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.

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

Call for address:

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

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



STATE OF KANSAS

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

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use. RECEIVED File No. 42583 9:51 Am 1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office ☐ Place of Use Point of Diversion Division of Water Resources under the water right which is the subject of this application in accordance with the conditions described below. The source of supply is: □ Groundwater ☐ Surface water 2. Name and address of Applicant: John Borth/JD Borth Farms____ PO BOX 754 Meade KS 67864 Email address: Phone Number: 620-629-1849 Name and address of Water Use Correspondent: Phone Number: () Email address: The presently authorized place of use is: Owner of Land --- NAME: ADDRESS: (If there is more than one landowner, attach supplemental sheets as necessary.) SW1/4 TOTAL ACRES NE' NW' SW' SE' NE' NW' SW' SE' NE' NW' SW' SE' Sec. Twp. Range NEW NWW SWW SEW 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: ADDRESS: (If there is more than one landowner, attach supplemental sheets as necessary.) SW1/4 TOTAL ACRES NE' NW' SW' SE' NE' NW' SW' SE' Sec. Twp. Range NE¼ NW¼ SW¼ SE¼ NW1/4 SW1/4 SE1/4 NE1/4 For Office Use Only: Code _____ Fee \$ 200 TR # ____ Receipt Date \\-24-20 Check # 7306

5.	Presently a	uthorized po	int of diversion	1:					
	One in the	SE	Qua	rter of the	NE	Quarter o	fthe	NE	Quarter
	of Section	8	. To	wnship	31	South, Ra	ange	29	(\(\)
	in	MEADE	County, Kan	sas, 4290		feet North 460	feet W	est of South	east corner of
	section.								
	Authorized I	Rate	Autho	rized Quantity		Depth of we	ell	(fe	et)
						feet North			
						☐ No change, poi			
	Proposed p	oint of divers	sion: (Complet	e only if chan	ge is request	ted or if existing	point is b	etter describ	ed by GPS)
						Quarter o			
						South, Ra			
	in MEADE		County, Kan	sas. 4256	feet North	87 feet	West of So	utheast corne	er of section.
						Proposed w			
						ghts that will use t			
L	This point is	. Li Additione	ar vven ce	OCINCI LIST C	other water ng	gitto triat will doc t	ino point		
ء ٦	Presently a	uthorized no	int of diversion						
6.					SE.	Quarter o	ftho	NIM	Quarter
						South, Ra			
						3571 feet			
	Authorized i	kate	Autho	rized Quantity		Depth of we		(ie	et)
						feet North			
						No change, poir			
		- Ittiidetta				ted or if existing			
						Quarter of			
						South, Ra			
	in		County, Kan	sas,	feet North	feet	West of So	utheast corne	er of section.
	Proposed R	ate	Propo	sed Quantity_		Proposed w	ell depth (fe	eet)	
	This point is	: Additiona	al Well Geo	Center List	other water rig	ghts that will use t	his point		
7.			desired for the f		20		North 0	100 200	300 TITTI
8.	If a well, is th	e test hole log	attached?	′es □ No			1 = 1		-
9.	The change(s) (was)(will be	e) completed by?	•			1 = 1		4
		, (,	,		400		_ = _	1 1 1	1 = 100
					100	- 1 + 1 +	1 = 1	+ 1 +	100
10.	If the point of	diversion is a	well:				=		=
			do with the old v	vell2	West 0		m[m & m]	ini majimaju	IIIII O East
	(a) What are	b you going to	do with the old v	VOII :			Ξ		# #
						F 7 7	Ξ	7	3
	(b) When w	ill this he done	?		100	= 1 + 1 +	1 = 1	+ 1 +	100
	(b) When w	iii tiiis be done				E	=		Ē
44	Consum division	Managamant	District ve samme	andation attacks	40 200		Ξ,	1 1 1	200
11.	Groundwater	Yes	District recomme No	endation attache		-			4
12.	Assisted by	Alex Torrance				5		100 200	300 mmg
13a	feet but withing a topograph sources, sho of the propograddresses of names and	n 2,640 feet of ic map or ae w all wells (inc sed point of di the owners. I addresses	ersion will be reloce the existing point in a photograph. In all photograph in a photograph in	t of diversion, at For groundw within one-half names and ma r sources, shov er(s) one-half	tach 13b.lfth vater of t mile diag alling dive v the abo	e proposed point on the existing point gram shown aboversion. (PLEASE ove represents ersion.)	South If diversion we diversion we in relation NOTE: The	scale: 1 hashm vill be relocate in, indicate its ion to the ender "X" in cen	d within 300 fee location on the xisting point of ter of diagram

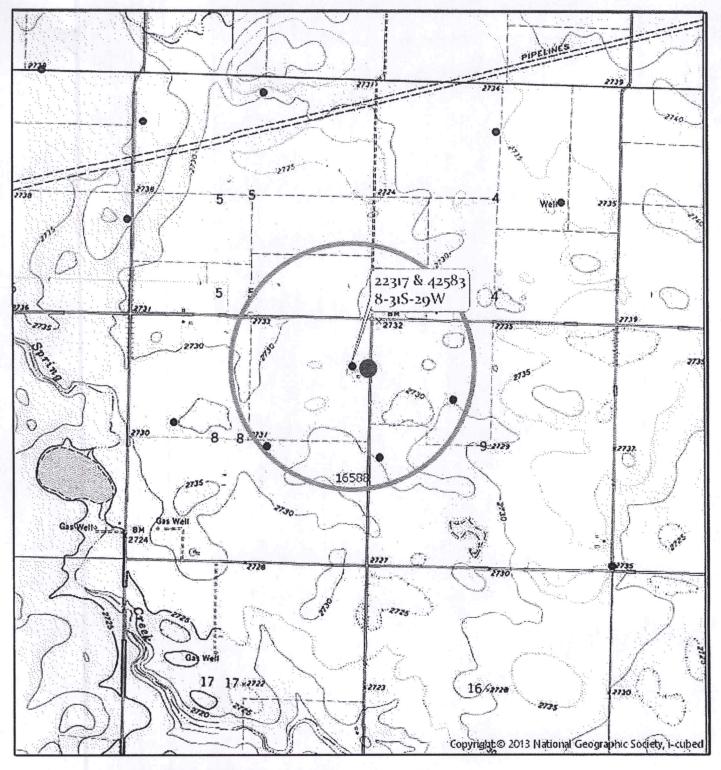
14. If the prop	bosed groundwater point of diversion is	300 of lewel leet from the ext	isting point of diversion, comple	te the following:
(a) Does	the undersigned represent all owners of the undersigned represent all owners of the undersigned in the undersigned represent all owners of the undersigned represent a	of the currently authorized pla must sign this application.)	ce(s) of use identified in this ap	plication?
	he ownership interest of any owner of ted if this application is approved as reques No (If yes, all owners		e(s) of use identified in this ap	plication be adversely
	application is not approved expeditious		amage to property, public healt	h or safety?
or a change in	on proposes a surface water change in place of use, the application must be sinotarized statement authorizing represe	igned by all owners of the cu	rater change in point of diversio rrently authorized place of use,	n greater than 300 feet, or their duly authorized
age and the their behalf,	ify, being first duly sworn upon n owner, the spouse of the owner, in regards to the water right(s) to this application are true, correct	or a duly authorized age o which this application and complete.	nt of the owner(s) to make pertains. I further verify	this application on that the statements
Dated at	GARDEN CITY	, Kansas, this 20 ***	day of NOVEMBER	, 20 20.
Do.	Rooth			
House	(Owner)		(Spouse)	
7	(Please Print)		(Please Print)	
	(Owner)		(Spouse)	
	(Please Print)		(Please Print)	
	(Owner)		(Spouse)	
	(Please Print)		(Please Print)	
State of Kansa	as)			
County of	FINNEY SS			
of hereby co	ertify that the foregoing application	was signed in my prese	ence and sworn to before	me this 20TH day
	STATE OF RANSAS	CATHERINE REINERT NOTARY PUBLIC STATE OF KANSAS My App. Exp. Sept. 14, 2022	Athensenis Notary Public	
My Commissio	on Expires 4-14-22			
accurate informa	TE APPLICATIONS WILL BE PROCESSED ation; maps, if necessary, must be included; fee must be paid.			
		FEE SCHEDULE		
forth in the sch (1) Ap (2) Ap	on to change the place of use or the poinedule below: Make checks payable to pplication to change a point of diversion pplication to change a point of diversion pplication to change the place of use	nt of diversion under this sec Kansas Department of Ag 300 feet or less	riculture	\$100 \$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. 42583

IIIIII	tations of File No. 42583	
1.	A change application was received on diversion authorized under the above-referenced file num	requesting that the place of use and / or point on the second of the sec
2.	On and after the effective date of this summary order, the authe topographic map accompanying the application to cha	uthorized place(s) of use shall be located substantially as shown or ange the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. Application	hts 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	rely corrected to be more accurately described using the Globa n. ☐ Applicable ☐ Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable N	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 vor other device suitable for making water level measuremed 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, or before the first use of water operated and maintained in accordance with K.A.R. 5-1-4	operly install an acceptable water flow meter on or before, whichever occurs first. The water flow meter shall be installed through 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of water ing the end of each calendar year.
8.	authorized extension of time. By March 1, 20 the	e completed on or before December 31, 20, or within any 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 Not Applicable
10.	with an in-line, automatic, quick-closing check valve capa	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 Not Applicable
11.	Additional Conditions are attached. Yes No	
12.	water appropriated under the above-referenced file num	A.R. 5-5-14, all of the owners of the authorized place(s) of use or ober are responsible for compliance with its terms, conditions and mmary Order, and with applicable provisions of the Kansas Water ulgated thereunder. Failure to comply with these provisions may mended, and/or the suspension or revocation and dismissal of the ions authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If w	ou are agarieved by this order purcuent to K.S.A. 82a 1001	APPLICATION APPROVED AND
you	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED
Eng	ineer or request administrative review by the Secretary of culture. A request for hearing by the Chief Engineer must be	Ву:
filed	within 15 days of service of this Order and a request for	Duly Authorized Designee of the Chief Engineer
day	ninistrative review by the Secretary must be filed within 30 s pursuant to K.S.A. 77-531. Any request for administrative	(Print Name):
revi	ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture,	
Leg	al Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance:
pre	02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas)) SS
	For Use by Register of Deeds	County of)
		Acknowledged before me on
		by
		Signature
		Signature:Notary Public
		My commission expires:(Notary Seal)
		(Notally Seal)

CHANGE IN POINT OF DIVERSION #22317 & 42583



Township 31 South Range 29 West ME County

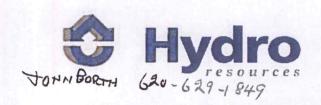
All wells of any kind within a half mile of the proposed point of diversion are shown: PROPOSED PD

W S E

Created By: AT/GCFO

POINT OF DIVERSION

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

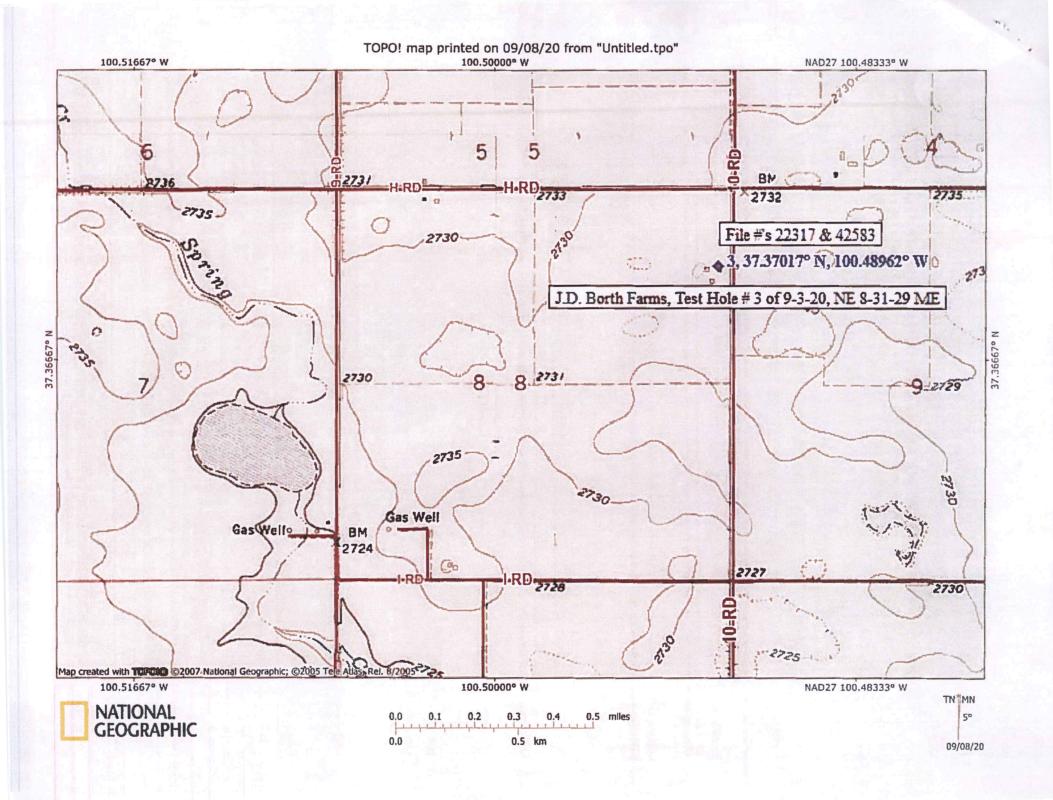


PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

#22J17 × 42583

Customer i	Name:	JD Borth Fa	arms			WO#:	20814	Date:	09/03/20	
Street Add	ress:	P. O B	OX F	754		Test #:	3	E LOG:	Yes	
City, State:		MEAD	E Ks.	67864		Driller: D	ale Guinn	/Kevin Frizzell		-
County:	ME	Quarter:	NE	Section:	8	Township:	31	Range:	29	-
ocation:					GP	: 37.37017, -100.48962				
Rig #:	1	10002		Elevation:	2733	Static WL:	230	Estimated?	Yes	_
7 7 100				-		D 1101	12 Pm 45	THE RESIDENCE OF THE PARTY OF T		-

07	F	Footage	T-	WELL LOCATION 20'SUMP		
%	From	Pay	To	Description of Strata		
_	2		6	Top Soil		
				Brown Sandy Clay		
	6		20	Brown Sandy Clay w/ Caliche Mixed		
	20		29	Cemented Sand w/a Few Clay Layers		
	29	100000000000000000000000000000000000000	34	Caliche w/ Lime Rock		
	34		38	Brown Clay		
	38		56	Fine to Medium Sand		
	56		61	Cemented Sand		
	79		79	Brown Sandy Clay		
			129	Fine to Coarse Sand, Small to Medium and Few Large Gravel, Few Clays		
	129		141	Light Green and Brown Clay w/ Many Sand Layers		
	141		155	Fine to Medium Sand w/ Many Clay Layers		
	155		177	Fine to Medium Sand and Small Gravels		
	177		183	Blue Clay		
10	183	20	220	Fine to Coarse Sand, Small Gravels, Used Water		
30	220	30	260	Fine to Coarse Sand, Small to Medium Gravels, Used Water		
25	260	22	282	Fine to Coarse Sand, Few Small Gravels, Used Water		
25	282	22	304	Fine to Medium Sand, Few Coarse Sands w/a Few Thin Clay Stringers		
^	304	44	338	Blue Clay		
0	338	11	349	Fine Blue Sand		
0	349	10	359	Fine to Coarse Sand, Small Gravels w/ Many Clay Layers		
25	359	6	365	Fine to Coarse Sand, Used Some Water		
5	365	14	379	Fine to Coarse Sand w/ Many Clay Layers, Used a Little Water		
30	379	12	391	Fine to Coarse Sand, Small Gravels, Used Some Water		
20	391	7	398	Fine to Coarse Sand w/ Some Clay Layers, Used a Little Water		
25	398	5	403	Fine to Coarse Sand, Used Some Water		
	403		412	Brown Sandy Clay		
	412		424	Limerock w/ Some Fine Sand and a Few Clay Stringers		
E	424	17	443	Limerock and Brown Clay w/a Little Fine Sand		
5	443		460	Fine and Some Medium Sand, Little Tight and Used a Little Water		
0	460	21	481	Fine Sand Some Medium Sand, w/ Very Fine Brown Rock Flakes		
0	481			Fine to Medium Sand w/ Fine Brown Rock Flakes, Used Some Water		
5	494	11	505	Fine to Coarse Sand w/ Brown Rock		
	505		513	Yellow Soapstone		
	513		520	Red Bed		
	520			TD		



Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

November 25, 2020

PENNINGTON PARTNERS LP PO BOX 458 MEADE, KS 67864

RE: Water Right, File No. 22317 & 42583

Dear Sir or Madam:

This is to advise you that John Borth has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the SE¼NE¼NE¾ of Section 8, Township 31 South, Range 29 West, Meade County.

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

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

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

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

November 25, 2020

CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS, KS 67869

RE: Water Right, File No. 22317 & 42583

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Sincerely.

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3