

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

1. File Number: <b>14113</b>	2. Status Change Date:	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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>11/9/21</b>
8a. Applicant(s) New to system <input checked="" type="checkbox"/>  <b>TERRY &amp; AGATHA BOY PO BOX 1275 SYRACUSE KS 67878</b>		8c. Landowner(s) New to system <input type="checkbox"/>  <b>**UPDATE OWNERSHIP</b>		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>8A</b>		8d. WUC New to system <input type="checkbox"/>  <b>TIMOTHY M &amp; LISA M KENNEDY 12064 E ROAD 20 SATANTA, KS 67870-8785</b>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/22</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>3/1/23</b>				
<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 checked="" 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: <b>12/10/21</b> By: <b>AM</b> Date Entered: _____    By: _____				

File No. **14113**      11. County: **GT**      Basin: **N F CIMARRON RIVER**      Stream:      Formation Code: **211/331**      Special Use:

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

**DEL 50625**  
**ENT NE SE SE 27 29S 35W 1095 542 1140 650 1140 650 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	
						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 3731</b>																							<b>8A</b>	<b>Y</b>	<b>26897</b>	
<b>CHK 8704</b>																							<b>8A</b>	<b>Y</b>	<b>26897</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

December 10, 2021

TERRY & AGATHA BOY  
PO BOX 1275  
SYRACUSE KS 67878

RE: Filed Office Application for Change  
Water Right, File No. 14113

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.

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 handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

**CERTIFICATE OF SERVICE**

On this 10<sup>th</sup> day of December, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 14,113 dated 10<sup>th</sup> day of December, 2021 was mailed postage prepaid, first class, US mail to the following:

TERRY & AGATHA BOY  
PO BOX 1275  
SYRACUSE KS 67878

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. 14113

**RECEIVED**  
 11:45 am  
 NOV 09 2021

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: Terry & Agatha Boy

PO Box 1275      Syracuse, KS 67878

Phone Number: (620) 384-5341      Email address: boyfarm@pld.com

Name and address of Water Use Correspondent: TIMOTHY M & LISA M KENNEDY

12064 E ROAD 20 SATANTA KS 67870 - 8785

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

3. The presently authorized place of use is:

Owner of Land ---- NAME: no change

ADDRESS: \_\_\_\_\_

(If there is more than one landowner, attach supplemental sheets as necessary.)

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

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: no change

ADDRESS: \_\_\_\_\_

(If there is more than one landowner, attach supplemental sheets as necessary.)

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

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>200.00</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>11-9-21</u> <b>Check #</b> <u>2209</u>
--

5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the SW Quarter of the NE Quarter of Section 27, Township 29 South, Range 35 W, in Grant County, Kansas, 2734 feet North 2613 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 NE Quarter of the SE Quarter of the SE Quarter of Section 27, Township 29 South, Range 35 W, in Grant County, Kansas, 1095 feet North 542 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 \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) Lack of production  
at current location

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

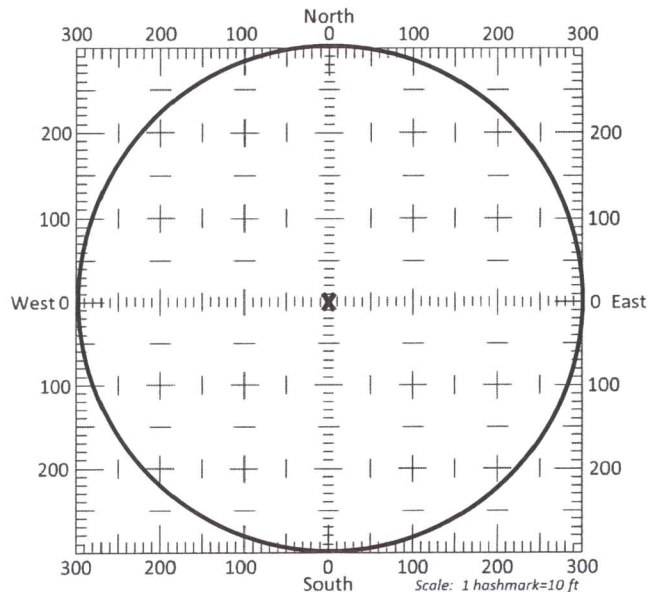
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

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 HH / 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.)

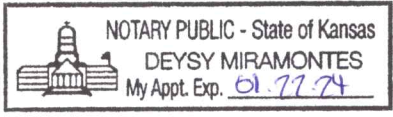
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 Syracuse, Kansas, this 9<sup>th</sup> day of November, 2021.

<u>Jerry J Boy</u>	
(Owner)	(Spouse)
<u>Terry L. Boy</u>	
(Please Print)	(Please Print)
<u>Agatha C. Boy</u>	
(Owner)	(Spouse)
<u>Agatha C Boy</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }  
 County of Hamilton } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9<sup>th</sup> day of November, 2021.

Deisy M  
 Notary Public

My Commission Expires 01.22.24

**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. 14113.

1. A change application was received on November 9, 2021 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 300 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, 2022, 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, 2022,** or within any authorized extension of time. By March 1, 2023 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.

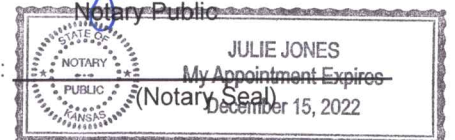
**Administrative Appeal and Effective Date of Order**

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: Austin McCulloch  
Duly Authorized Designee of the Chief Engineer  
(Print Name): Austin McCulloch  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: December 10, 2021  
State of Kansas )  
County of Jinney ) SS  
Acknowledged before me on December 10, 2021  
by Austin McCulloch  
Signature: Julie Jones  
Notary Public

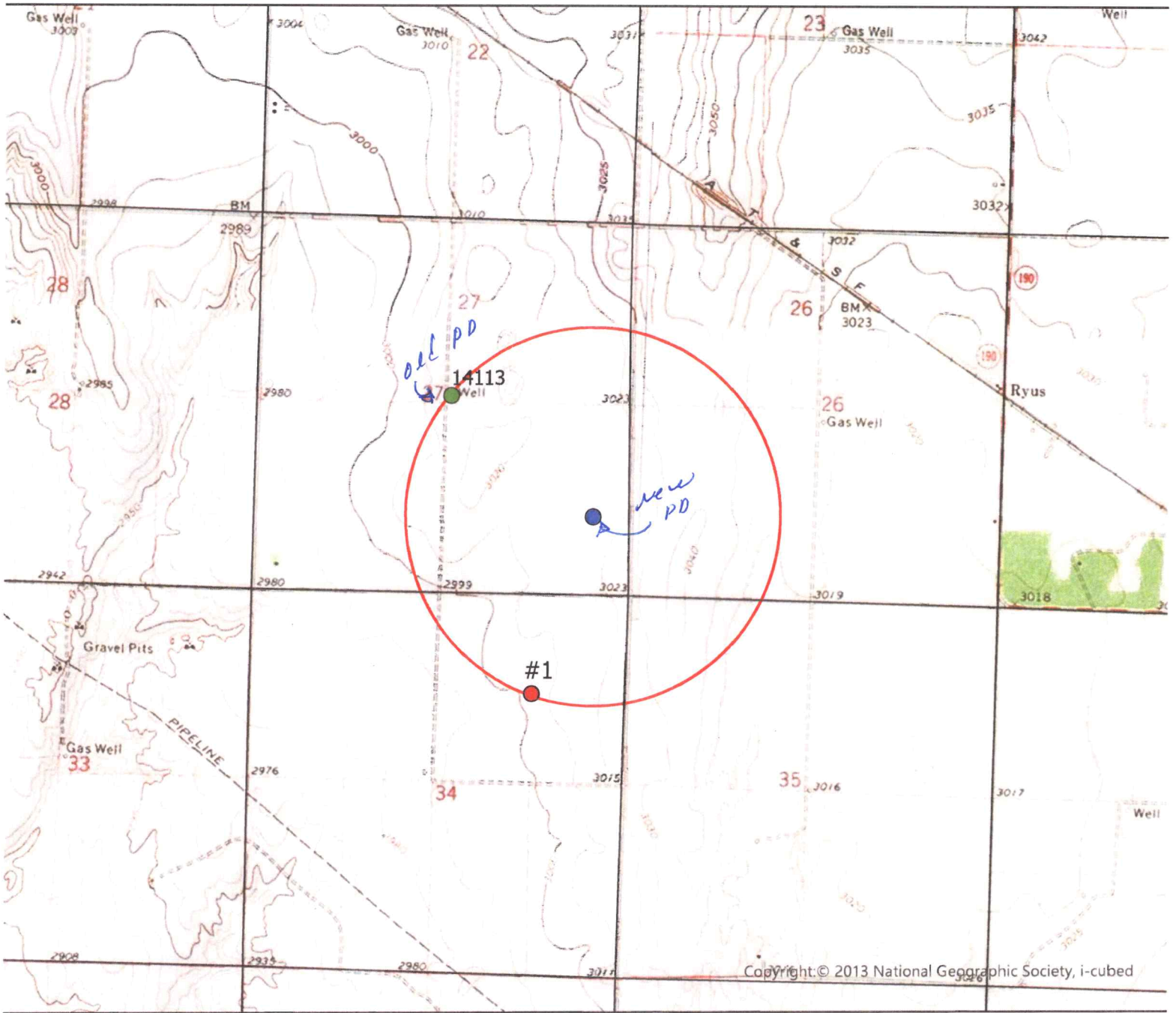


My commission expires: \_\_\_\_\_



# CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 14113

Section 27 Township 29 South Range 35 West Grant County



- Authorized Point of Diversion
- Proposed Point of Diversion
- ★ Domestic Wells within 1/2 mile
- Permitted Wells within 1/2 mile
- 1/2 Mile Buffer

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

#1 File No. 27145  
COTTONWOOD TREE FARMS LLC



All wells of any kind within 1/2 mile of the proposed point of diversion have been plotted.

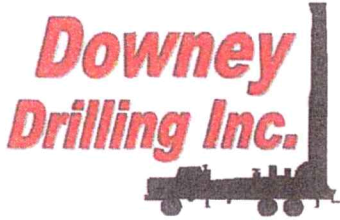
(Signature)

Date

Date: 11/5/21 HH/GCFC

# WELL LOG

DATE: 9/20/2021



CUSTOMER NAME: TIM KENNEDY TH#1

LEGAL: SE 27-29S-35W

COUNTY: GRANT CO, KS

GPS: 37.492502

-101.127589

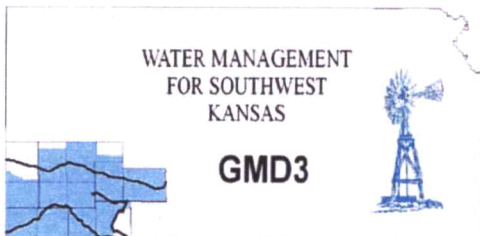
LOGGER:

DRILLER: ROCKY

WO:

21-034

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOPSOIL	SOFT	DARK BROWN	FAST		SMOOTH
	2	10	BROWN CLAY	SOFT	BROWN	FAST SEMI-SLOW		SMOOTH
	10	40	TAN CLAY	SOFT	TAN	FAST		SMOOTH
	40	93	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	93	126	FINE-MED-COARSE W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	126	195	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	195	265	BLUE CLAY	STICKY	BLUE	FAST		SMOOTH
	265	271	FINE-MED SAND	STIFF		FAST		FAST CHATTER
	271	287	BLUE CLAY	STICKY	BLUE	FAST		SMOOTH
	287	440	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	440	495	BROWN SILTY CLAY W/ CLAY LEDGES	SOFT	BROWN	FAST		SMOOTH
	495	500	SANDY CLAY	SOFT		FAST		
	500	531	BROWN SILTY CLAY W/ CLAY LEDGES	SOFT	BROWN	FAST		SMOOTH
	531	550	FINE SAND	FIRM		FAST		VIBRATION
	550	567	BROWN SILTY CLAY	FIRM	BROWN	FAST		SMOOTH
X	567	591	SANDSTONE W/ FINE SAND & BROWN SILTY CLAY W/ SHALE	STIFF		FAST		FAST CHATTER & SMOOTH
	591	595	BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
X	595	630	SANDSTONE W/ FINE SAND & BROWN SILTY CLAY W/ SHALE	FIRM	BROWN RED & GRAY	FAST		FAST CHATTER & SMOOTH
	630	660	RED BED W/ BROWN SILTY CLAY & SHALE	HARD	BROWN RED & GRAY	SLOW	X	CHATTER
			QUIKGEL - 4					
			WATER LOADS - 2					
			SODA ASH - 1/2					
			HOLE PLUG - 2					
			CASING SEAL -1					



**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 9, 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. 14113

Dear Mike:

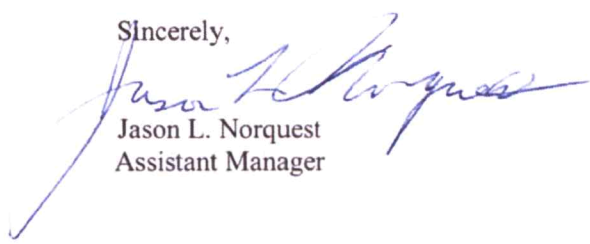
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

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 one of the neighboring wells exceeded the net effect above the maximum allowable threshold. Further analysis showed that the proposed change would not create critical well effects. Our office did receive a call from one of 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

RECEIVED

DEC 09 2021

Garden City Field Office  
Division of Water Resources

## GMD3 Change Review

---

File No(s): 14113. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Terry & Agatha Boy.

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)    being changed.

	ft. North	ft. West	
Authorized PD	2734	2613	Sect 27-29-35
Proposed PD	1095	542	
Difference	1639 s	2071 e	
$a^2 + b^2 = c^2$	2686321	4289041	2641.091 foot move SE

GPS for proposed PD: Lat: 37.492502 Long: -101.127589.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified:   .

Name Clyde Lighty (21720).

Address 11251 E Road 17.

Zip Ulysses, KS 67880.

Email: 3deucesgo@gmail.com Phone: 620-353-8800.

Name Cottonwood Tree Farms LLC %Tim Kennedy (27145).

Address PO Box 307.

Zip Smith Center, KS 66967.

Email: gnewdigger@thepeoplesbank.net Phone: 620-933-2318.

Domestic well(s) notified: house area in same section owned by applicant.

Name   .

Address   .

Zip   .

Base Acres:   .

Perfected Acres:   .

Irr. Return-Flow   %

**Authorized 650AF @ 1140gpm**

**Well not running during 208 inspection. Showed 343gpm in 2014.**

**Recent reported use (2011-2020): 195.9AF/year**

**Appears to be proposing around 650' deep.**

## GMD3 Change Review

---

Is a waiver needed: Move appears less than half mile and minimum spacing to neighboring wells met. One well fell just outside the first criteria, further analysis shows that the well is not critical. No comments from neighboring wells.

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



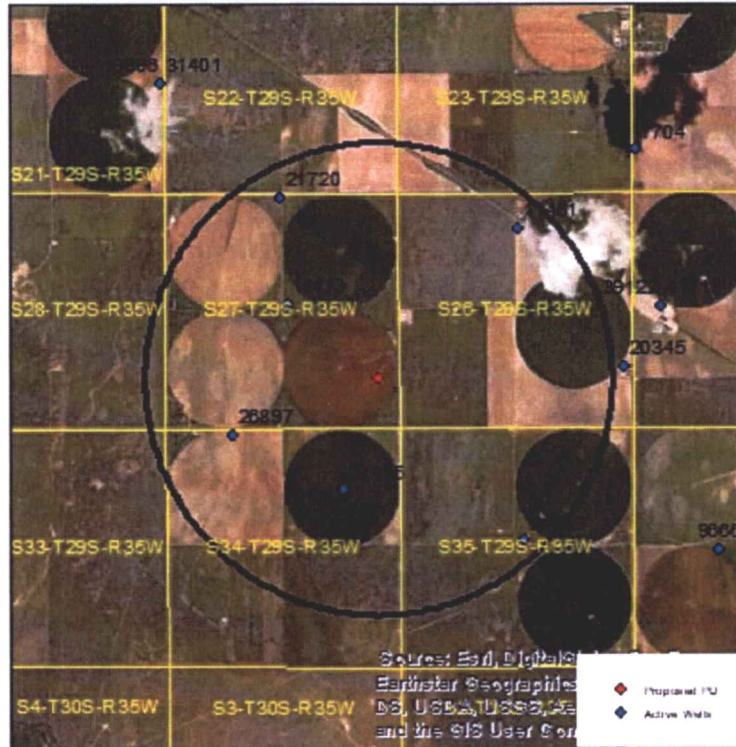
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DEC 09 2021

Garden City Field Office  
Division of Water Resources

### Evaluation of proposed move for Water Right No. 14113

Proposed: Move water right no. 14113 to a new location 2,634 ft to the southeast.



Wells within 1 mile: 21720, 26897, 27145, 11461, and 24599.

The saturated thickness at the proposed well location is estimated to be 262 ft, based upon the GMD3 model. For saturated thickness greater than 200 ft, the drawdown allowance is 4.0 ft.

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

$S = 0.1193$ ,  $T = 9553.4 \text{ ft}^2/\text{day}$ ,  $t_{p_{\text{current}}} = 129 \text{ days}$ ,  $Q_{\text{current}} = 343 \text{ gpm}$ ,  $t_{p_{\text{proposed}}} = 129 \text{ days}$ ,  
 $Q_{\text{proposed}} = 1140 \text{ gpm}$

Theis drawdowns were calculated as follows:

21720:	Drawdown from current location = 1.66 ft
	Drawdown from proposed location = 3.68 ft
	<b>Net drawdown = 2.0 ft</b>
26897:	Drawdown from current location = 1.41 ft
	Drawdown from proposed location = 4.39 ft
	<b>Net drawdown = 3.0 ft</b>

27145: Drawdown from current location = 1.15 ft  
Drawdown from proposed location = 5.20 ft  
Net drawdown = 4.1 ft

11461: Drawdown from current location = 1.00 ft  
Drawdown from proposed location = 3.67 ft  
Net drawdown = 2.7 ft

24599: Drawdown from current location = 0.83 ft  
Drawdown from proposed location = 3.56 ft  
Net drawdown = 2.7 ft

Net drawdown exceeds the drawdown allowance of 4.0 ft for water right number 27145. Critical well analysis was performed for that well.

**Critical Well Evaluation:**

**27145:**

Water Column = 236 ft

DP = 4.1 ft (Net drawdown from the proposal indicated above)

DE = 53.3 ft (Water level decline from 2021 through 2046 based upon GMD3 model)

DD = 13.3 ft (S = 0.1735, T = 126,582.2 gpd/ft, Q = 625 gpm, tp = 67 days, efficiency = 70%)

DT = 70.7 ft

Economic Drawdown Constraint (EDC) =  $0.4 * 236 \text{ ft} = 94.4 \text{ ft}$

Physical Drawdown Constraint (PDC) =  $236 \text{ ft} - 60 \text{ ft} = 176 \text{ ft}$

Total drawdown of 70.7 ft is less than the EDC and PDC, so this well is **not critical**.

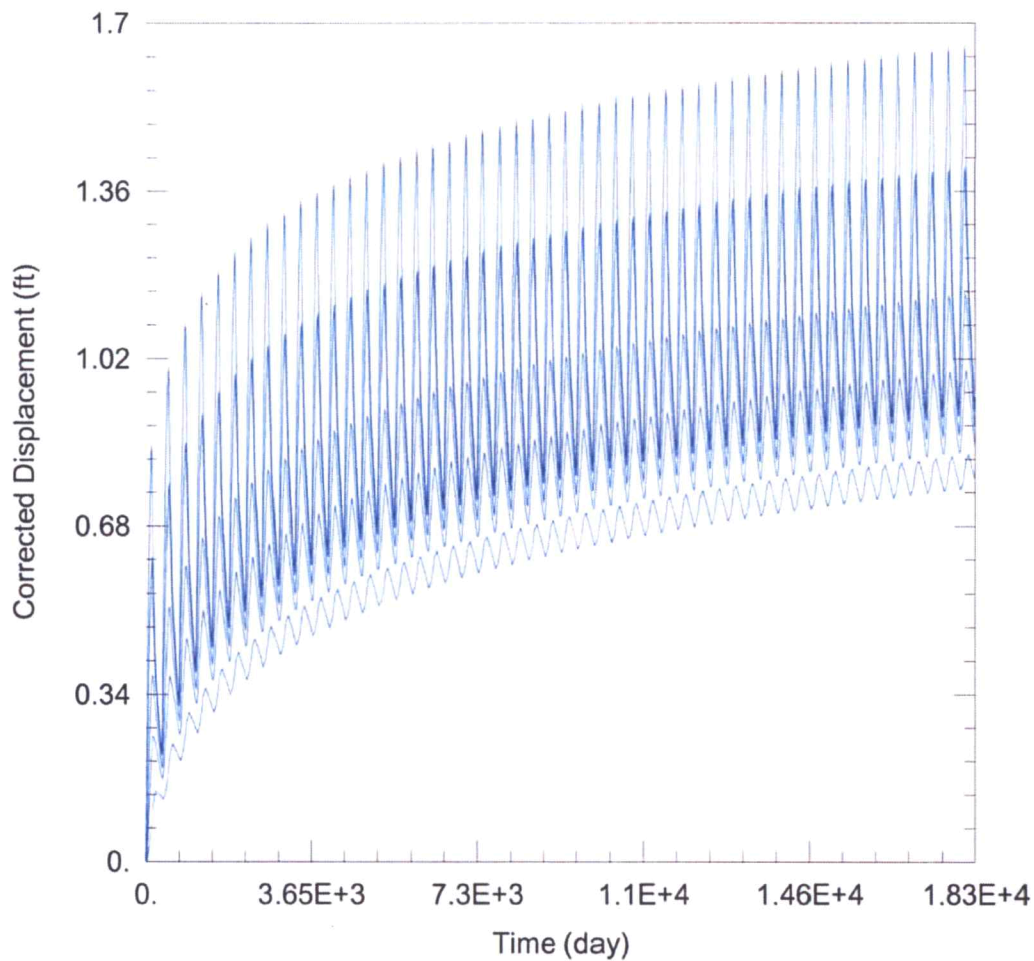
**Conclusion:**

The proposal is unlikely to cause noticeable effects on most neighboring wells. There is potential for one neighboring well, 27145, to experience well to well interaction effects slightly exceeding 4 ft, but based on modeled aquifer characteristics, this well is not critical and is unlikely to be unreasonably impaired. GMD3 staff recommends approval of this application.

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Division of Water Resources



### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021\_Moves\14113\14113 Current.aqt  
 Date: 11/30/21 Time: 16:37:29

### PROJECT INFORMATION

Company: GMD 3  
 Project: 14113  
 Location: Grant County

### WELL DATA

#### Pumping Wells

Well Name	X (ft)	Y (ft)
14113	-97263	226646

#### Observation Wells

Well Name	X (ft)	Y (ft)
□	-97263	226646
□ 21720	-97429	229025
□ 26897	-98492	223738
□ 27145	-96001	222505
□ 11461	-92035	228350
□ 24599	-91914	221380

### SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

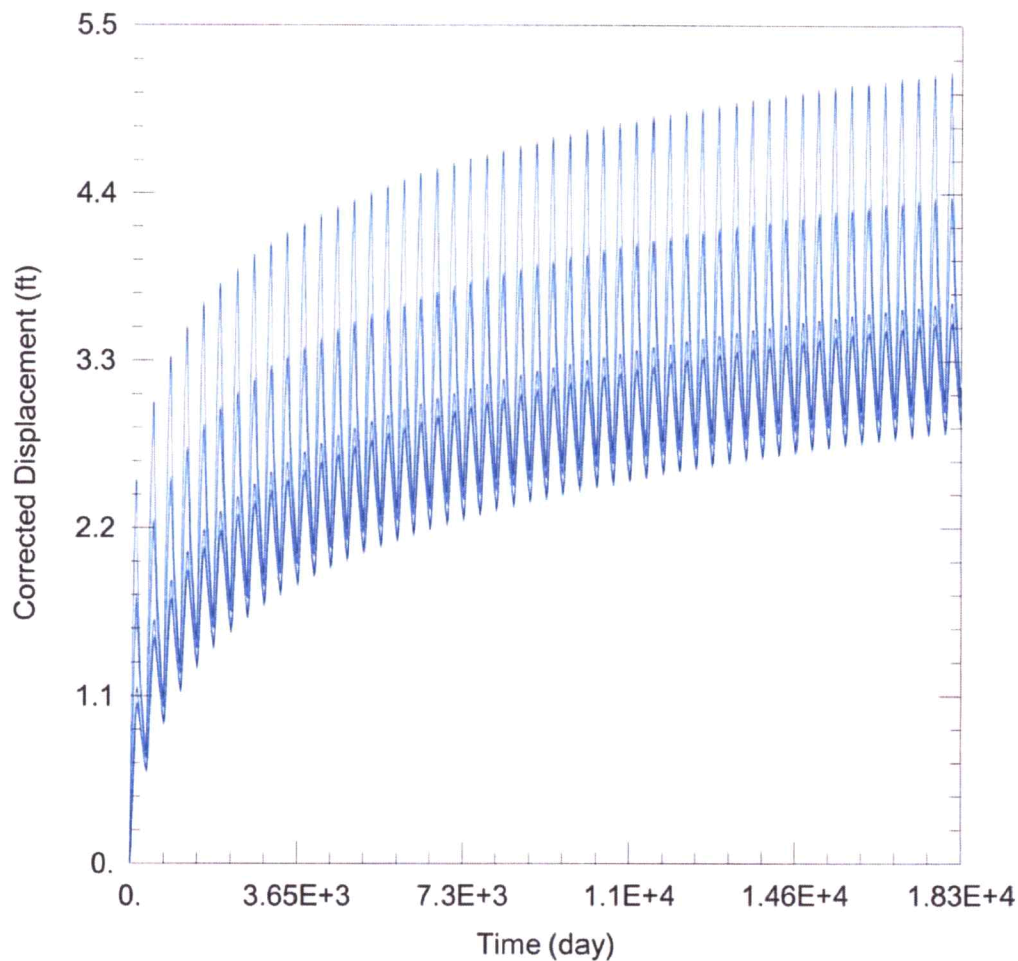
T = 9553.4 ft<sup>2</sup>/day

S = 0.1193

Kz/Kr = 1.

b = 262. ft





WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021\_Moves\14113\14113 Proposed.aqt  
 Date: 11/30/21 Time: 16:37:17

PROJECT INFORMATION

Company: GMD 3  
 Project: 14113  
 Location: Grant County

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
14113	-95206	225001

Observation Wells

Well Name	X (ft)	Y (ft)
□	-95206	225001
□ 21720	-97429	229025
□ 26897	-98492	223738
□ 27145	-96001	222505
□ 11461	-92035	228350
□ 24599	-91914	221380

SOLUTION

Aquifer Model: Unconfined

T = 9553.4 ft<sup>2</sup>/day  
 Kz/Kr = 1.

Solution Method: Theis

S = 0.1193  
 b = 262. ft

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Garden City Field Office  
 Division of Water Resources

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

1095 Feet N and 542 Feet W of the Southeast Corner of Section 27 Twp 29S Rng 35W  
 Located at: 101.127589 West Longitude and 37.492502 North Latitude  
 Both SURFACE WATER and GROUNDWATER

*2300' on call*

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan		
A__ AF	11461	00	IRR	NK	G		4612	--	SW	NW	NE	4455	2610	26	29	35W	1	294.00	294.00
A__ AF	14113	00	IRR	NK	G*		2634	--	SW	SW	NE	2734	2613	27	29	35W	1	650.00	650.00
A__ AF	21720	00	IRR	NK	G		4557	--	NE	NE	NW	5130	2690	27	29	35W	2	256.00	256.00
A__ AF	24599	00	IRR	NK	G		4972	--	SW	SW	NE	2740	2475	35	29	35W	1	560.00	560.00
A__ AF	26897	00	IRR	NK	G		3521	--	NW	NE	NW	5188	3814	34	29	35W	1	520.00	390.00
A__ AF	27145	00	IRR	NK	G		2620	--	NC	NE		3950	1310	34	29	35W	2	260.00	260.00

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) =	2410.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2410.00	.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:

1095 Feet North and 542 Feet West of the Southeast Corner of Section 27 Twp 29S Rng 35W  
 Located at: 101.127589 West Longitude and 37.492502 North Latitude  
 Both SURFACE WATER and GROUNDWATER  
 WATER USE CORRESPONDENTS:

- > TIMOTHY M & LISA M KENNEDY
- >
- > 12064 E ROAD 20
- > SATANTA KS 67870
- >
- > TIMOTHY M & LISA M KENNEDY
- >
- > 12064 E ROAD 20
- > SATANTA KS 67870
- >
- > CLYDE LIGHTY
- >
- > 11251 E ROAD 17
- > ULYSSES KS 67880
- >
- > TIMOTHY M & LISA M KENNEDY
- >
- > 12064 E ROAD 20
- > SATANTA KS 67870
- >
- > TIMOTHY M & LISA M KENNEDY

*owner of applicant*

*11461*

*14113 Application*

*21720*

*24599 Applicant*

*26897 overlap PU*

>  
> 12064 E ROAD 20  
> SATANTA KS 67870

>-----  
> COTTONWOOD TREE FARMS LLC  
> GRANT CO/TIM KENNEDY  
> PO BOX 307  
> SMITH CENTER KS 66967  
>-----

27745

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DEC 09 2021

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

November 29, 2021

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

Re: Request for Recommendation  
Water Right, File No. 14113

Dear Mr. Norquest:

This is to advise you that Terry and Agatha Boy, 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 that reads "Michael A. Meyer".

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

November 12, 2021

COTTONWOOD TREE FARMS LLC  
PO BOX 307  
SMITH CENTER, KS 66967

RE: Application for Change  
Water Right, File No. 14113

Dear Sir:

This is to advise you that Terry and Agatha Boy has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in point of diversion under the above referenced application.

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 of this proposed point 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 that reads "Michael A. Meyer". The signature is written in a cursive style.

Michael A. Meyer  
Water Commissioner

MAM

pc: Groundwater Management District No. 3

SCANNED