 > 04-MAR-82 Proposed Certificate
 > 13-APR-84 Certificate Issued
 > 13-APR-84 Ext 12-31-77
 > 13-APR-84 Owner Chg
 > 09-OCT-03 Landowner Chg -Russell & Manola P Batterton
 > 09-OCT-03 Wur From Thomas Ward To Kent & Alishcia Thornton
 > 09-OCT-03 Notarized Wuc
 > 05-MAR-08 Water Right Violation-Notice Of Non-Compliance Issued
 > 21-JAN-09 (Bro) Compliance Investigation
 > 29-JUN-11 Water Right Violation-Notice Of Non-Compliance Issued
 > 13-MAY-13 Landowner Chg - Phil Dirks
 > 13-MAY-13 Wur From Kent & Alishcia Thornton To Phil Dirks
 > 08-JUL-13 C1 Fo Change App Pd Filed
 > 11-JUL-13 C1 Fo Change Pd Approved CHG N+P BY 31-DEC-13
 > 11-JUL-13 Name Chg - Phil & Julie Dirks
 > 13-DEC-13 C1 Change Completion Acknowledged

CONSERVATION CONTRACT ACTION TRAIL:

CONSERVATION PLAN ACTION TRAIL:

SPECIAL CONDITIONS:

QUANTITIES:

> AUTHORIZED 180.000 AF ADDITIONAL 180.000 AF

RATES:

> AUTHORIZED 2100.000 gpm ADDITIONAL 2100.000 gpm

LIMITATIONS: None

STORAGE QUANTITIES: No active storage quantities associated with IRR Use under this water right

5/26/2020

Water Right Info

42	1079												
2005	50N	1400W	3	2	24-APR-06	1000	153.0	A	108	01-JUN-03	220	N/A	
38	1932												
2004	50N	1400W	3	2	02-MAR-05	1000	199.2	M	108	01-JUL-04	220	N/A	
32	1285												
2003	50N	1400W	3	2	18-MAR-04	1000	170.0	A	108	01-JUN-03	220	N/A	
26	1594												
2002	50N	1400W	3	2	27-JAN-03	1135	950	A	365	10-JAN-03	290	N/A	
17	1591												
2001	50N	1400W	3	2	16-JAN-02	1782	1000	A	365	05-JAN-02	280	395	
11	1445												
2000	50N	1400W	3	2	24-JAN-01	2082	1000	A	365	29-AUG-01	275	395	
5	1687												
1999	50N	1400W	3	2	14-JAN-00	1736	1000	A	355	01-JAN-00	263	390	
1	850												
1998	50N	1400W	3	2	19-JAN-99	1891	1100	A	355	01-JAN-99	263	390	
92	1463												
1997	50N	1400W	3	2	20-JAN-98	1310	1100	A	354	01-JAN-97	255	390	
86	1514												
1996	50N	1400W	3	2	30-JAN-97	2769	1150	A	354	10-JAN-97	252	390	
80	2969												
1995	50N	1400W	3	2	25-JAN-96	2124	1200	G	356	01-JAN-96	250	390	
74	2524												
1994	50N	1400W	3	2	10-JAN-95	2098	1300	7	355	01-MAR-94	240	390	
68	920												
1993	50N	1400W	3	2	24-JAN-94	1557	1300	7	350	01-JAN-94	240	390	
62	2128												
1992	50N	1400W	3	2	22-FEB-93	2604	1200	7	356	01-FEB-93	240	390	
58	3093												
1991	50N	1400W	3	2	29-JAN-92	2382	1200	G	360	01-JAN-92	239	390	
52	16												
1990	50N	1400W	3	2	01-FEB-91	1688	1400	G	356	01-JAN-91	233	390	
46	248												
1990	50N	1400W	3	1	01-FEB-91	Comment: GRAIN SORGHUM & WHEAT							
1989	50N	1400W	3	2	16-JAN-90	1397	1300	G	356	01-JAN-88	230	390	
39	2595												
1988	50N	1400W	3	2		1605	1150	G	356		N/A	N/A	
34	1285												
1987	50N	1400W	3	2		1530	1800	G	340		N/A	N/A	
29	1430												
1986	50N	1400W	3	2		2095	1600	G	360	01-JAN-87	221	390	
24	325												
1985	50N	1400W	3	2		1793	1500	G	340		N/A	N/A	
21	1946												
1984	50N	1400W	3	2		1795	1500	G	780		N/A	N/A	
16	1196												
1983	50N	1400W	3	2		1600	1800	G	600	10-JAN-84	208	390	
10	1422												
1982	50N	1400W	3	2		460	1800	G	90		N/A	N/A	
7	2101												
1981	50N	1400W	3	2		1570	1800	G	330		N/A	N/A	
2	497												

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Waiver Form

Water Right file number 13618 located on SE 3-29-31 Haskell County owned by Phil Dirks has a stock well located 1006 +- feet from water right file number 22526 located on SW 2-29-31 owned by Klepper Farms LLC.

By signing below Klepper Farms LLC agrees to support waiver of well spacing rules under the effort of Phil Dirks to secure needed water rights for supplying water to cattle pens permitted by KDHE permit # KS0097268. This waiver would be in place until/ unless both parties agree to make changes.

Also, Phil Dirks was unaware that the well supplying stock pens did not have a water right when he purchased this property.

Robert Bales

Officer of Klepper Farms LLC

Vanessa Johnson

Witness

6/12/2020

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SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT #3

FLOWMETER TEST REPORT

FILE(S) **13618** COUNTY: Haskell TEST CONDUCTED BY **CL** WATER RESOURCES RECEIVED
 DATE June 3, 2020 TIME: 1:45
 GPS N: 37.54781 W: 100.69489 Taken at: Well Unacceptable for Priority
 WELL LOCATION **Section: 3** **Township: 29** **Range: 31** KS DEPT OF AGRICULTURE
ID: 11 **QUARTER: SE**
 Distance from SE corner: 68 feet North 1687 feet West

METER LOCATION Well

METER INFORMATION

Serial Number: **92-10-1074N** Model: MO310-750 Last Service: 5/14/2010
 Manufacturer: McCrometer Meter Type: Propeller
 Pipe Size: OD: 10.750 ID: 10.481
 Totalizer units: Acre Feet Multiplier: 0.001 6/12/2020
 Manufacturer Seal & ID: GLB GMD3 Seal: None Water Resources Received
 DWR Chain & Seal & ID: Yes KS Dept Of Agriculture
 Remarks:

METER INSTALLATION

Full pipe flow: Yes
 Straightening vanes: Blue Tube
 Straight Run (inches) Upstream: 82 Downstream: 6 Measurements to meter stem.

PUMP INFORMATION

Power: Natural Gas
 Manufacturer: Horsepower: Ratio:
 Engine rpm: Pump rpm:
 Pressure (psi): Measured at:

INSTALLED METER TIME TEST

Visual Rate: 800 gpm
 Calculated rate:

End Read	416.570	End Time	28:25
Begin Read	416.499	Begin Time	0
Difference	0.071	Time (min.)	
Diff. Gal.	23135.4	Time (.00)	28.42

Installed Meter gpm 814.1

NON-INTRUSIVE FLOWMETER TEST

Manufacturer: FUJI
 Model: PORTAFLOW Serial number: Q6J4361T
 Pipe OD: 10.00 Thickness: 0.050 Material: Aluminum
 Test location: Flood pipe west of the pens, approximately 22' downstream of flood valve.
 Transducer spacing: 7.563
 Signal Strength: 5 bars, normal
 Sound Speed (ft/s): 4603 Velocity (ft/s): 3.3

RESULT Standard meter rate: 811.4 gpm Installed meter rate: 814.1 gpm

Remarks: 10 minute flow test resulted in 8,114 total gallons.
 Installed gpm - Standard gpm = **2.7 gpm difference**
 GPM Difference ÷ Standard gpm = calculated % difference
Calculated % difference 0.3% GMD3 seal # No - DWR Chain

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 Montezuma, Kansas, this 4th day of June, 2020.

Phil Dicks
(Owner)

Phil Dicks
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

Julie Dicks
(Spouse)

Julie Dicks
(Please Print)

(Spouse)

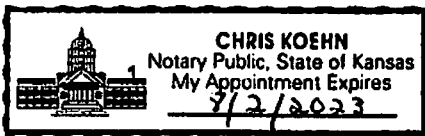
(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Gray }

SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4th day of June, 2020.

Chris Koehn
Notary Public

My Commission Expires 8/2/2023

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.

6/12/2020

Water Resources
Received

KS Dept Of Agriculture