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

1. File Number: 22034	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ⊠ Approved □ □	enied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 5/21/2020
8a. Applicant(s) New to system □ SOUTHWEST PLAINS Attn: RICHARD GEVEI 12701 SW CR 32 SYRACUSE, KS 67878		8c. Landown New to sy		Person IDAdd Seq#
8b. Landowner(s) New to system □ R C GEVEN FARMS LI 12701 SW CR 32 SYRACUSE, KS 67878		8d. WUC New to sy	vstem □	Person ID Add Seq#
9. Documents and Enclosure(s): ⊠ ☐ Anti-Reverse Meter ☑ Meter ☐ Conservation Plan Date Rec	er Seal 🔲 Check Valve	⊠ N & P Form		Driller Copy ⊠ H & E Letter
10. Use Made of Water From:		To:		
			Date Prepared: 6/2/2 Date Entered:	2020 ву: АМ ву:

File No.	2203	4	11. Count	y: HM	В	asin: Bl	EAR (CREEK	(S	tream:	:							ormation Code: 1/331	Special Use:
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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

June 2, 2020

SOUTHWEST PLAINS DAIRY LLC Attn: RICHARD GEVEN 12701 SW CR 32 SYRACUSE, KS 67878-7816

RE: Water Right, File No. 22034

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.

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 contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Michael A. Meyer

Water Commissioner

MAM:am enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 2nd day of June, 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 22,034 dated 2nd day of June, 2020 was mailed postage prepaid, first class, US mail to the following:

SOUTHWEST PLAINS DAIRY LLC
Attn: RICHARD GEVEN
12701 SW CR 32
SYRACUSE, KS 67878-7816

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.

than		or if pla	ace of	use wi														nd prop	ion is greater osed point(s) CEIVED
						F	File No	. 2203	34									MAY	21 2020
							ile ivo	. 2200	J-4	7 107							(larden Ci	ty Field Office
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						□ P	lace o	f Use			Point	of Dive	ersion						
	under the	water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the cor	ndition	s desc	ribed	below.		
	The sour	ce of su	ipply is	s:		⊠ G	round	water			Surfac	ce wat	er						
	67878-78 Phone N	umber:)					Email	addres	ss:								RACUSE, KS
	Name ar SYRACL					Corres	ponde	nt: SC	DUTHV	VEST	PLAIN	S DAI	RY LL	C Attn	: RICH	HARD	GEVE	N 1270	1 SW CR 32
3.	Phone N The pres Owner of	umber: ently au	(uthoriz) ed pla	ce of u	se is:													
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For Office Use Only: Code

____ Fee \$_ 300, ∞ TR #___

Receipt Date 5-21-20 Check # 016501

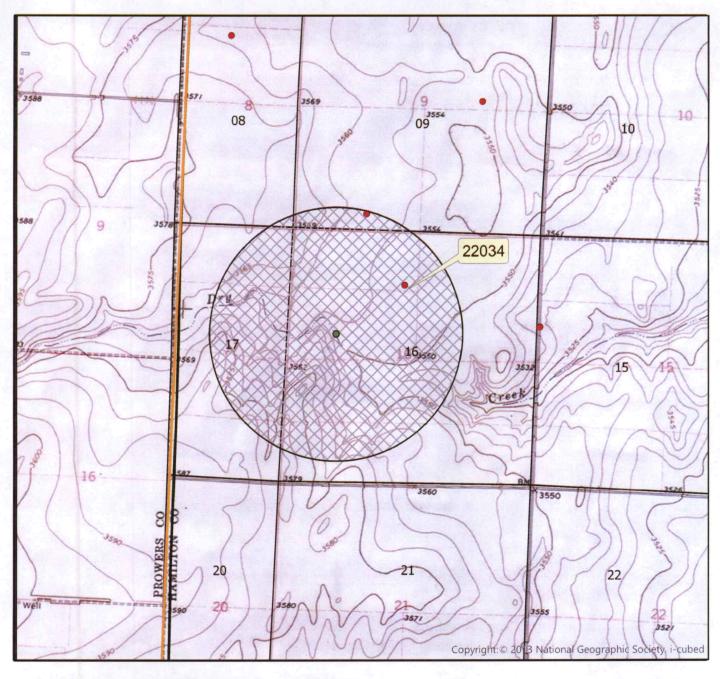
Presently authorized point of diversion:				
One in the Quarter of the	NE	_ Quarter of the	eNW	Quarte
of Section, Township	26	_ South, Range	e 43	W
in Hamilton County, Kansas, 4054 fee				
Authorized Rate Authorized Quantity		Depth of well _	(fee	et)
(DWR use only: Computer ID No4 GPS				
☐This point will not be changed ☐This point will be changed as	follows: N	o change, point b	etter described with GP	S as follows:
Proposed point of diversion: (Complete only if change is	requested o	r if existing po	int is better describe	ed by GPS)
One in the Quarter of the	SW	_ Quarter of the	e NW	Quarte
of Section, Township	26	_ South, Range	e <u>43</u>	W
in Hamilton County, Kansas, 2986 fee				
Proposed RateProposed Quantity	The state of the state of	Proposed well	depth (feet)	Januaranni
This point is: Additional Well Geo Center List other	water rights t	hat will use this	point	K. C. Shapping Street
Presently authorized point of diversion: One in the SW Quarter of the	QE.	Quarter of the	o SIM	Quarta
of Section 9 , Township				
in <u>Hamilton</u> County, Kansas, <u>314</u> fe				
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of Section, Township				
in County, Kansas, fe				
Proposed Rate Proposed Quantity				
This point is: Additional Well Geo Center List other	water righte t	riat viii ace tille	Politic	
The changes herein are desired for the following reasons?				
(please be specific)			North	
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	E			
If a well, is the test hole log attached? X Yes No	E .			
in a well, to the test hole log attached. 27 res	200 - 1	+ 1 + 1	= 1 + 1 +	200
The change(s) (was)(will be) completed by?	IE			4
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If the point of diversion is a well:	E		- E	1
(a) What are you going to do with the old well?	West 0	ախախախա	ա « ախախակավու	11 1++= 0 East
	E			4
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(b) When will this be done?	100	+1+1	= 1 + 1 +	100
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Groundwater Management District recommendation attached?	200 =	+ + + +	=	200
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Assisted by GCFO/SZ	300	200 100	0 100 200	
o If the prepared point of diversion will be releasted more than 200		200 100	South Scale: 1 hashm	
 a. 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 	13b. If the pro	posed point of div	version will be relocate	d within 300 fe
a topographic map or aerial photograph. For groundwater	of the ex	xisting point of	diversion, indicate its	location on t
sources, show all wells (including domestic) within one-half mile	diagram	shown above	in relation to the ex	xisting point
of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the	above	represents the	TE: The "X" in center presently authorical presentl	ized point
names and addresses of the landowner(s) one-half mile	diversio			
downstream and one-half mile upstream from your property				

14. If the proposed groundwater point of divers	sion is 300 or fewer feet fro	om the existing point of	diversion, complete	the following:
(a) Does the undersigned represent all ovaluation [In the content of the content	wners of the currently authors must sign this applic		lentified in this appli	cation?
(b) Will the ownership interest of any ow affected if this application is approved ☐ Yes ☐ No (If yes, all			entified in this appli	cation be adversely
(c) If this application is not approved expe	editiously, will there be sub wners must sign this applic	estantial damage to propostation.)	perty, public health o	or safety?
If the application proposes a surface water char or a change in place of use, the application mu agent (attach notarized statement authorizing r	ist be signed by all owners			
I hereby verify, being first duly sworn u age and the owner, the spouse of the o their behalf, in regards to the water rig contained in this application are true, c	wner, or a duly author ht(s) to which this app	ized agent of the ow	ner(s) to make t	his application on
Dated at CIRDERY Ciry	, Kansas, this	20 day of	MAT	, 20 <u>20</u> .
N ARIS				
(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 app	lication was signed in	my presence and sw	orn to before me	e this 2077 day
of		EINERT ALL	Buckene	
My Commission Expires 9-14-22	STATE OF KANSAS My App. Exp. Sept		Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PROCaccurate information; maps, if necessary, must be in the appropriate fee must be paid.				
	FEE SCHEDU	JLE		
Each application to change the place of use or forth in the schedule below: Make checks pay (1) Application to change a point of di (2) Application to change a point of di (3) Application to change the place of	the point of diversion under table to: Kansas Departm iversion 300 feet or less iversion more than 300 fee	er this section shall be a ent of Agriculture t		\$100 \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro	visions of the Kansas Water Appropriation Law, K.S.A. 82a	108b, as amended, and K.A.R. 5-5-1, et seq. and other applicable a-701 et. seq., and rules and regulations promulgated thereunder, ein, this Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of other be changed as described in the application.
2.	On and after the effective date of this summary order, the at the topographic map accompanying the application to ch	uthorized place(s) of use shall be located substantially as shown on ange the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing ric previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. Applica	this and shall be limited to the same source or sources of water as by this summary order shall be located within a foot ble Not Applicable
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	vely corrected to be more accurately described using the Global n. Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.	y be located more than feet from the previously Not Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a or other device suitable for making water level measurem K.A.R. 5-6-13. Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a tube ents shall be installed, operated and maintained in accordance with
7.	December 31, 20_20, or before the first use of water operated and maintained in accordance with K.A.R. 5-1-4	roperly install an acceptable water flow meter on or before r, whichever occurs first. The water flow meter shall be installed, 4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and but the reading of the water flow meter and the total quantity of water wing the end of each calendar year.
8.	authorized extension of time. By March 1, 20 3 the	e completed on or before December 31, 20 20, or within any e applicant shall notify the Chief Engineer that construction of the vided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requ	uired notice. Applicable
10.	with an in-line, automatic, quick-closing check valve cap	r foreign substance will be injected into the water shall be equipped able of preventing pollution of the source of the water supply. The d in accordance with K.A.R. 5-3-5c. Applicable \(\subseteq \) Not Applicable
11.	Additional Conditions are attached. Yes No	
12.	water appropriated under the above-referenced file num limitations, as amended and/or supplemented by this Suappropriation Law and the Rules and Regulations promise.	A.R. 5-5-14, all of the owners of the authorized place(s) of use of other are responsible for compliance with its terms, conditions and ammary Order, and with applicable provisions of the <i>Kansas Water</i> rulgated thereunder. Failure to comply with these provisions may mended, and/or the suspension or revocation and dismissal of the tions authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
you	may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED
Agr	nneer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	By: Market N. Ma
filed	d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30	Duly Authorized Designee of the Chief Engineer
day	s pursuant to K.S.A. 77-531. Any request for administrative lew must state a basis for review pursuant to K.S.A. 77-527.	(Print Name):
File	any request with Kansas Department of Agriculture,	
Leg 665	gal Ďivision, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may	Date of Issuance: June 2, 2020
pre	clude review under the Kansas Judicial Review Act.	State of Kansas) A -) SS
	For Use by Register of Deeds	County of Juney)
		Acknowledged before me on
		by Michael A. Meyer.
		Signature:
		Notary Public
		My commission expires My Appointment Expires My Appointment Expires Note
		" / / / / / / / / / / / / / / / / / / /

CHANGE IN PLACE OF DIVERSION WATER RIGHT, FILE NO. 22034



Township 26 South Range 43 West Finney County

0 0.23 0.45 0.9 Miles

- Authorized Point of Diversion
- Proposed Point of Diversion

1/2 mile buffer

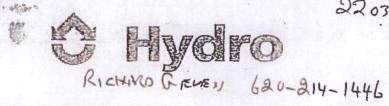
All wells of any kind within 1/2 mile of the requested place of use have been plotted.



(Signature)

Created by: SZ/GCFO

S755 VI. Jones Ave. Garden City, NS 67848 FH: 620-277-2389



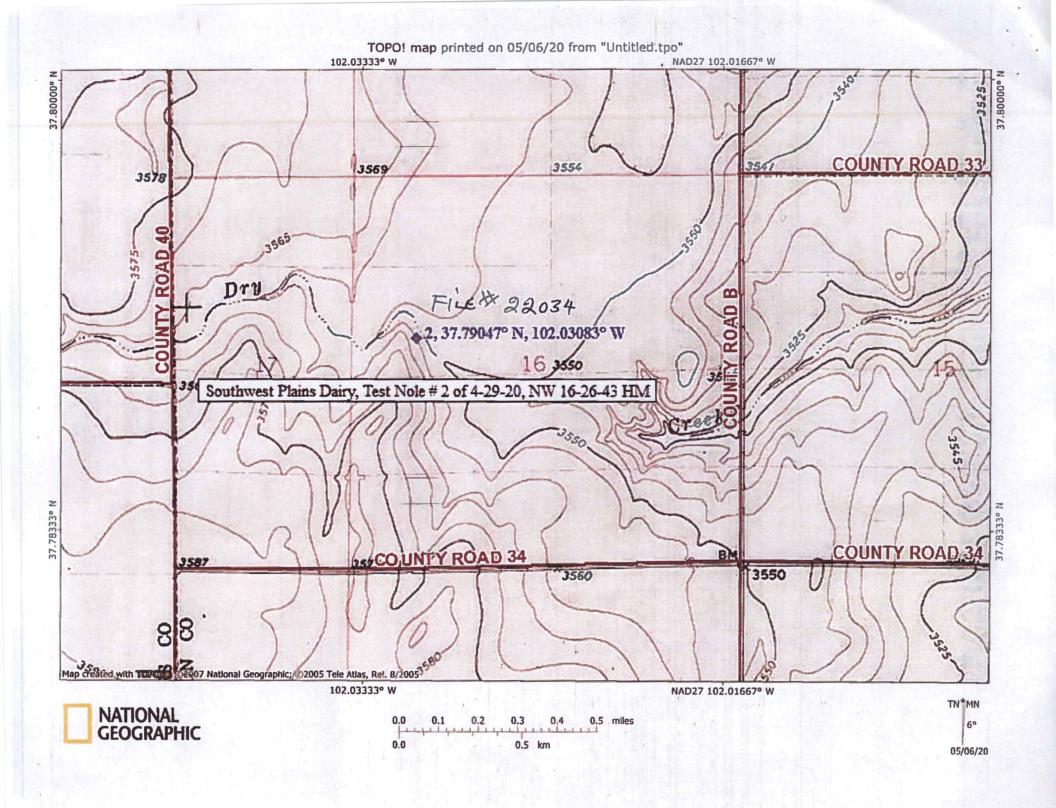
22034

Garden Chy, NS 67243

Fax: 620-277-0224

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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

May 26, 2020

Austin J. McColloch 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 No. 22034

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 (3.0 ft in cases where saturated thickness is between 125-150 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 on neighboring wells above the maximum allowable threshold. Noted, that all those wells were associated with the applicant. 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,

Jason L. Norquest

Assistant Manager

RECEIVED

JUN 0 2 2020

Carden City Field Office Division of Water Resources

GMD3 Change Review

File No(s).: 22034. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Southwest Plains Dairy LLC %Richard Givesn .

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) 04 being changed.

	ft. North	ft. West	
Authorized PD	4054	2811	Sect 16-26-43
Proposed PD	2986	4205	
Difference	1068 s	-1394 w	
a2 + b2 = c2	1140624	1943236	1756.092 foot move SW

GPS for proposed PD: Lat: <u>37.79047</u> Long: <u>-102.03083</u>.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: All wells within a mile are tied to the applicant.

Name __. Address _ .

Zip __.

Domestic well(s) notified: None found.

Name __.
Address .

Zip __

Base Acres: ___.

Perfected Acres: __.

Irr. Return-Flow ___%

Analysis is well within the range and no critical wells found. All wells within mile pertain to the applicant.

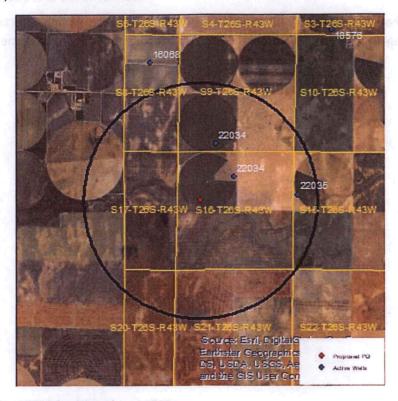
Is a waiver needed: Move is less than half mile and minimum spacing is met to the few neighboring wells.

Recommendation: Seeing as it meets the current area rules and all wells in the area are connected to the applicant, staff recommends approval of the application.

Ja

Evaluation of proposed move for Water Right No 22034

Proposed: Move the point of diversion authorized under water right no. 22034, located in section 16-26-43, a distance of 1,866 ft to the southwest.



Wells within 1 mile: 22034 (section 9) and 22035.

The saturated thickness at the proposed well location is estimated to be 145 ft, based upon the GMD3 model. For saturated thickness between 125 ft and 150 ft, the drawdown allowance is 3.0 ft.

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

S = 0.1441, T = 5,620 ft²/day, tp_{current} = 207 days (based upon average use and observed rate), $Q_{current} = 178$ gpm (based upon 2019 field inspection), tp_{proposed} = 79 days, $Q_{proposed} = 780$ gpm

Theis drawdowns were calculated as follows:

22034 (Section 9):

Drawdown from current location = 2.05 ft

Drawdown from proposed location = 3.14 ft

Net drawdown = 1.1 ft

22035:

Drawdown from current location = 1.57 ft

Drawdown from proposed location = 2.18 ft

Net drawdown = 0.6 ft

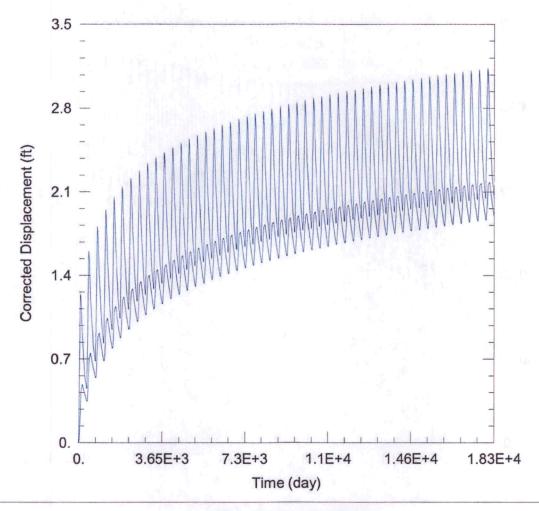
RECEIVED

JUN 0 2 2020

Garden City Field Office Division of Water Resources Net drawdown does not exceed the drawdown allowance of 3.0 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:\Users\trevora\Documents\2020_moves\22034\22034 Proposed.aqt

Date: 05/22/20 Time: 14:29:43

PROJECT INFORMATION

Company: GMD 3 Project: 22034

Location: Hamilton County

Test Well: 22034

WELL DATA

Pun	nping Wells		Observation Wells					
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)			
22034 Section 16	-355834	335672	0	-355834	335672			
	Hims 21 12 notes	az phose	□ 22034 Section 9	-355139	338194			
			22035	-351446	335925			

SOLUTION

Aquifer Model: Unconfined

 $T = 5620. \text{ ft}^2/\text{day}$

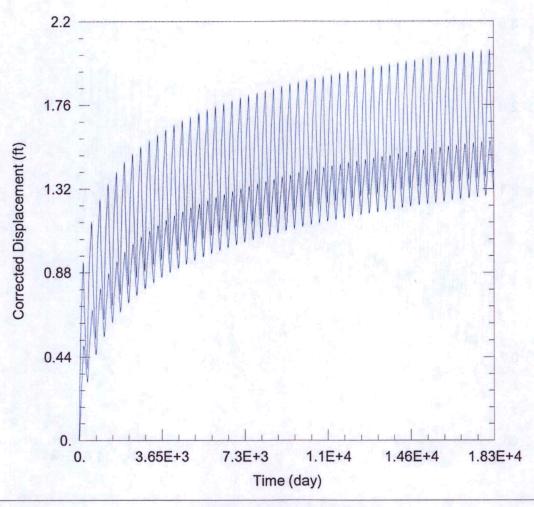
Kz/Kr = 1.

Solution Method: Theis

S = 0.1441

 $b = \frac{3.111}{145. \text{ ft}}$

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WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020_moves\22034\22034 Current.aqt

Date: 05/22/20 Time: 14:29:52

PROJECT INFORMATION

Company: GMD 3 Project: 22034

Location: Hamilton County

Test Well: 22034

WELL DATA

Pun	nping Wells		Obser	vation Wells	
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
22034 Section 16	-354294	336727	0	-354294	336727
		of Agostic	□ 22034 Section 9	-355139	338194
			- 22035	-351446	335925

SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

T = 5620. ft^2/day Kz/Kr = 1.

S = 0.1441b = 145. ft 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

May 21, 2020

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

Change Application, File No. 22034

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Richard Geven 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.

Millelly

Sincerely,

Austin McColloch

Assistant Water Commissioner

Enclosure

pc: