

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

1. File Number: <b>20261</b>	2. Status Change Date: <b>4-15-2020</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <b>4/10/2020</b>
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8a. LANDOWNER,  
 New to system

Person ID **25706**  
 Add Seq# **1**

**VICTOR V HANDS  
 2001 JULIAN AVE  
 AMARILLO, TX 79101-1404**

8c. Correspondent  
 New to system

Person ID **36412**  
 Add Seq# \_\_\_\_\_

**TRIANGLE H GRAIN & CATTLE CO  
 1955 W PLYMELL RD  
 GARDEN CITY, KS 67846**

8b. Landowner(s),  
 New to system

Person ID \_\_\_\_\_  
 Add Seq# \_\_\_\_\_

8d. correspondent  
 New to system

Person ID \_\_\_\_\_  
 Add Seq# \_\_\_\_\_

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2020**     N & P Date to Comply: **3/1/2021**

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter

Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

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

Date Prepared: **4/15/20**    By: **MAM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **20261**      11. County: HS      Basin: ARKANSAS RIVER      Stream:      Formation Code: 211/331      Special Use:

12. Points of Diversion										Rate and Quantity				
CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	
ENT		CENE	2	27	32W		3959	432		1220	76	0	76	20260, 27393

DEL 22739

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				
CHK 8713																									

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

April 15, 2020

TRIANGLE H GRAIN & CATTLE CO  
1955 W PLYMELL RD  
GARDEN CITY, KS 67846

RE: Water Right, File Nos. 20260, 20261, 27393

Dear Sir:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to this enclosure and to the terms, conditions, and limitations specified in the approvals for change. Conditions of the approvals are that acceptable water flowmeter must be installed on the diversion works authorized under the referenced file numbers 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 modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael A. Meyer  
Water Commissioner

MAM:  
enclosures

(more on back)

pc:

VICTOR V HANDS  
2001 JULIAN AVE  
AMARILLO, TX 79101-1404

LEAR FARMS INC  
Attn: THOMAS J LEAR  
4280 E LEAR RD  
GARDEN CITY, KS 67846-8937

GMD3

April 15, 2020

**CERTIFICATE OF SERVICE**

On this 15<sup>th</sup> day of April 2020, I hereby certify that the foregoing Approvals of Application for Change in Point of Diversion, Water Right, File Nos. 20,260, 20,261, 27,393, dated 15<sup>th</sup> day of April 2020 were mailed postage prepaid, first class, US mail to the following:


TRIANGLE H GRAIN & CATTLE CO  
1955 W PLYMELL RD  
GARDEN CITY, KS 67846

With photocopies to:

VICTOR V HANDS  
2001 JULIAN AVE  
AMARILLO, TX 79101-1404

LEAR FARMS INC  
Attn: THOMAS J LEAR  
4280 E LEAR RD  
GARDEN CITY, KS 67846-8937

GROUNDWATER MANAGEMENT DISTRICT NO. 3

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

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

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

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



**STATE OF KANSAS**

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

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

File No. 20261

**RECEIVED**  
 4:38pm  
 APR 10 2020

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

**Garden City Field Office  
 DIVISION OF WATER RESOURCES**

2. Name and address of Applicant: TRIANGLE H GRAIN & CATTLE CO, TYLER HANDS  
1955 W PLYMELL RD, GARDEN CITY, KS 67846

Phone Number: (     )                                              Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: NO CHANGE

Phone Number: (     )                                              Email address: \_\_\_\_\_

3. The presently authorized place of use is:

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	

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	

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>200.00</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>4-10-20</u> <b>Check #</b> <u>6995</u>
----------------------------------------------------------------------------------------------------------------------------------------------------

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ CE Quarter of the \_\_\_\_\_ NW Quarter  
 of Section \_\_\_\_\_ 2 \_\_\_\_\_, Township \_\_\_\_\_ 27 \_\_\_\_\_ South, Range \_\_\_\_\_ 32 \_\_\_\_\_ W,  
 in HS \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 3960 \_\_\_\_\_ feet North \_\_\_\_\_ 2670 \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ --- \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ --- \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 02 \_\_\_\_\_ 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 \_\_\_\_\_ CE Quarter of the \_\_\_\_\_ NE Quarter  
 of Section \_\_\_\_\_ 2 \_\_\_\_\_, Township \_\_\_\_\_ 27 \_\_\_\_\_ South, Range \_\_\_\_\_ 32 \_\_\_\_\_ W,  
 in HS \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 3959 \_\_\_\_\_ feet North \_\_\_\_\_ 432 \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ --- \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ --- \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_ 475 \_\_\_\_\_  
 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) POOR WELL YIELD  
SHALLOW WELL

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

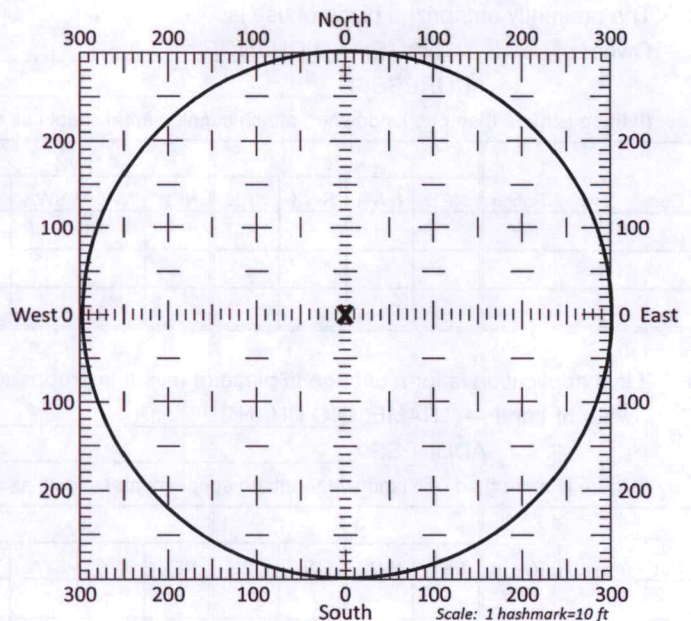
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by MM/DWR

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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

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 4/4/2020, Kansas, this 4<sup>th</sup> day of April, 2020.

Victor Hardin  
(Owner)

Dixie Caroline McCall Hardin  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of Kansas }  
County of FINNEY } SS

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



Catherine Reinert  
Notary Public

My Commission Expires 9-14-22

**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



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 \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

*[Signature]*  
\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of Kansas }  
County of FINNEY } SS

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

My Commission Expires 9-14-22



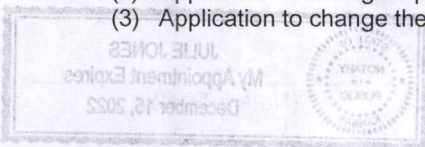
*[Signature]*  
\_\_\_\_\_  
Notary Public

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. 20261.

1. A change application was received on APRIL 10, 2020 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, 2020 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.

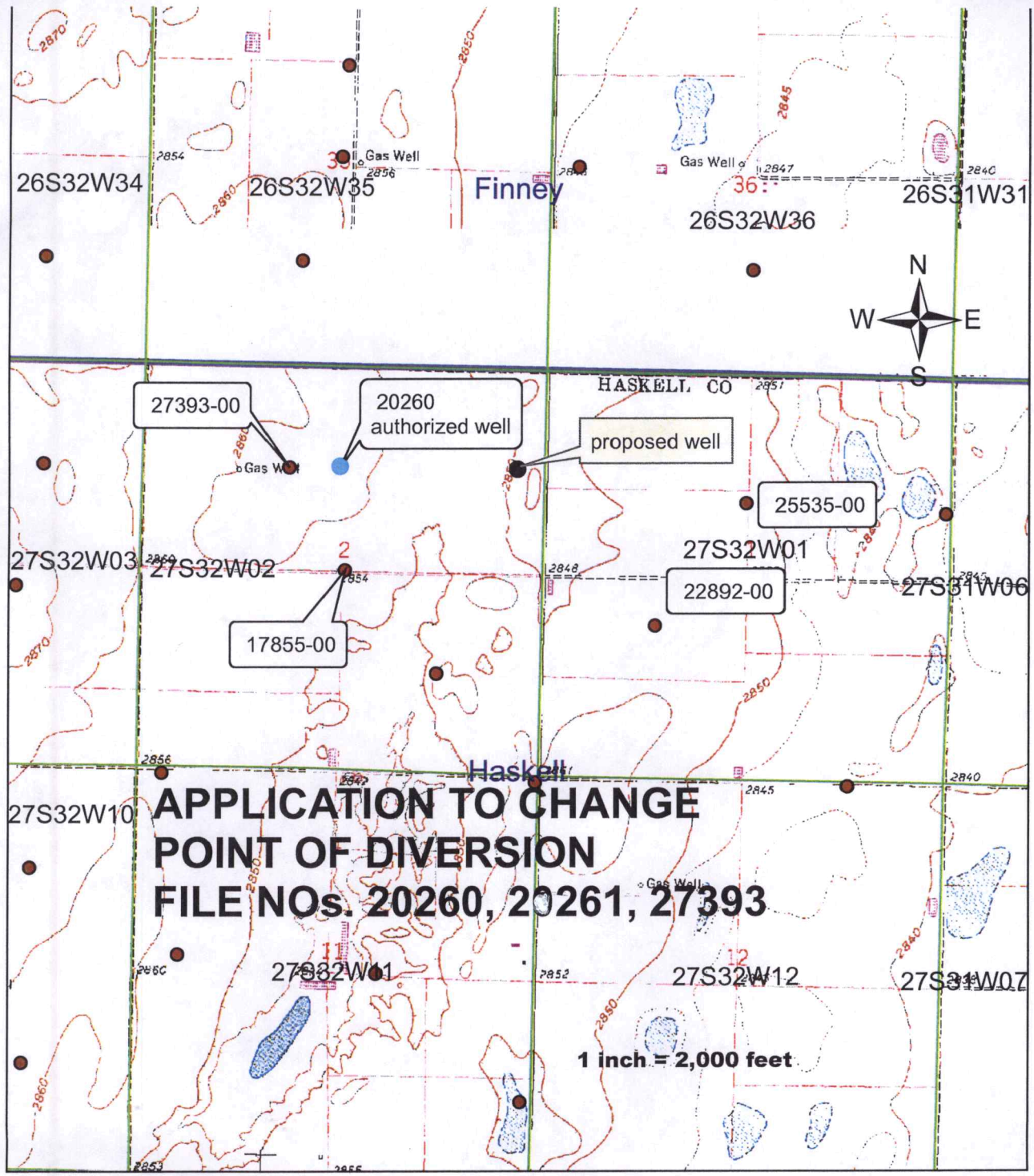
*For Use by Register of Deeds*

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

By: Michael A. Meyer  
Duly Authorized Designee of the Chief Engineer  
(Print Name): MICHAEL A. MEYER  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: APRIL 15, 2020  
State of Kansas )  
County of Jinney ) SS  
Acknowledged before me on April 15, 2022  
by Michael A. Meyer  
Signature: Julie Jones  
Notary Public

My commission expires:





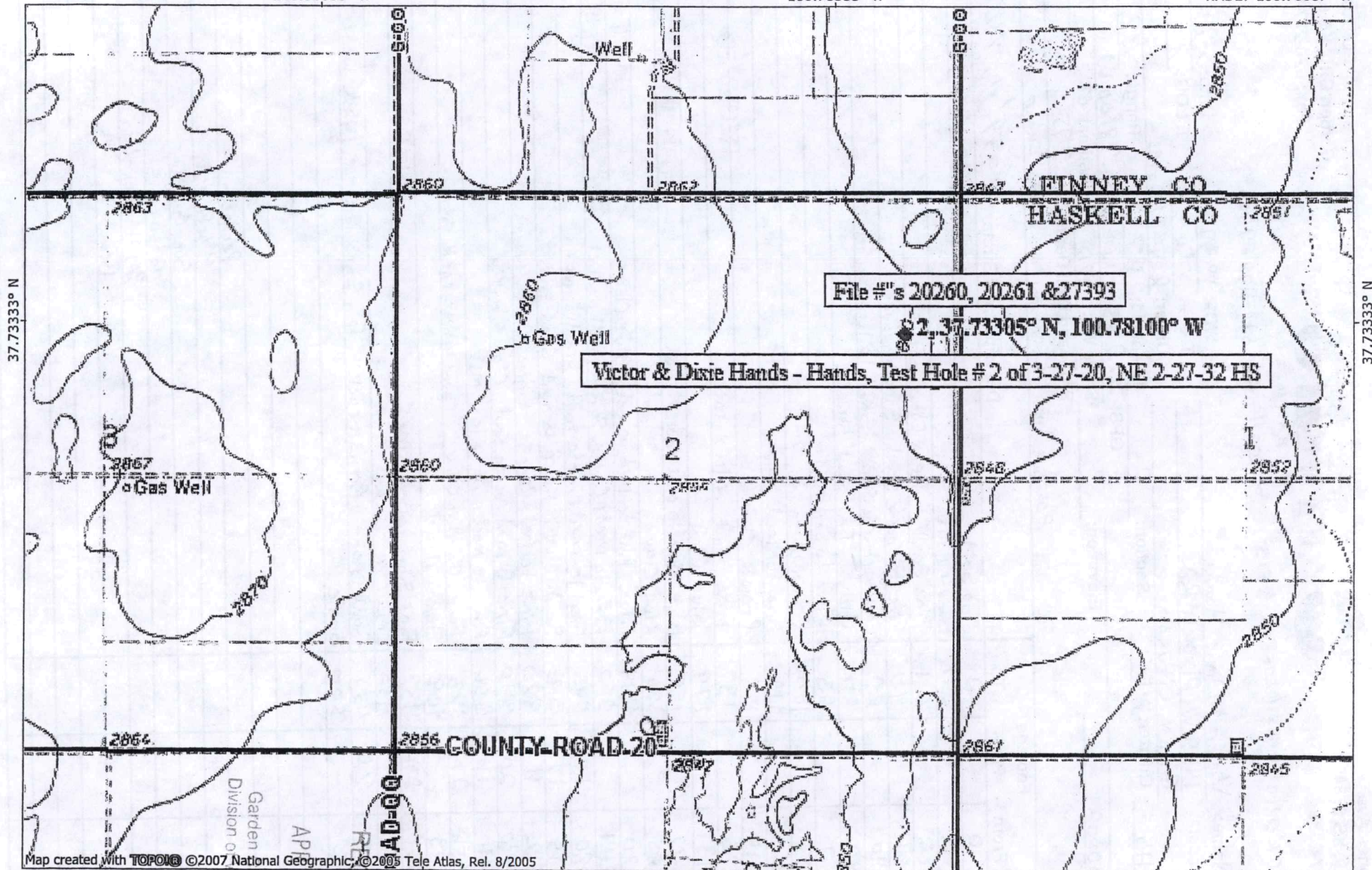
X \_\_\_\_\_  
**APPLICANT SIGNATURE**  
**NO OTHER WELLS WITHIN ONE HALF MILE**



100.80000° W

100.78333° W

NAD27 100.76667° W



File #'s 20260, 20261 & 27393

$2, 37.73305^\circ \text{ N}, 100.78100^\circ \text{ W}$

Victor & Dixie Hands - Hands, Test Hole # 2 of 3-27-20, NE 2-27-32 HS

37.73333° N

37.73333° N

100.80000° W

100.78333° W

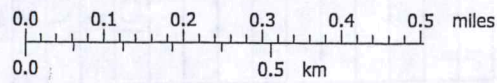
NAD27 100.76667° W

NATIONAL GEOGRAPHIC

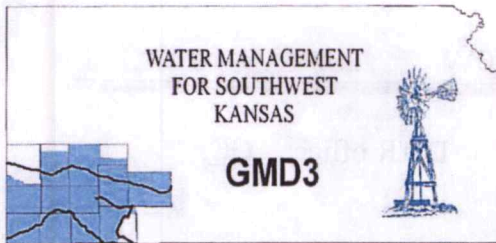
Garden City Field Office  
Division of Water Resources

APR 01 2020

RECEIVED



TN MN  
5 1/2°  
03/29/20



**Southwest Kansas**  
**Groundwater Management District No. 3**  
2009 E. Spruce Street  
Garden City, Kansas 67846  
(620) 275-7147 phone (620) 275-1431 fax  
www.gmd3.org

April 14, 2020

Michael A. Meyer  
Division of Water Resources  
4532 W Jones Ave., Suite B  
Garden City, Kansas 67846

RE: Application for Change in Point of Diversion  
Water Right, File Nos. 20260, 20261 & 27393

Dear Mike:

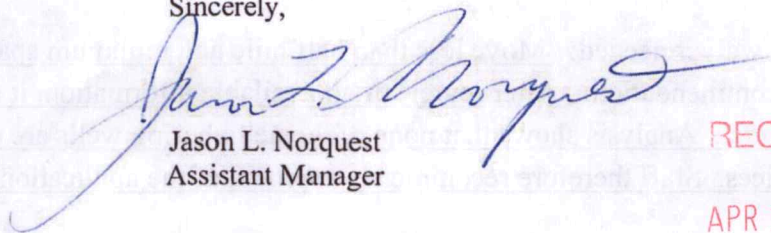
We have completed a review of the applications for the above referenced water rights. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

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 (3.5 ft in cases where saturated thickness range is between 150-200 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 neighboring wells exceeded the net effect above the maximum allowable threshold. Our office received no comments from neighboring well owners. Therefore, GMD3 sees this move as reasonable and therefore recommend that the application be approved. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

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 a faint, horizontal line.

Jason L. Norquest  
Assistant Manager

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Division of Water Resources

## GMD3 Change Review

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File No(s): 20260.20261 & 27393.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Hands.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? \_\_\_.

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	3960	2670	Sect 2-27-32
Proposed PD	3959	432	
Difference	1	2238 e	
a2 + b2 = c2	1	5008644	2238 foot move East

GPS for proposed PD: Lat: 37.73305 Long: -100.78100.

Is proposed PD stacking on existing WRs? No, keeping current stack and moving all three.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: \_\_\_.

Name Heiman Family Farms .

Address 9460 S County Road 15 .

Zip Garden City, KS 67846 .

Name Lear Farms Inc. %Thomas Lear .

Address 4280 E Lear RD.

Zip Garden City, KS 67846 .

Name Henry W & Susan Miller Trusts.

Address 440 Road RR.

Zip Sublette, KS 67877 .

Base Acres: \_\_\_.

Perfected Acres: \_\_\_.

Irr. Return-Flow \_\_\_%

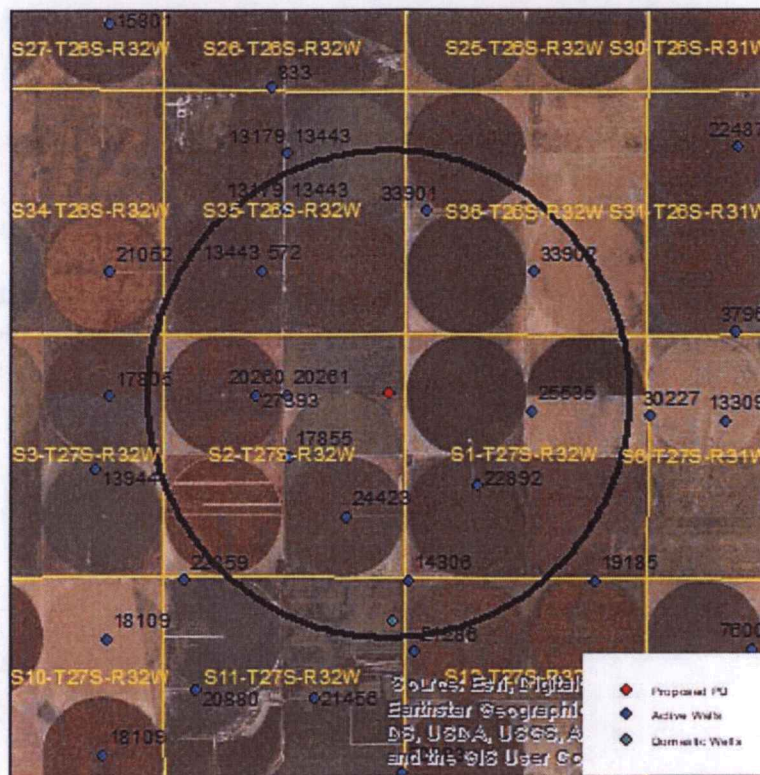
Is a waiver needed: Move less than half mile and minimum spacing is met .

Recommendation: After review of all available information, it appears current area rules are met. Analysis shows that none of the neighboring wells are critical. No response for notices. Staff therefore recommends approval of the application.



**Evaluation of proposed move for Water Right Nos 20260 & 20261 & 27393**

Proposed: Move water right nos. 20260 & 20261 & 27393 a distance of 2,221 ft to the east.



Wells within 1 mile: 27393, 17855, 24423, 14306, 22892, 25535, 33902, 33901, 572 & 13443, 13179 & 13443, and a domestic well in section 11-27-32.

The saturated thickness at the proposed well location is estimated to be 192 ft, based upon the driller's log and an observation well in section 27-26-32. For saturated thickness between 150 ft and 200 ft, the drawdown allowance is 3.5 ft.

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

$S = 0.0844$ ,  $T = 15,761 \text{ ft}^2/\text{day}$ ,  $t_{p\text{proposed}} = 71 \text{ days}$ ,  $Q_{\text{proposed}} = 1250 \text{ gpm}$

Theis drawdowns were calculated as follows:

- 27393: Net drawdown = 2.7 ft
- 17855: Net drawdown = 3.0 ft
- 24423: Net drawdown = 2.8 ft
- 14306: Net drawdown = 2.1 ft
- 22892: Net drawdown = 2.8 ft
- 25535: Net drawdown = 2.6 ft
- 33902: Net drawdown = 2.0 ft

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Division of Water Resources



33901: Net drawdown = 2.1 ft

572 & 13443: Net drawdown = 2.2 ft

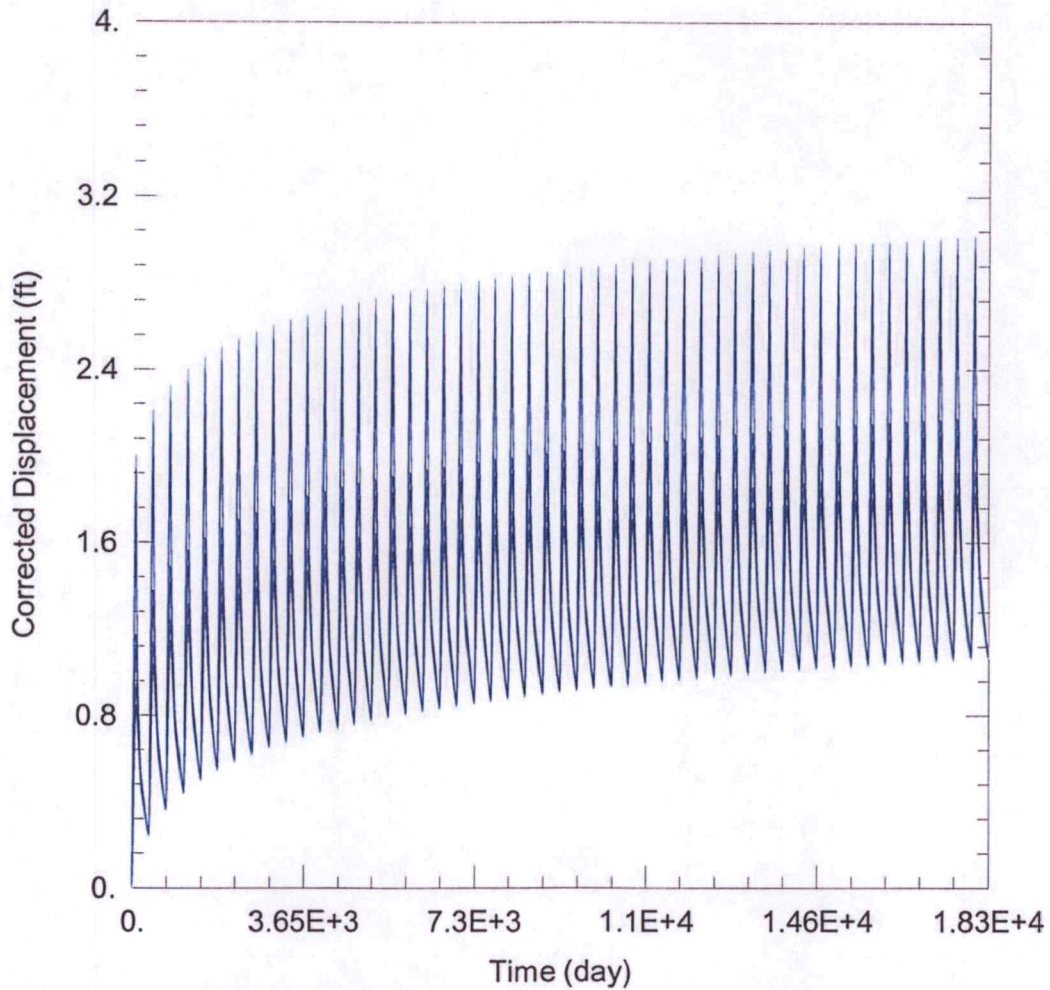
13179 & 13443: Net drawdown = 1.9 ft

Domestic 11-27-32: Net drawdown = 1.8 ft

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. GMD3 staff recommends approval of the application.



WELL TEST ANALYSIS

Data Set: C:\...\20260 & 20261 & 27393 Proposed.aqt

Date: 04/02/20

Time: 11:14:20

PROJECT INFORMATION

Company: GMD 3

Project: 20260 & 20261 & 27393

Location: Haskell County

Test Well: 20260 & 2261 & 27393

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
Proposed PD	5334	312429

Observation Wells

Well Name	X (ft)	Y (ft)
□	5334	312429
□ 27393	2451	312388
□ 17855	3193	311060
□ 24423	4444	309745
□ 14306	5780	308347
□ 22892	7307	310419
□ 25535	8457	312034
□ 33902	8503	315062
□ 33901	6175	316369
□ 572 & 13443	2555	315072
□ 13179 & 13443	3072	316442
□ Domestic 11-27-32	5435	307482

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Division of Water Resources

**Meyer, Mike [KDA]**

---

**From:** Meyer, Mike [KDA]  
**Sent:** Monday, April 13, 2020 2:52 PM  
**To:** 'Norquest, Jason (Norquest@gmd3.org)'  
**Subject:** request for recommendation, File Nos. 20260, 20261, 27393  
**Attachments:** 20200413144130339.pdf

good afternoon Jason

please see attached a request to provide a recommendation for change in point of diversion for Triangle H Grain & Cattle Company. If you could review and provide a recommendation within 15 days, we would appreciate it.

Thank you sir

*Mike*

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

April 13, 2020

SOUTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 3  
2009 E SPRUCE ST  
GARDEN CITY KS 67846

Re: Water Right, File Nos. 20260, 20261, 27393

Dear Mr. Norquest:

This is to advise you that Triangle H Grain & Cattle Co, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion for the above referenced files. The applications are proposing a to move the current authorize point of diversion that meets regulations.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

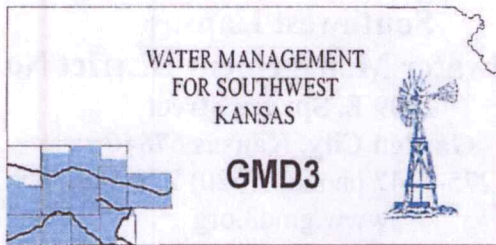
Thank you and as always feel free to contact this office at any time.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures



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

March 3, 2020

Heiman Family Farms  
9460 S County Road 15  
Garden City, Kansas 67846

RE: Application for Change in Point of Diversion  
Water Right, File Nos. 20260, 20261 & 27393

Dear Heiman Family Farms:

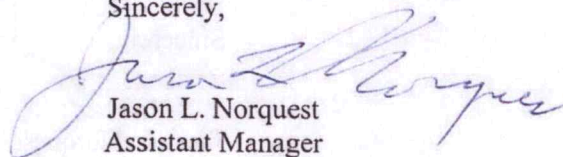
This is to inform you that Triangle H Grain & Cattle Co has applied to relocate their well 2238 feet east of their current well location in Section 2, Township 27s, Range 32w, in Haskell county. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains 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 (3.5 ft in cases where saturated thickness is between 150-200 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://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices> 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 the above Water Rights. If you have any questions or wish to provide better information, please contact our office. 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

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Garden City Field Office  
Division of Water Resources



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

March 3, 2020

Lear Farms Inc.  
%Thomas Lear  
4280 E Lear RD  
Garden City, Kansas 67846

RE: Application for Change in Point of Diversion  
Water Right, File Nos. 20260, 20261 & 27393

Dear Thomas Lear:

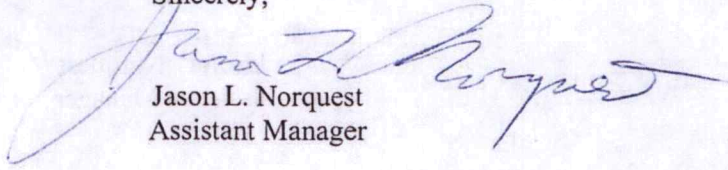
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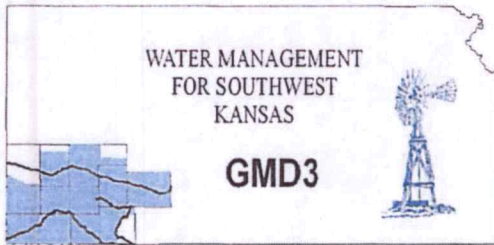
Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate 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 (3.5 ft in cases where saturated thickness is between 150-200 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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Sincerely,

  
Jason L. Norquest  
Assistant Manager



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Groundwater Management District No. 3  
2009 E. Spruce Street  
Garden City, Kansas 67846  
(620) 275-7147 phone (620) 275-1431 fax  
www.gmd3.org

March 3, 2020

Henry W & Susan Miller Trust  
440 Road  
Sublette, Kansas 67877

RE: Application for Change in Point of Diversion  
Water Right, File Nos. 20260, 20261 & 27393

Dear Henry W & Susan Miller Trust:

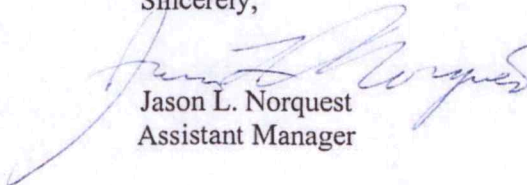
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Sincerely,

  
Jason L. Norquest  
Assistant Manager

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Division of Water Resources