

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

1. File Number: 12600	2. Status Change Date: <i>12-21-2021</i>	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
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: 12/01/2021
8a. Landowner, WUC, Applicant(s) New to system <input type="checkbox"/> STEVE & ANN BURGESS PO BOX 686 GARDEN CITY, KS 67846-0686		Person ID 29192 Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> Person _____ Add Seq# _____	
8b. Landowner(s), New to system <input checked="" type="checkbox"/>		Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> JERRY & DEBRA ENSZ 1199 ROAD RR SUBLETTE, KS 67877	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2022 <input checked="" type="checkbox"/> N & P Date to Comply: 3/1/2023				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 12/21/2021 By: MAM Date Entered: _____ By: _____				

File No. **12600** 11. County: HS Basin: ARKANSAS RIVER Stream: Formation Code: **211/331** Special Use:

12. Points of Diversion
 CHK
 MOD
 DEL PDIV
 ENT Qualifier S T R ID 'N 'W Comment (AKA Line) Rate gpm Quantity af Rate gpm Quantity af Overlap PD Files

DEL 4649
ENT SESESE 3 29S 32W 159 366 1040 436 1040 436 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 CHK MOD DEL ENT PUSE S T R ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
CHK 19877																				

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

December 21, 2021

STEVE & ANN BURGESS
PO BOX 686
GARDEN CITY, KS 67846-0686

RE: Field Office Application for Change
Water Right, File No. 12600

Dear Madame:

Enclosed is an 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,

A blue ink signature of Michael A. Meyer.

Michael A. Meyer
Water Commissioner

MAM
enclosures

pc: Jerry & Debra Ensz
Groundwater Management District No. 3

CERTIFICATE OF SERVICE

On this 21st day of December 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 12,600 dated 21st day of December 2021 was mailed postage prepaid, first class, US mail to the following:

STEVE & ANN BURGESS
PO BOX 686
GARDEN CITY, KS 67846-0686

Pc:

JERRY & DEBRA ENSZ
1199 ROAD RR
SUBLETTE, KS 67877

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. 12600

RECEIVED
 4:35pm
 DEC 01 2021

Garden City Field Office
 Division of Water Resources

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

2. Name and address of Applicant: STEVE & ANN BURGESS

PO BOX 686 GARDEN CITY KS 67846-0686

Phone Number: () _____ Email address: _____

Name and address of Water Use Correspondent: JERRY & DEBRA ENSZ

1199 ROAD RR SUBLETTE KS 67877

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: STEVE & ANN BURGESS - 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: _____

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 12-1-21 Check # 5762

5. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ NC Quarter of the _____ S2 Quarter of Section _____ 3 _____, Township _____ 29 _____ South, Range _____ 32 _____ (W), in HASKELL 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. 01 GPS 1369 feet North 2663 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 _____ SE Quarter of the _____ SE Quarter of the _____ SE Quarter of Section _____ 3 _____, Township _____ 29 _____ South, Range _____ 32 _____ (W), in HASKELL County, Kansas, 159 feet North 366 feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 740

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) LOSS OF PRODUCTION

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

9. The change(s) (was)(will be) completed by? UPON APPROVAL

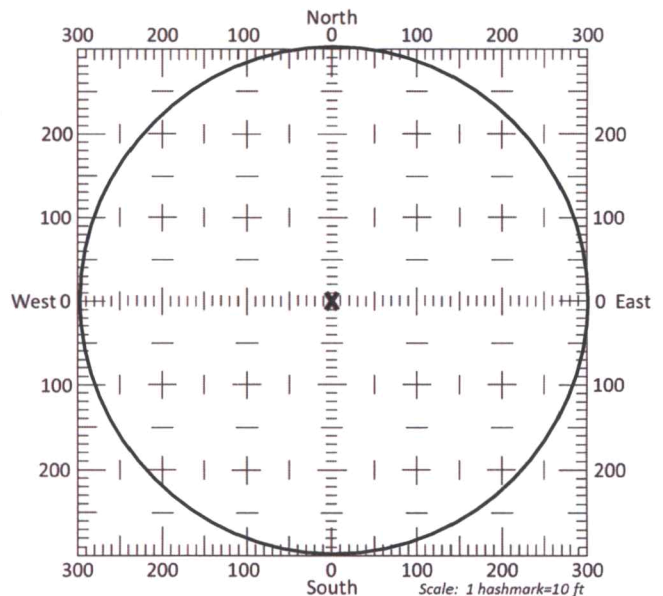
10. If the point of diversion is a well:
(a) What are you going to do with the old well?
PLUG / CAP

(b) When will this be done? UPON COMPLETION

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by AM / GCFO

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.)

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 1st day of December, 2021.

<u>Stephanie Stewart</u> (Owner)	_____ (Spouse)
<u>Stephanie Stewart</u> (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 1st day of December, 2021.



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

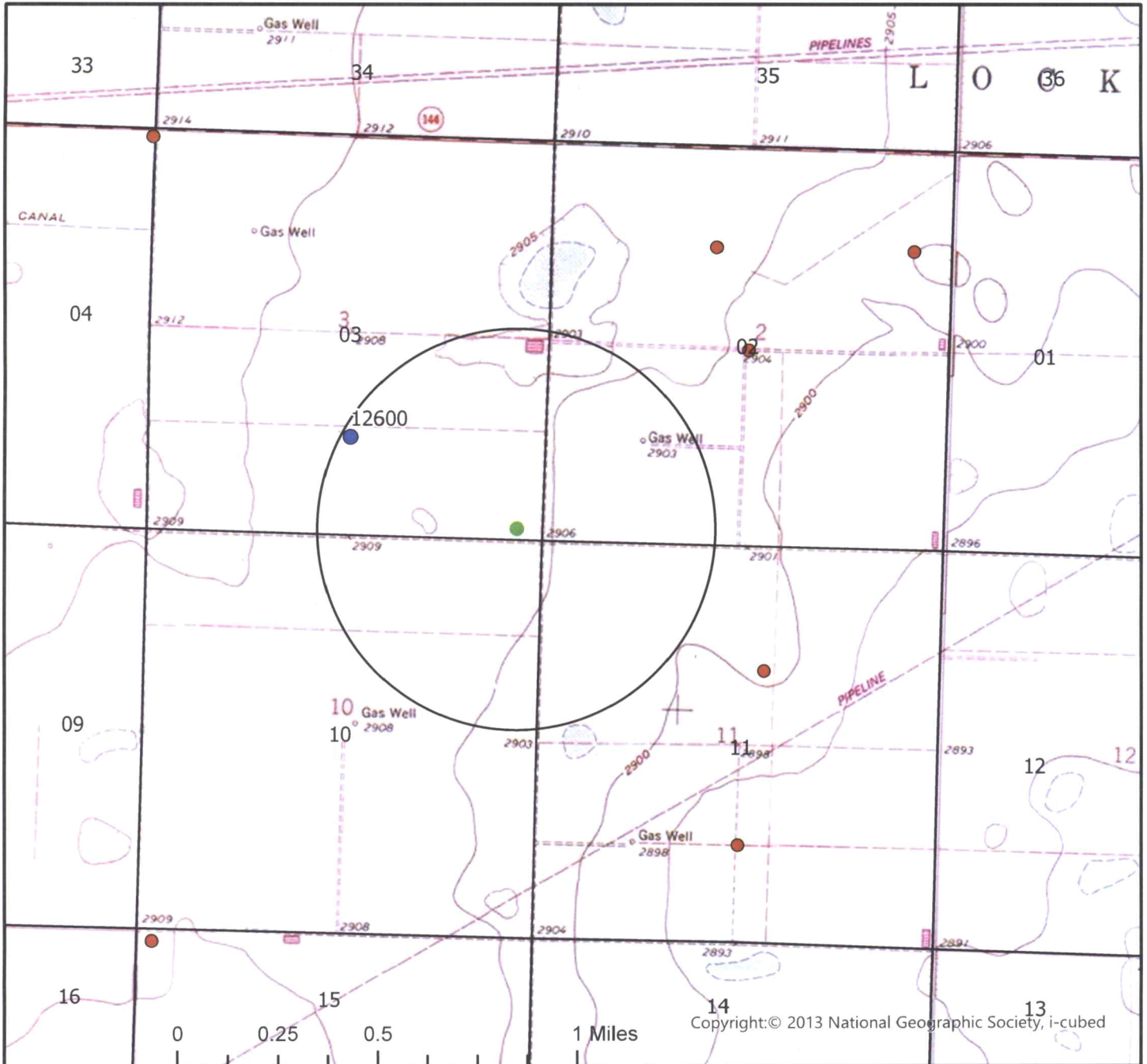
Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**






- (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

**Stephanie Stewart same person as Stephanie Burgess Blackburn*

CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 12600

SE1/4 of Section 3 Township 29 South Range 32 West Haskell County



	Authorized Point of Diversion
	Proposed Point of Diversion
	Permitted Water Right
	Domestic Well within 1/2 mile
	1/2 mile buffer

List of owner name and addresses within 1/2 mile:



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

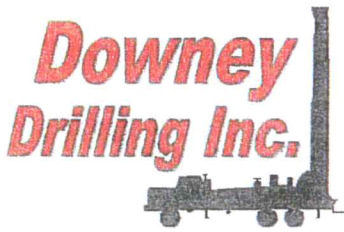
(Signature)

Date

AM/GCFO
1:24,000 Scale

WELL LOG

DATE: 11/22/2021



CUSTOMER NAME: JERRY ENSZ - BURGESS ESTATE TEST HOLE #3

LEGAL: SE/SE 3-29S-32W SE CORNER

COUNTY: HASKELL CO, KS

GPS: 37.547955

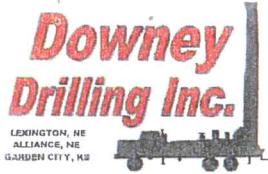
-100.799622

LOGGER:

DRILLER: DIEGO VALLE

WO: 21-1462

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOPSOIL	SOFT	DARK BROWN	FAST		SMOOTH
	2	11	BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
	11	53	SANDY CLAY W/ FINE SAND & CALICHE	SOFT	WHITE	FAST		SMOOTH & CHOPPY VIBRATION & SMOOTH
	53	74	FINE-MED SAND W/ SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	74	83	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	83	93	FINE-MED-COARSE SAND W/ FINE-MED-LARGE GRAVEL	FIRM		FAST		CHATTER
	93	101	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	101	123	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	123	185	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	FIRM		FAST		CHATTER
	185	194	FINE-MED-COARSE SAND W/ FINE-MED-LARGE GRAVEL	STIFF		FAST		CHATTER
	194	197	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	197	245	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	STIFF		FAST		CHATTER
	245	323	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF	RED	FAST		FAST CHATTER
	323	342	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	STIFF	RED	FAST		CHATTER
	342	409	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF	RED	FAST		FAST CHATTER
	409	415	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	415	427	SANDY CLAY W/ FINE-MED-COARSE SAND	FIRM	BROWN	FAST		SMOOTH & CHOPPY
	427	446	FINE-MED-COARSE SAND	FIRM	RED	FAST		FAST CHATTER
	446	454	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	454	472	FINE-MED-COARSE SAND W/ LIMEROCK	FIRM	RED / TAN	FAST		FAST CHATTER
	472	503	CLAY	STIFF	BROWN	FAST		SMOOTH
	503	511	SANDY CLAY W/ FINE SAND	FIRM	BROWN	FAST		SMOOTH & VIBRATION
	511	556	FINE-MED SAND W/ SANDY CLAY	FIRM	BROWN	FAST		VIBRATION & SMOOTH
	556	562	FINE SAND W/ BROWN ROCK	STIFF	BROWN	FAST		FAST CHATTER
	562	592	WEATHERED CLAY W/ BROWN ROCK	FIRM	BROWN	FAST		CHOPPY
	592	616	SHALE	SOFT	BLUE	FAST		SMOOTH
	616	645	SHALE W/ BROWN SILTY CLAY	SOFT	BLUE & BROWN	SLOWER		SMOOTH
	645	648	HARD SPOT	HARD NOT AS FIRM		20 MIN	X 1000 PSI	CHATTER
	648	675	SOAPSTONE W/ SANDSTONE	FIRM	GRAY	FAST		CHOPPY
	675	682	SHALE	FIRM	BLUE	SLOWER		SMOOTHER
	682	706	WHITE SOAPSTONE SANDSTONE LEDGES W/ FINE SAND	STIFF	BLUE & WHITE	FASTER		CHOPPY
	706	715	FINE SAND W/ SANDSTONE	FIRM	GRAY	FASTER		CHATTER
	715	719	GREEN CLAY	FIRM	GREEN	SLOW	X	CHATTER
	719	740	RED BED	FIRM	RED	SLOW	X	CHOPPY
			QUIKGEL - 25					



**Well Design
& Construction**
"PROPOSED"

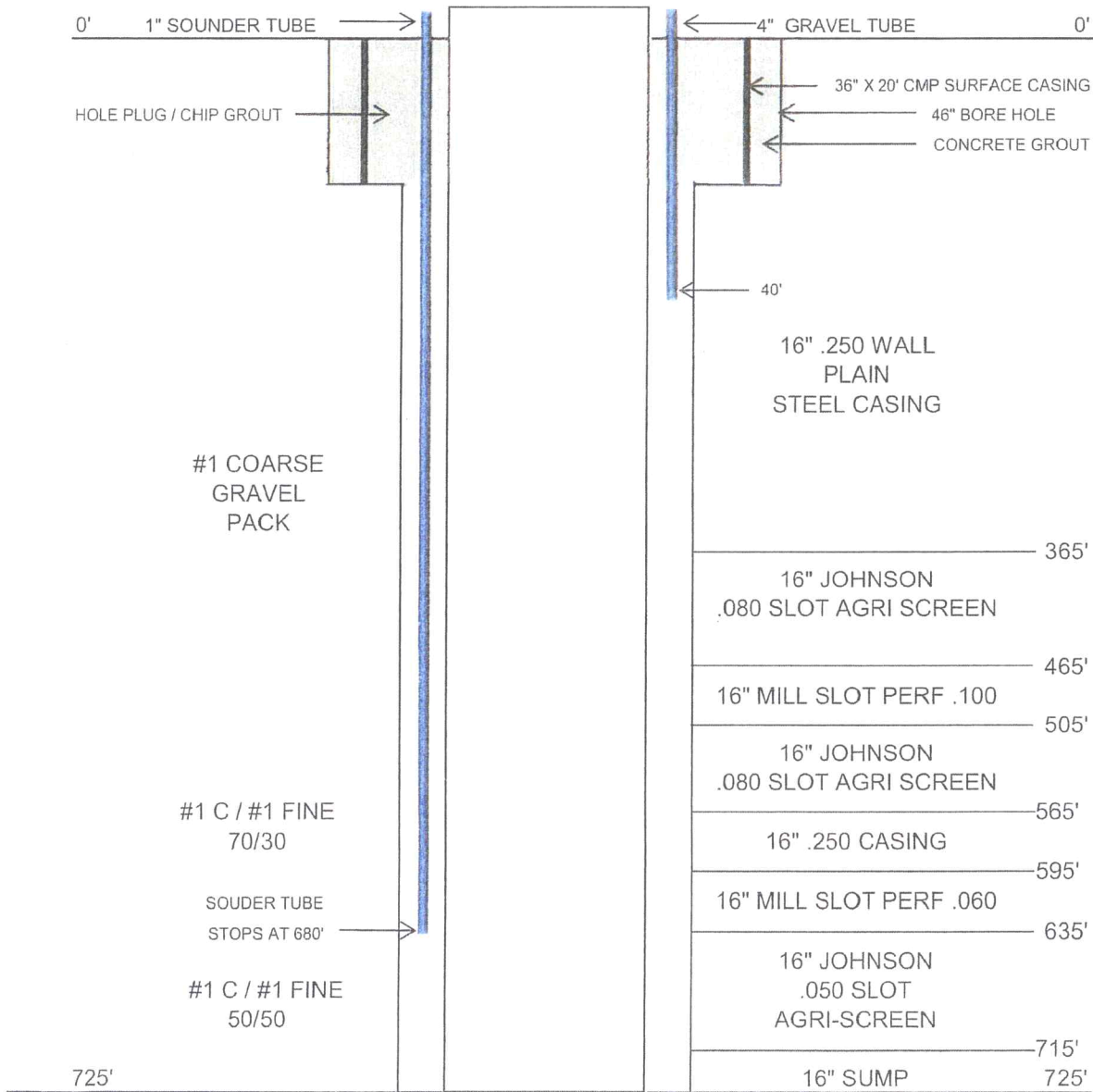
SE CORNER

Customer Name: STEVE BURGESS ESTATE c/o JERRY ENSZ *WR #12600*
 Legal: SE/SE 3-29S-32W County: HASKELL
 G.P.S.: 37.550472 *37.547992* Date: _____
-100.80764 *-100.799645* WO #: _____

DRILLER: _____ WATER SUPPLY: IRRIGATION WELL W/DDI PIPE
 HELPER(S): _____ DRILLING RIG: M100
 BOREHOLE DIAMETER: 30" DRILLING METHOD: REVERSE CIRCULATION
 CASING DIAMETER: 16" QUIKGEL: TBD HOLE PLUG: 20'+
 TOTAL WELL DEPTH: 725' GRAVEL: 156+ TONS OF #1 C X 4; 70/30 X 2 (6 Loads)
 DRILLING FLUID: TBD GRAVEL SUPPLIER: HUBER
 ADDITIONAL INFO: AT TEST HOLE #3 36" X 20' SURFACE CASING

**GROUT
AND
GRAVEL**

**SCREEN AND
CASING**



WR 12600

KANSAS WARRANTY DEED

On this 3 day of June, 1997,

Steve L. Burgess and Ann M. Burgess, husband and wife, of Finney County, Kansas; Sandra Hill, an unmarried individual of San Diego County, California; and Stephanie Burgess Blackburn and Kevin Blackburn, wife and husband of Finney County, Kansas, Grantors, convey and warrant to Steve L. Burgess, for the remainder of his natural life, and upon the death of Steve L. Burgess, to Sandra Hill for the remainder of her natural life, and upon the death of Sandra Hill, the remainder over and unto Stephanie Burgess Blackburn, absolutely and in fee simple forever, all of the following-described real estate in Haskell County, Kansas:

An undivided one-half (1/2) interest in the South Half (S/2) of Section Three (3), Township Twenty-nine South (T29S), Range Thirty-two West (R32W) of the 6th P.M., together with and including all irrigation equipment, fixtures and improvements located upon said land and used or useful in the irrigated farming operations now and heretofore conducted upon said land.

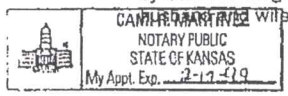
EXCEPT AND SUBJECT TO: oil and gas leases, easements and rights-of-way of record.

for the sum of: This deed is made for the purpose of modifying or supplementing a deed previously recorded on July 29, 1996, in Book 135 of PC at Page 426, without additional consideration.

Handwritten signatures of Steve L. Burgess, Ann M. Burgess, Stephanie Burgess Blackburn, Kevin Blackburn, and Sandra Hill, each followed by their printed names.

STATE OF KANSAS)
)ss
COUNTY OF FINNEY)

This instrument was acknowledged before me on the 9th day of June, 1997, by Steve L. Burgess and Ann M. Burgess,



Carrie R. Truchard
Notary Public

My Appointment Expires: 2-17-99

Pursuant to K.S.A. 79-1437e, a real estate validation questionnaire is not required due to Exception No. 3

RESERVED FOR REGISTER OF DEEDS

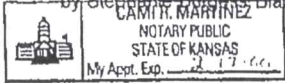
STATE OF KANSAS } ss 1800
HASKELL COUNTY }
This instrument was filed for record on July 14, 1997 at 139 and recorded in Vol. 139 on page 640-641

Diana Sutherland
Register of Deeds

RECORDED IN MY OFFICE THE 14 DAY OF July 1997
Doraine Walling
HASKELL COUNTY CLERK

STATE OF KANSAS, COUNTY OF FINNEY, ss:

This instrument was acknowledged before me on the 11th day of June, 1997,
by ~~Stephanie Burgess Blackburn~~ and Kevin Blackburn, wife and husband.



Camille K. Martinez
Notary Public

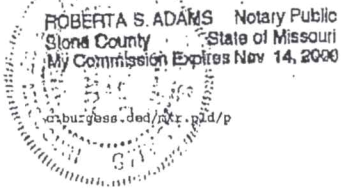
My Appointment Expires: 2-17-00

STATE OF Missouri, COUNTY OF Taney, ss:

This instrument was acknowledged before me on the 3 day of June, 1997,
by Sandra Hill, an unmarried individual.

Roberta S. Adams
Notary Public

My Appointment Expires: November 14, 2000



WARRANTY DEED (Kansas Statutory Form)

Entered in Registrar's Office, Haskell County, Kansas, on 29 day of July, 1996. A.D. 1996. Sandra L. Yount, County Clerk

BY THIS DEED, made and executed this 17th day of July, 1996, VELMA R. BURGESS, a single woman, GRANTOR does hereby grant, convey, assign, set over and warrant unto

STEVE L. BURGESS and SANDRA HILL for the remainder of their natural lives as joint tenants, with right of survivorship and not as tenants in common, and upon the death of the last of them to die and termination of the joint life estate hereby created, the remainder over and unto STEPHANIE BURGESS BLACKBURN, absolutely and in fee simple forever, all of the following-described real estate situate in Haskell County, Kansas, to-wit:

The South One-Half (S/2) of Section Three (3), Township Twenty-nine (29) South, Range Thirty-two (32) West of the 6th P.M., together with and including all irrigation equipment, fixtures and improvements located upon said land and used or useful in the irrigated farming operations now and heretofore conducted upon said land.

This conveyance is made in consideration for love and affection and as a gift and PURSUANT TO K.S.A. 79-1437e(4) A REAL ESTATE VALIDATION QUESTIONNAIRE IS NOT REQUIRED.

EXCEPT AND SUBJECT TO: This conveyance is made subject to all oil and gas leases, easements and rights-of-way of record.

Dated July 17, 1996, STATE OF KANSAS, HASKELL COUNTY, ss BE IT REMEMBERED, That on this 17 day of July A.D. 1996, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came

Velma R. Burgess (Signature) Velma R. Burgess

VELMA R. BURGESS, a single woman,

STATE OF Kansas) HASKELL COUNTY,) ss:

who is personally know to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

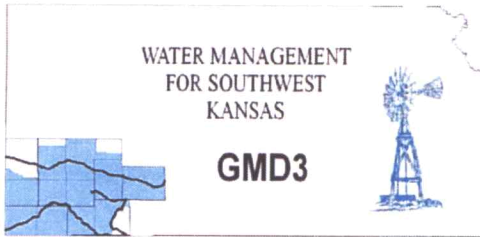
This instrument was filed for record on the 29 day of July, A.D., 1996, at 1:00 o'clock P.M., and duly recorded in book 135 of PC at page 426.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Diya Suttheland (Signature) Register of Deeds.

SANDRA L. YOUNT NOTARY PUBLIC STATE OF KANSAS MY APPT. EXPIRES 9-23-99 Sandra L. Yount Notary Public. Term expires September 23, 1999

Fees \$ 6.00 Deputy.



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

December 20, 2021

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. 12600

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 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 no critical well. Our office did not receive comment from the neighboring land 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,

Jason L. Norquest
Assistant Manager

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Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 12600 . DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Steve & Ann Burgess.

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) 01 being changed.

	ft. North	ft. West	
Authorized PD	1369	2663	Sect 3-29-32
Proposed PD	159	366	haskell
Difference	1210 s	2297 e	
$a^2 + b^2 = c^2$	1464100	5276209	2596.211 foot move SE

GPS for proposed PD: Lat: 37.547992 Long: -100.799645.

Is proposed PD stacking on existing WRs? No .

Is Proposed PU overlapping existing WRs? No Change .

Neighboring certified well(s) notified: .

Name Gayle Greeson (19012).

Address 20548 Road M .

Zip Kismet, KS 67859.

Email: ggreeson71@gmail.com Phone: 620-624-8063.

Name Cody Unruh (22119).

Address 2138 40th Road.

Zip Copeland, KS 67837.

Email: codyunruh18@gmail.com Phone: 620-271-8386.

Name Roger Kelman (23440).

Address PO Box 428.

Zip Sublette, KS 67877.

Email: hayes@boothilldistillery.com Phone: 620-640-1045.

Domestic well(s) notified: .

Name .

Address .

Zip .

Base Acres: .

GMD3 Change Review

Perfected Acres: __.

Irr. Return-Flow __%

Authorized 436AF @ 1040gpm.

400 gpm reported on 2012 WUR.

Reported WUR (2012-2020): 233.7AF/Year. No use reported in 2011.

No log for the current well.

Proposed depth of 740'.

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

Analysis shows possible effects well within guidelines, no critical wells.

Recommendation: After review of all available information, it appears current area rules are met. Staff therefore recommends approval of the applicaiton.



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23440: Drawdown from current location = 0.70 ft
Drawdown from proposed location = 1.85 ft
Net drawdown = **1.2 ft**

22119: Drawdown from current location = 0.63 ft
Drawdown from proposed location = 1.51 ft
Net drawdown = **0.9 ft**

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

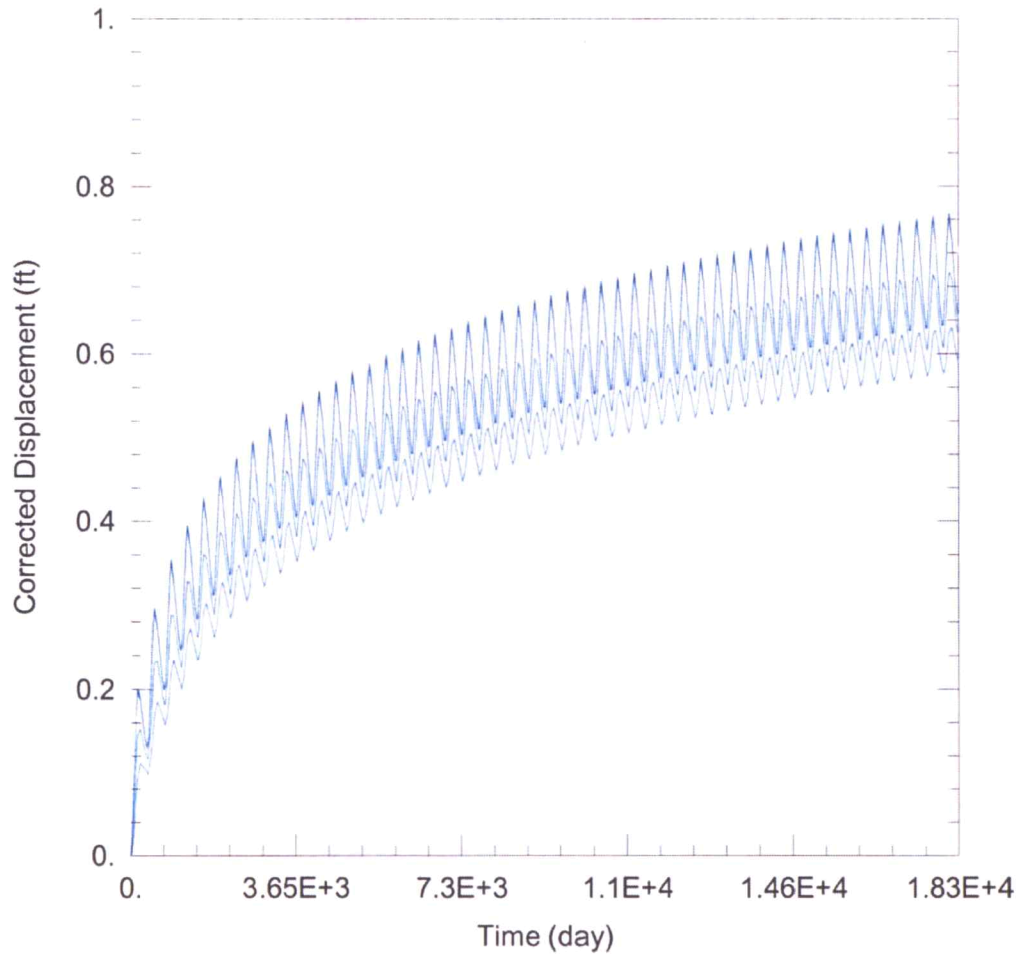
Conclusion:

The proposed move is likely to create minimal effects on neighboring wells and is unlikely to cause impairment. GMD3 staff recommends approval of this proposal.

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Division of Water Resources



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\12600\12600 Current.aqt
 Date: 12/10/21 Time: 16:23:48

PROJECT INFORMATION

Company: GMD 3
 Project: 12600
 Location: Haskell County

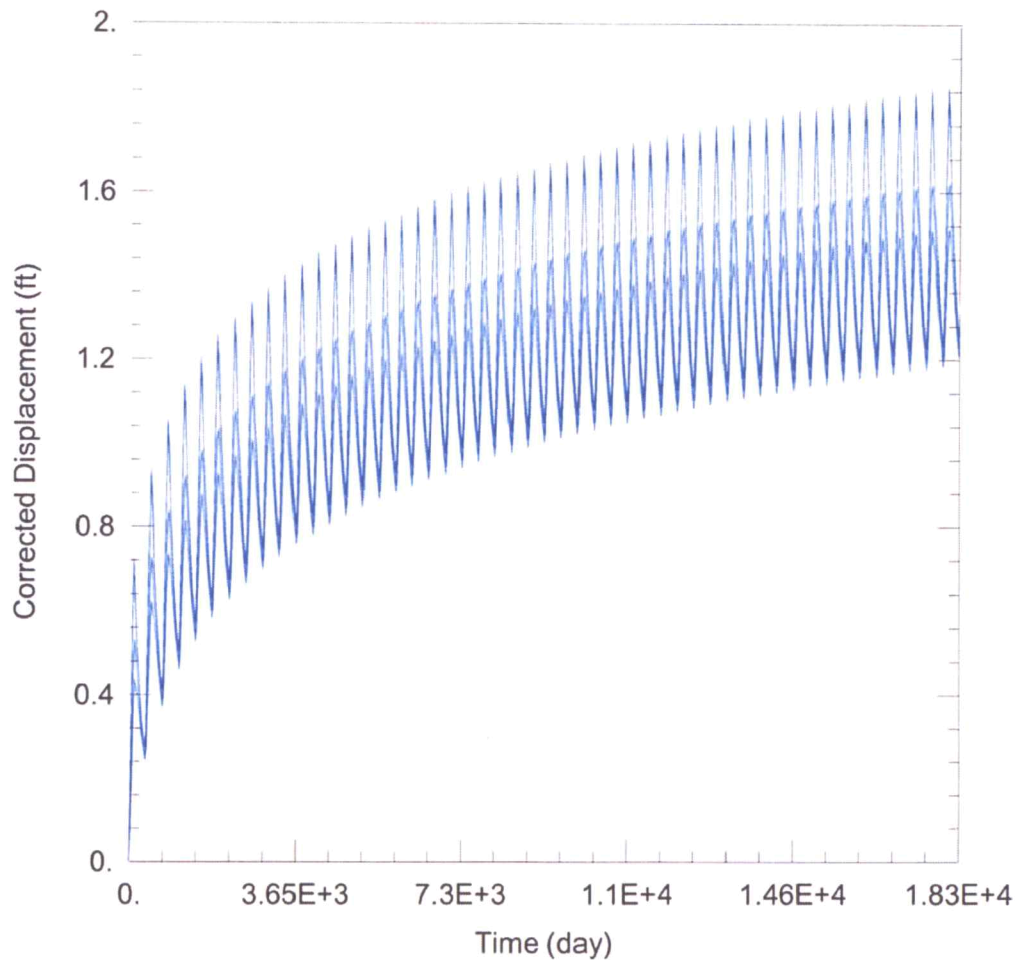
WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
12600	-2306	246205	□	-2306	246205
			□ 19133	2506	248841
			□ 19012	2970	247494
			□ 23440	3289	243259
			□ 22119	2999	240943

SOLUTION

Aquifer Model: Unconfined
 $T = 1.497E+4 \text{ ft}^2/\text{day}$
 $Kz/Kr = 1.$

Solution Method: Theis
 $S = 0.1852$
 $b = 245. \text{ ft}$



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\12600\12600 Proposed.aqt
 Date: 12/10/21 Time: 16:23:42

PROJECT INFORMATION

Company: GMD 3
 Project: 12600
 Location: Haskell County

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
12600	-58	245040	□	-58	245040
			□ 19133	2506	248841
			□ 19012	2970	247494
			□ 23440	3289	243259
			□ 22119	2999	240943

SOLUTION

Aquifer Model: Unconfined
 T = 1.497E+4 ft²/day
 Kz/Kr = 1.

Solution Method: Theis
 S = 0.1852
 b = 245. ft

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Garden City Field Office
 Division of Water Resources

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

December 7, 2021

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

Re: Request for Recommendation
Water Right, File No. 12600

Dear Mr. Norquest:

This is to advise you that Steve Burgess, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion. The application meets all rules and 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, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures