

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

1. File Number: <b>9408</b>	2. Status Change Date: <i>11-25-2020</i>	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>10/21/2020</b>
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8a. LANDOWNER, applicant New to system <input type="checkbox"/>  <b>HENRY D &amp; MARGARET W WIEBE</b> <b>1813 MANITOBA DR</b> <b>SUBLETTE, KS 67877-8003</b>	8c. Correspondent New to system <input checked="" type="checkbox"/>  Person ID <u>60288</u> Add Seq# <u>1</u>
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8b. Landowner(s), New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____	8d. correspondent New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: 12/31/2021     N & P Date to Comply: 3/1/2022

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: **11/23/20**    By: **MAM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **9408**      11. County: **HS**      Basin: **CIMARRON RIVER**      Stream: \_\_\_\_\_      Formation Code: **211/331**      Special Use: \_\_\_\_\_

12. Points of Diversion Rate and Quantity  
**CHK** Authorized Additional  
**MOD** Rate Quantity  
**DEL** gpm af  
**ENT** af gpm af Overlap PD Files

PDIV      Qualifier      S      T      R      ID      'N      'W      **Comment (AKA Line)**

DEL 29993													
ENT	NWNWSW	14	29	34W	2554	4867			970	320	970	320	NONE

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

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

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

16. Place of Use <b>CHK</b> <b>MOD</b> <b>DEL</b> <b>ENT</b>	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
<b>CHK 11346</b>																										

**Base Acres:** \_\_\_\_\_      **Year:** \_\_\_\_\_      **Minimum Reasonable Quantity:** \_\_\_\_\_

Comments: \_\_\_\_\_

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



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

Mike Beam, Secretary

Laura Kelly, Governor

November 25, 2020

HENRY D & MARGARET W WIEBE  
1813 MANITOBA DR  
SUBLETTE, KS 67877-8003

RE: Water Right, File No. 9408

Dear Sir:


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 the approval for change. A condition of the 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 documents referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

  
Michael A. Meyer  
Water Commissioner

MAM  
enclosures

pc:  
GMD3

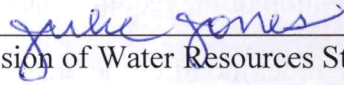
**CERTIFICATE OF SERVICE**

On this 25<sup>th</sup> day of November 2020, I hereby certify that the foregoing Approvals of Application for Change in Point of Diversion, Water Right, File No. 9,408 dated 25<sup>th</sup> day of November 2020 was mailed postage prepaid, first class, US mail to the following:

HENRY D & MARGARET W WIEBE  
1813 MANITOBA DR  
SUBLETTE, KS 67877-8003

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

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

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.  
 Call for address:  
 Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

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



**STATE OF KANSAS**

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

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

File No. 9408

RECEIVED  
 10:00 AM  
 OCT 21 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: HENRY D & MARGARET W WIEBE

1813 MANITOBA DR. SUBLETTE, KS. 67877

Phone Number: (620)260 7919                      Email address: henrywiebe13018@gmail.com

Name and address of Water Use Correspondent: HENRY D & MARGARET W WIEBE

1813 MANITOBA DR. SUBLETTE, KS. 67877

Phone Number: (620)260 7919                      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.)

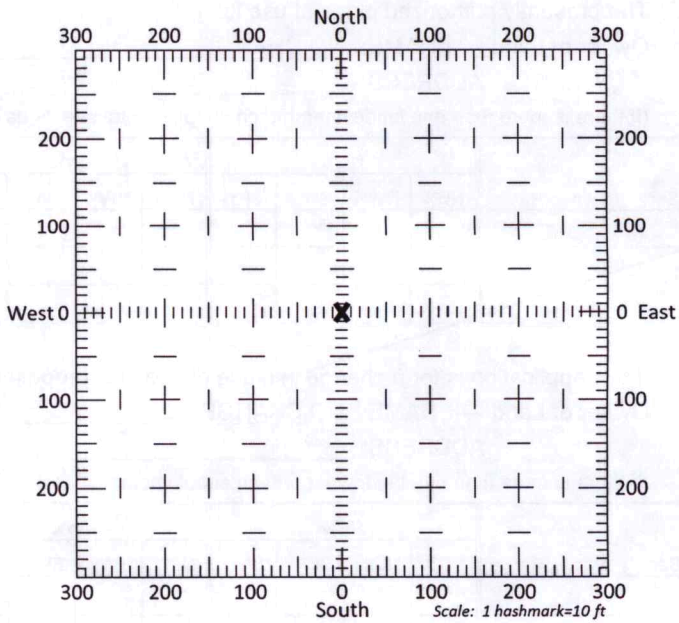
Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 10-21-20 Check # Card

5. **Presently authorized point of diversion:**  
 One in the NE Quarter of the NE Quarter of the SW Quarter of Section 14, Township 29 South, Range 34 (W), in HASKELL County, Kansas, 2520 feet North 2740 feet West of Southeast corner of section. Authorized Rate 970 GPM Authorized Quantity 320 AF Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 2 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the NW Quarter of the NW Quarter of the SW Quarter of Section 14, Township 29 South, Range 34 (W), in HASKELL County, Kansas, 2554 feet North 4867 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 \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (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 \_\_\_\_\_ (W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) lack of production on current PD  
 \_\_\_\_\_  
 \_\_\_\_\_
8. If a well, is the test hole log attached?  Yes  No
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
To be plugged  
 (b) When will this be done? \_\_\_\_\_
11. Groundwater Management District recommendation attached?  
 Yes  No
12. Assisted by CAC



- 13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines
- 13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
  - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
  - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Garden City, Kansas, this 21<sup>st</sup> day of October, 20 20.

<p><u>Henry Wiebe</u> (Owner)</p> <p><u>Henry Wiebe</u> (Please Print)</p> <p>_____</p> <p>(Owner)</p> <p>_____</p> <p>(Please Print)</p> <p>_____</p> <p>(Owner)</p> <p>_____</p> <p>(Please Print)</p>	<p>_____</p> <p>(Spouse)</p> <p>_____</p> <p>(Please Print)</p> <p>_____</p> <p>(Spouse)</p> <p>_____</p> <p>(Please Print)</p> <p>_____</p> <p>(Spouse)</p> <p>_____</p> <p>(Please Print)</p>
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State of Kansas }  
 County of Stimney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 21<sup>st</sup> day of October, 20 20.



Julie Jones  
 Notary Public

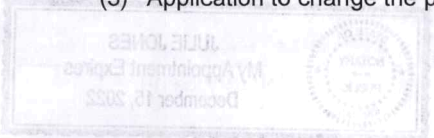
My Commission Expires \_\_\_\_\_

**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. 9408.

1. A change application was received on October 21, 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 2640 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, 2021**, 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, 2021**, or within any authorized extension of time. By March 1, 2022 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**

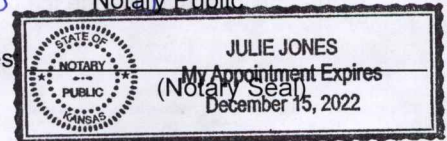
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and 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**

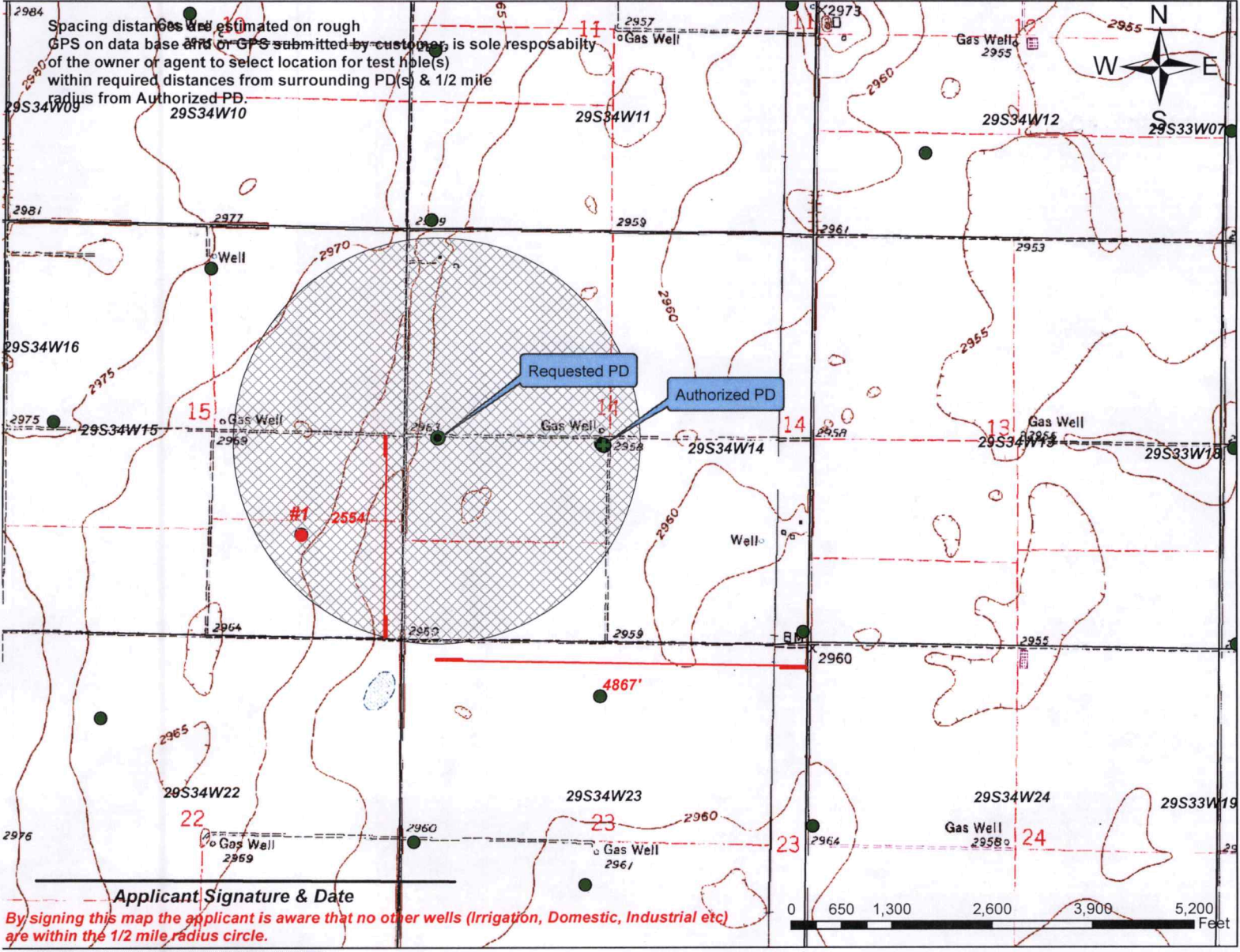
By: Michael A. Meyer  
 Duly Authorized Designee of the Chief Engineer  
 (Print Name): MICHAEL A. MEYER  
 Division of Water Resources - Kansas Department of Agriculture  
 Date of Issuance: November 25, 2020  
 State of Kansas \_\_\_\_\_ )  
 \_\_\_\_\_ ) SS  
 County of Linney \_\_\_\_\_ )  
 Acknowledged before me on November 25, 2020  
 by Michael A. Meyer  
 Signature: Julie Jones  
 Notary Public

My commission expires \_\_\_\_\_





**Point of Diversion Change  
WR 9408  
T29 R34W Section 14  
Haskell Co.**



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

Applicant Signature & Date

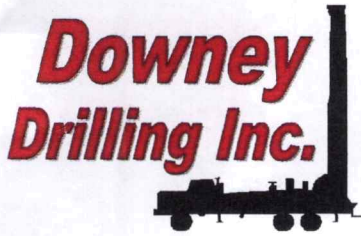
By signing this map the applicant is aware that no other wells (Irrigation, Domestic, Industrial etc) are within the 1/2 mile radius circle.

- Authorized PD
- Requested PD
- Point of Diversion
- Half Mile Radius
- Active Water Right w/in 1/2 mile
- domestic well w/in 1/2 mile
- Authorized PU
- Requested PD

**Water Right w /in 1/2 mile & Owner(if apply)**      **Domestic wellt w /in 1/2 mile & Owner (if apply)**  
 ● #1 Water Right No. 11394 Owner Robert G Barnhardt Jr.      + A.- Domestic well

# WELL LOG

DATE: 10/2/2020



CUSTOMER NAME: HENRY WIEBE TH#1

WEST

WK 9408  
 2551' N / 4807' W

LEGAL: SW 14-29S-34W

COUNTY: HASKELL CO

GPS: 37.525608

-101.015640

LOGGER:

DRILLER: ROGELIO

WO: 20-1029

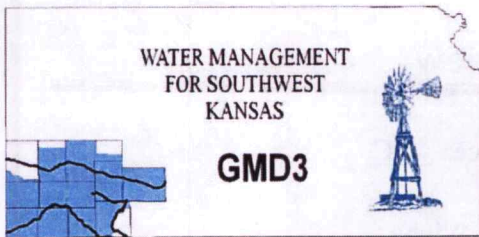
TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	2		TOPSOIL	SOFT	BROWN	FAST		SMOOTH
2	10		BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
10	28		SANDY CLAY W/ CALICHE	SOFT	TAN	FAST		SMOOTH & LITTLE VIBRATION
28	54		FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM	RED / TAN	FAST		FAST CHATTER
54	65		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
65	73		FINE-MED-COARSE SAND W/ SMALL GRAVEL	STIFF	RED / TAN	FAST		FAST CHATTER
73	78		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
78	110		FINE-MED GRAVEL W/ BIG ROCKS	SEMI-FIRM	RED / TAN	FAST		CHATTER
110	114		TAN CLAY	SOFT	TAN	FAST		SMOOTH
114	120		FINE-MED-COARSE W/ FINE GRAVEL	STIFF	RED / TAN	FAST		FAST CHATTER
120	129		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
129	137		FINE-MED GRAVEL W/ BIG ROCKS	HARD	RED / TAN	FAST		CHATTER
137	166		FINE-MED-COARSE SAND W/ SMALL MED GRAVEL	SEMI-FIRM	RED / TAN	FAST		CHATTER
166	172		CLAY	STICKY	BROWN	FAST		SMOOTH
172	196		FINE-MED-COARSE SAND W/ SMALL & MED GRAVEL	SOFT	RED / TAN	FAST		FAST CHATTER
196	210		SANDY CLAY W/ FINE-MED SAND LAYERS	SOFT	TAN / BROWN	FAST		SMOOTH & VIBRATION
210	221		BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
221	269		BROWN STICKY CLAY W/ FINE-MED SAND LAYERS	STICKY	BROWN	FAST		SMOOTH & VIBRATION
269	274		BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
274	304		BLUE CLAY W/ SILTY CLAY	SOFT	BLUE	FAST		SMOOTH
304	345		BLUE CLAY	FIRM	BLUE	FAST		VIBRATION
345	390		MED-COARSE SAND, FINE GRAVEL	SOFT	RED / TAN	FAST		CHATTER
390	408		FINE-MED-COARSE SAND W/ SANDY CLAY	SEMI-SOFT	TAN	FAST		CHOPPY
408	433		MED-COARSE SAND, TR. FINE GRAVEL	SEMI-SOFT	TAN	FAST		FAST CHATTER
433	470		FINE-MED-COARSE SAND W/ LIMEROCK & SILTY CLAY	FIRM	WHITE & BROWN	FAST		CHOPPY & SMOOTH
470	482		MED SAND, SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
X	482	489	FINE-MED-COARSE SAND W/ LIMEROCK, SANDSTONE & BROWN ROCK	SEMI-FIRM	WHITE & BROWN	FAST		FAST CHATTER
	489	536	FINE-MED-COARSE SAND W/ BROWN ROCK	SEMI-FIRM	BROWN	FAST		FAST CHATTER
X	536	550	BROWN ROCK W/ BLACK SOAPSTONE & SILTY CLAY	SEMI-SOFT	BROWN / BLACK	FAST		CHATTER
X	550	565	FINE-MED-COARSE SAND W/ SMALL GRAVEL/ BROWN ROCK & SANDSTONE	HARD	BROWN & GRAY	SEMI-SLOW		FAST CHATTER
	565	609	SOAPSTONE W/ FINE SAND & SANDSTONE	FIRM	GRAY	FAST		VIBRATION
X	609	622	SANDSTONE W/ SILTY CLAY & IRON PYRITE	FIRM	WHITE & BROWN	FAST		CHATTER
X	622	633	SANDSTONE W/ IRON PYRITE LENSES	FIRM	TAN / GRAY	SLOWER		CHATTER / CHOPPY @ TIMES
	633	636	IRON PYRITE	HARD	GRAY	SLOW		ROUGH / CHOPPY
	636	639	SAND, SANDSTONE	SEMI-FIRM	GRAY / TAN	LITTLE FASTER		LT CHATTER
	636	639	GRAY SILTY CLAY	SOFT	GRAY	FAST		SMOOTH

STATIC - 380'

10  
 18  
 25  
 15  
 12  
 7  
 47  
 8  
 15  
 44  
 13  
 11  
 3

272





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

November 19, 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 No. 9408

Dear Mike:

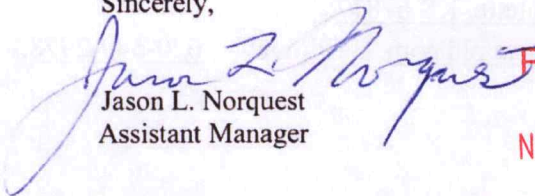
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4.0 ft in cases where saturated thickness range is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that none of the neighboring wells exceeded the net effect above the maximum allowable threshold and were actually well under that threshold. Our office received no comments from neighboring well owners. Therefore, GMD3 sees this move as reasonable and recommends 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

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Division of Water Resources

## GMD3 Change Review

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File No(s): 9408. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Henry & Margaret Wiebe.

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	2520	2740	Sect 14-29-34
Proposed PD	2554	4867	
Difference	-34 n	-2127 w	
a2 + b2 = c2	1156	4524129	2127.272 foot move NW

GPS for proposed PD: Lat: 37.525608 Long: -101.015640.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified:   .

Name Betty Anthony (3519 D1 & D2) possible domestic well in NW of 14.

Address 4037 S Road Y.

Zip Satanta, KS 67870.

Email: banthony@pld.com. Phone: 620-353-3746.

Name Paige Clawson (6227A).

Address 263 RD 140.

Zip Satanta, KS 67870.

Email: nyork8504@gmail.com. Phone: 620-353-4641.

Name Brandon Barnhardt (11394).

Address 296 Road 120.

Zip Satanta, KS 67870.

Email: nyork8504@gmail.com. Phone: 620-353-4641.

Name Peter & Roberta York (11532).

Address 1161 Road JJ.

Zip Sublette, KS 67877.

Email: ystar@pld.com. Phone: 620-649-2978.

## GMD3 Change Review

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Name Nicholas York (20045).  
Address 872 US Hwy 160.  
Zip Satanta, KS 67870.  
Email: nyork8504@gmail.com. Phone: 620-353-4641.

Name Larry & Angela Anthony (20292).  
Address 2305 E Maple St.  
Zip Globe, AZ 85501.  
Email: larryandangelaanthony@hotmail.com. Phone: 928-812-3269.

Name Clawson Haskell CO #14 (26848).  
Address PO Box 279.  
Zip Plains, KS 67869.  
Email: jeanne@clawsonoffice.com. Phone: 620-563-6112.

Domestic well(s) notified: \_\_.

Name Douglas R & Kelly M Delaplane (SE SE 14-29-34).  
Address 262 RD 140.  
Zip Sublette, KS 67877.

Name David N & Katharine F Wiebe (NC NW 15-29-34).  
Address 423 RD 150.  
Zip Satanta, KS 67870.

Base Acres: \_\_.

Perfected Acres: \_\_.

Irr. Return-Flow \_\_%

**Authorized 320AF @ 970gpm.**

**10 year average use reported: 186.4AF**

**Rate: Reported 300gpm in 2012. We have two inspections in file (2014 meter not working & 2018 well not running at time of inspection)**

**Over 600' depth proposed according to log.**

Is a waiver needed: Appears minimum spacing is met. Analysis shows possible effects within the guidelines and no critical wells.

Recommendation: After review of all available information, the proposal appears to meet current area rules. No comments were received from neighbor notices. Staff therefore recommends approval of the application.



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6227: Drawdown from current location = 0.64 ft  
Drawdown from proposed location = 1.57 ft  
Net drawdown = **0.9 ft**

20292: Drawdown from current location = 0.88 ft  
Drawdown from proposed location = 2.20 ft  
Net drawdown = **1.3 ft**

11532: Drawdown from current location = 0.70 ft  
Drawdown from proposed location = 1.44 ft  
Net drawdown = **0.7 ft**

20045: Drawdown from current location = 0.93 ft  
Drawdown from proposed location = 1.67 ft  
Net drawdown = **0.7 ft**

Domestic 14-29-34: Drawdown from current location = 0.95 ft  
Drawdown from proposed location = 1.43 ft  
Net drawdown = **0.5 ft**

Net drawdown does not exceed the drawdown allowance of 4.0 ft for any wells within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

**Conclusion:**

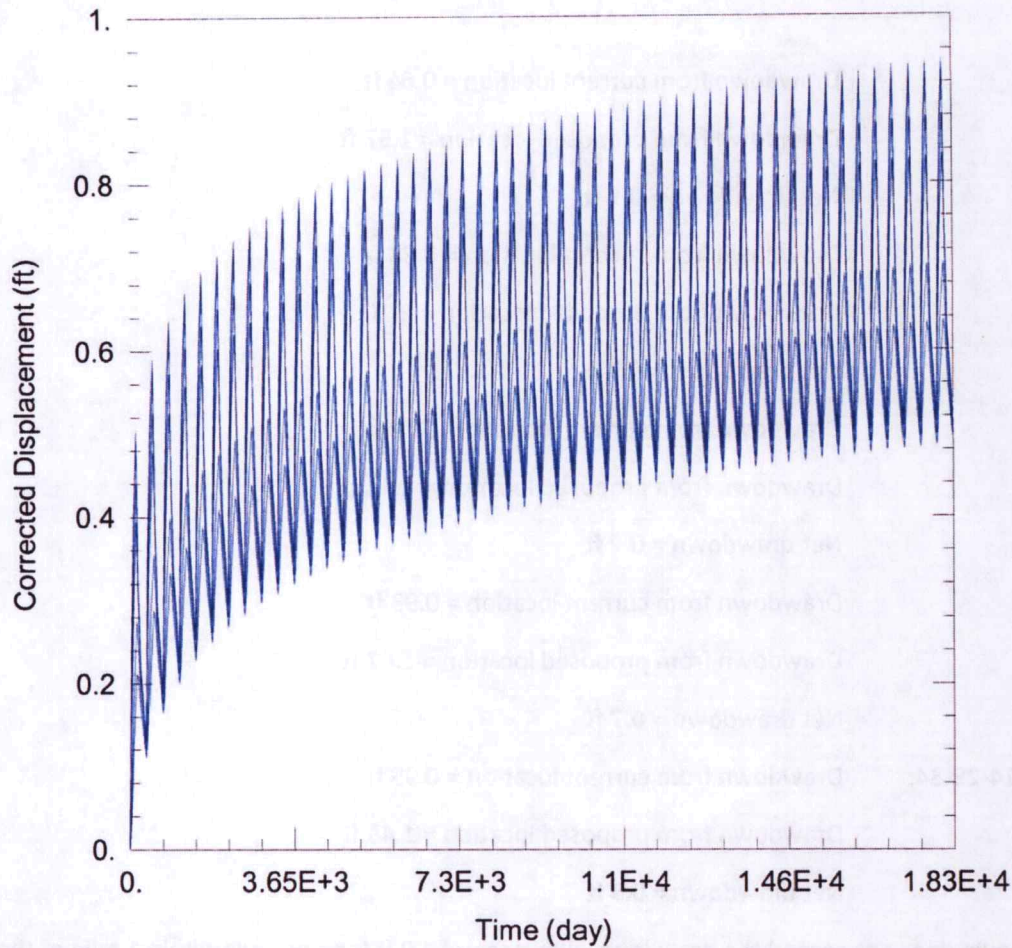
Based upon information from the GMD3 model, this proposal will cause minimal effects on neighboring wells, and is unlikely to create an impairment. GMD3 staff recommends approval of the application.

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Division of Water Resources





### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020\_moves\9408\9408 Current.aqt  
 Date: 11/10/20 Time: 16:10:11

### PROJECT INFORMATION

Company: GMD 3  
 Project: 9408  
 Location: Haskell County  
 Test Well: 9408

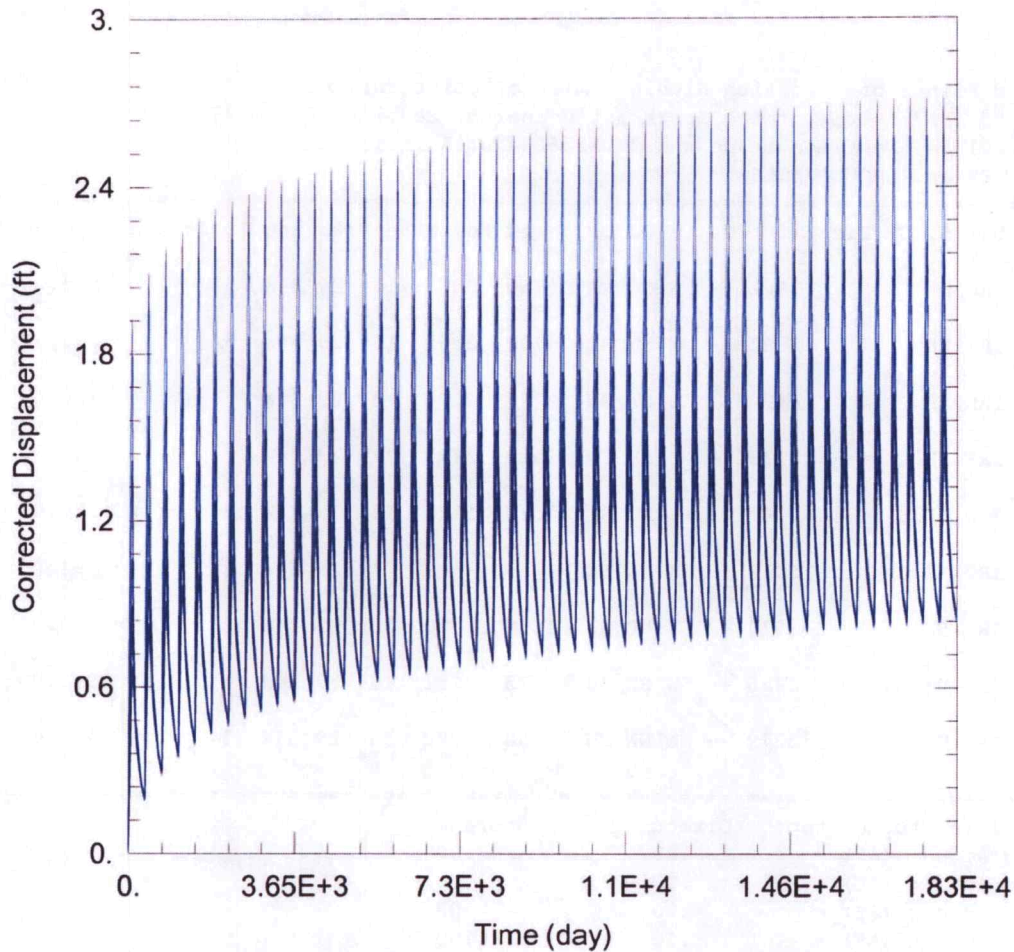
### WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
9408	-60442	236914	□	-60442	236914
			□ 11394	-64286	235661
			□ 3519	-65525	239095
			□ 6227	-66801	238679
			□ 20292	-62693	239775
			□ 11532	-62678	241969
			□ 20045	-60376	233632
			□ Domestic 14-29-34	-58167	234726

### SOLUTION

Aquifer Model: Unconfined  
 T = 1.652E+4 ft<sup>2</sup>/day

Solution Method: Theis  
 S = 0.08333



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020\_moves\9408\9408 Proposed.aqt  
 Date: 11/10/20 Time: 16:10:05

PROJECT INFORMATION

Company: GMD 3  
 Project: 9408  
 Location: Haskell County  
 Test Well: 9408

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WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
9408	-62698	236962

Observation Wells

Well Name	X (ft)	Y (ft)
□	-62698	236962
□ 11394	-64286	235661
□ 3519	-65525	239095
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Garden City Field Office  
 Division of Water Resources

SOLUTION

Aquifer Model: Unconfined  
 T = 1.652E+4 ft<sup>2</sup>/day

Solution Method: Theis  
 S = 0.08333

Water Rights and Points of Diversion Within 1 mile of point defined as:

2554 Feet N and 4867 Feet W of the Southeast Corner of Section 14 Twp 29S Rng 34W

Located at: 101.015641 West Longitude and 37.525609 North Latitude

Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan					
A__ AF	3519	D1	IRR	NK	G				3662	--	NW	NW	NE	4750	2565	15	29	34W	5	585.00	585.00	
A__ AF	3519	D2	IRR	NK	G				3662	--	NW	NW	NE	4750	2565	15	29	34W	5	293.00	293.00	
A__ AF	6227	A	IRR	NK	G				4972	--	SE	SW	NW	2718	4576	15	29	34W	7	1400	320.00	320.00
A__ AF	9408	00	IRR	NK	G*				2129	--	NE	NE	SW	2520	2740	14	29	34W	2	320.00	320.00	
A__ AF	11394	00	IRR	NK	G				2160	--	--	NC	SE	1320	1320	15	29	34W	3	1900	320.00	320.00
A__ AF	11532	00	IRR	NK	G				5016	--	NW	NW	SW	-----	-----	11	29	34W	2	2300	794.00	794.00
A__ AF	20045	00	IRR	NK	G				3973	--	SE	NE	NW	4550	2700	23	29	34W	2	2100	420.00	420.00
A__ AF	20292	00	IRR	NK	G				2826	--	SW	SW	SW	75	4951	11	29	34W	4	2300	960.00	166.00
A__ AF	26848	00	IRR	NK	G				5279	--	NW	NW	SW	2600	5080	23	29	34W	3	2100	470.00	320.00

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	3538.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3538.00	.00

*Minimum Spacing MET.*

An \* after the source of supply indicates a pending application for change under the file number.

An \* after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as:

2554 Feet North and 4867 Feet West of the Southeast Corner of Section 14 Twp 29S Rng 34W

Located at: 101.015641 West Longitude and 37.525609 North Latitude

Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

File Number Use ST SR

> BETTY ANTHONY

> 4037 S ROAD Y  
> SATANTA KS 67870

*3519D1*

> BETTY ANTHONY

> 4037 S ROAD Y  
> SATANTA KS 67870

*D2*

> PAIGE CLAWSON

> 263 RD 140  
> SATANTA KS 67870

*6227A*

> HENRY D & MARGARET W WIEBE

*App*

- >
- > 1813 MANITOBA DR
- > SUBLETTE KS 67877
- 
- > BRANDON BARNHARDT
- >
- ✓ 296 ROAD 120 11394
- > SATANTA KS 67870
- 
- > PETER E & ROBERTA J YORK
- >
- ✓ 1161 ROAD JJ 11532
- > SUBLETTE KS 67877
- 
- > NICHOLAS YORK
- >
- ✓ 872 US HWY 160 20045
- > SATANTA KS 67870
- 
- > LARRY W & ANGELA ANTHONY
- >
- ✓ 2305 E MAPLE ST 20292
- > GLOBE AZ 85501
- 
- > CLAWSON HASKELL CO #4
- >
- ✓ PO BOX 279 26848
- > PLAINS KS 67869
- 
- =====

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Division of Water Resources

## Meyer, Mike [KDA]

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**From:** Meyer, Mike [KDA]  
**Sent:** Friday, November 6, 2020 9:22 AM  
**To:** 'Norquest, Jason (Norquest@gmd3.org)'  
**Subject:** request for recommendation, File No. 9408  
**Attachments:** 20201106091044059.pdf

good morning attached is a request for recommendation for change in point of diversion. Neighboring wells have been notified with no response

please provide a recommendation within 15 days.

thank you

Mike

-----Original Message-----

**From:** kda.fax@ks.gov <kda.fax@ks.gov>  
**Sent:** Friday, November 6, 2020 9:11 AM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** Message from "GardenCity-Savin-Color"

This E-mail was sent from "GardenCity-Savin-Color" (MP C3004ex).

Scan Date: 11.06.2020 09:10:43 (-0600)  
Queries to: kda.fax@ks.gov

This E-Mail was sent from the Kansas Department of Agriculture.

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 6, 2020

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

Re: Water Right, File No. 9408

Dear Mr. Norquest:

This is to advise you that Henry Wiebe, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion for the above referenced file.

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". The signature is fluid and cursive.

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures

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



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

October 22, 2020

ROBERT G BARNHARDT JR  
PO BOX 188  
BUCKLIN, KS 67834-0188

RE: Water Right, File No. 9408

Dear Sir:

This is to advise you that Henry Wiebe has filed application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in point of diversion (well) under the above referenced file number. The proposed well location is within one half mile of an existing well that our records show is under your ownership.

You can find the complete application posted by water right file number as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices).

You are notified on this proposed points of diversion (well) so that you may furnish this office with any comments or other information you may 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 to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM  
pc:

Groundwater Management District No. 3

SCANNED