

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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

Call for address:

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

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



**STATE OF KANSAS**

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

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

File No. 21850

**RECEIVED**  
 9:00 AM  
 JUL 19 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: LOHMEIER FAMILY TRUST

11562 S SUMMIT ST OLATHE KS 66062-7829

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

Name and address of Water Use Correspondent: J & L SMITH FARMS INC - BRYAN SMITH

9170 E ROAD 2 ULYSSES KS 67880-8151

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: \_\_\_\_\_

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 7-19-21 Check # 1367

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section 19, Township 27 South, Range 35 (W),  
 in GRANT County, Kansas, 2540 feet North 4915 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 01 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 LOT 2 Quarter of the NW Quarter of the NW Quarter  
 of Section 19, Township 27 South, Range 35 (W),  
 in GRANT County, Kansas, 3308 feet North 4862 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) 802'  
 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) \_\_\_\_\_  
 \_\_\_\_\_

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

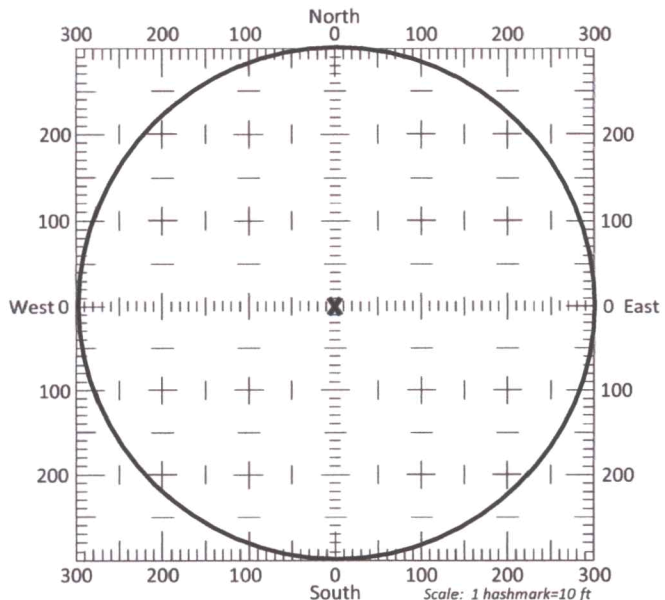
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
 \_\_\_\_\_  
 (b) When will this be done? \_\_\_\_\_

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 Olathe, KS, Kansas, this 8 day of JULY, 2021.

Jon J. Lohmeier, Co Trustee  
(Owner)

Paula M. Lohmeier, Co Trustee  
(Spouse)

Jon T. Lohmeier, Co Trustee  
(Please Print)

Paula M. Lohmeier - Co Trustee  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)



\_\_\_\_\_  
(Please Print)

State of Kansas }  
County of Johnson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8 day of July, 2021.

Heidi Ann Abeln  
Notary Public

My Commission Expires 4.17.2025

**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

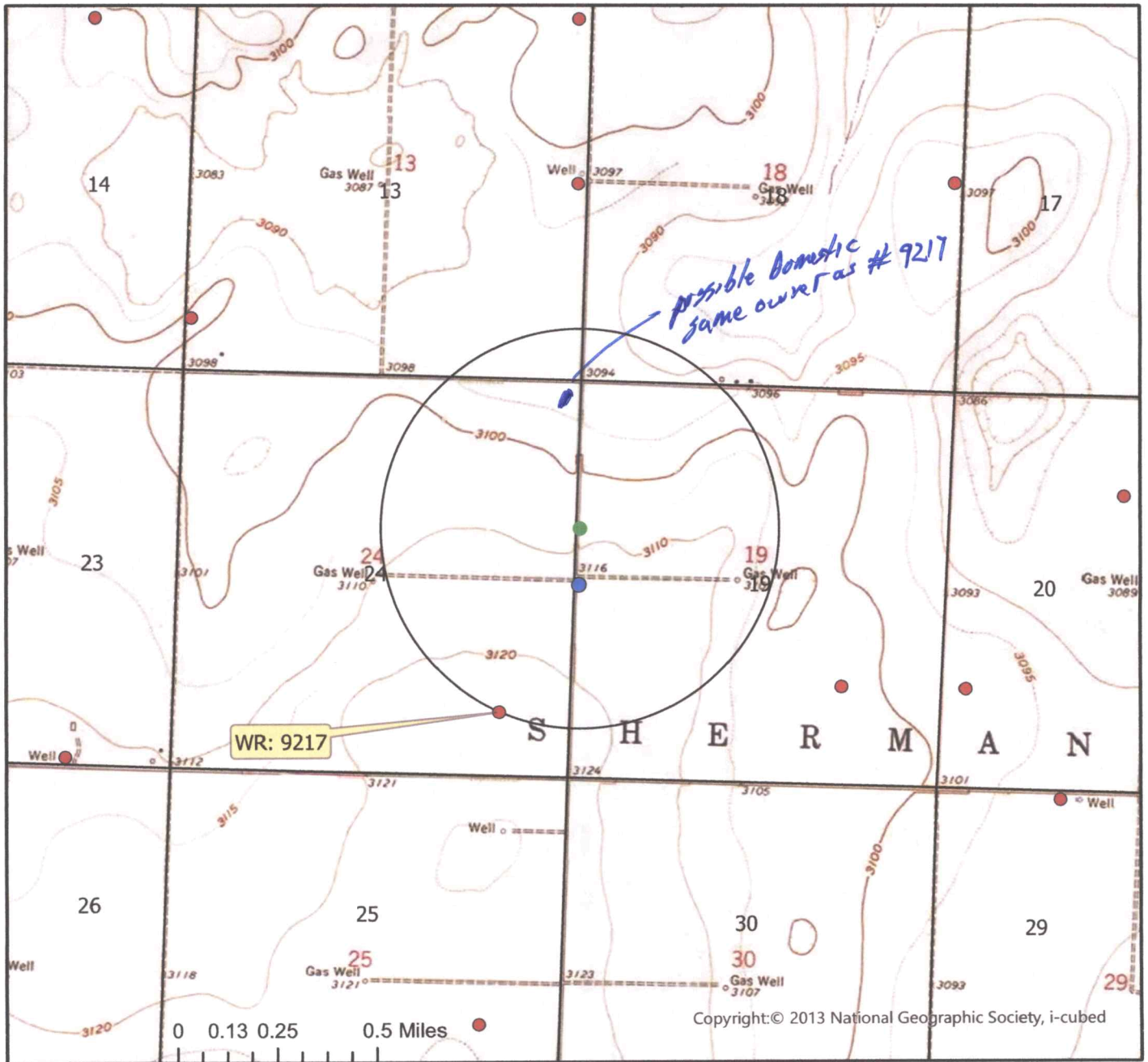




858  
PUC

# CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 21850

NW1/4 of Section 19 Township 27 South Range 35 West Grant 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:

WR 9217: DAVID R UNRUH TRUST  
 108 S FRY ST  
 MONTEZUMA, KS 67867-9130



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

with  
pvc

# WELL LOG

DATE: 4/20/2020

## Downey Drilling Inc.



CUSTOMER NAME: LOHMEIER - J&L SMITH FARMS

TEST HOLE #4

LEGAL: HW 19-27S-35W

1050' NORTH OF

COUNTY: GRANT

IRR WELL

GPS: 37.687161

-101.19863

DRILLER: DIEGO VALLE

WO: 20-075

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	2		TOP SOIL	SOFT	BROWN	FAST		SMOOTH
2	20		SANDY CLAY	SOFT		FAST		SMOOTH
20	32		SANDY CLAY WITH CALICHE LAYERS	SOFT		FAST		SMOOTH
32	62		TAN CLAY	SOFT	TAN	FAST		SMOOTH
62	114		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
114	168		FINE-MEDIUM SAND WITH SMALL GRAVEL	SOFT		FAST		CHATTER
168	181		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
181	208		FINE-MEDIUM SAND WITH SMALL GRAVEL AND A FEW CLAY LAYERS	SOFT		FAST		CHOPPY AND SMOOTH
208	219		FINE-MEDIUM SAND WITH SMALL GRAVEL AND CLAY	SOFT		FAST		VIBRATION AND CHATTER
219	238		FINE-MEDIUM SAND WITH SMALL GRAVEL AND CLAY STRINGERS	SOFT		FAST		VIBRATION AND CHATER
238	247		FINE SAND WITH SANDY CLAY	SOFT	TAN	FAST		SMOOTH AND VIBRATION
247	259		FINE-MEDIUM SAND WITH SMALL GRAVEL	SOFT		FAST		CHOPPY
259	373		FINE-MEDIUM-COARSE SAND	SOFT		FAST		CHOPPY
373	420		FINE-MEDIUM-COARSE SAND W/ SMALL GRAVEL	SOFT		FAST		CHATTER
420	431		SANDY CLAY	NOT AS SOFT	BROWN	FAST		SMOOTHER
431	448		FINE - MED SAND	SOFT	TAN	FAST		LT. CHATTER
448	459		SAND - SANDY CLAY	NOT AS SOFT	BROWN	NOT AS FAST		SMOOTHER
459	475		FINE SAND	SOFTER	BROWN	FASTER		LT CHATTER
494	511		SANDSTONE W/ SOME BROWN ROCK	NOT AS SOFT	TAN / BROWN	FAST		CHATTER
511	520		CLAY	STIFF	GRAY	SLOW		SMOOTH
520	528		FINE SAND	SOFTER	GRAY	LITTLE FAST		VERY LT. CHATTER
528	600		SHALE	DENSE	GARY	SLOW		SMOOTH
			(TRIP OUT - CHANGE TO PDC BIT)					
			2ND DAY					
600	613		SHALE	DENSE	GRAY	SEMI SLOW		SMOOTH
613	640		FINE SAND, TR. SANDSTONE	SOFTER	GRAY	FASTER		LT VIBRATION / SOME CHOPPY
640	665		SHALE	DENSE	GRAY	SLOW		SMOOTH
665	685		FINE SAND TR. SANDSTONE	SOFT	GRAY	FAST		CHOPPY
685	688		SHALE	DENSE	GRAY	SLOW		SMOOTHER
694	782		SANDSTONE WITH FINE SAND	SEMI SOFT	LT GRAY - WHITE	FASTER		CHATTER
782	784		SHALE	DENSE		SLOW		SMOOTH
784	802		RED BED	SOFT	RED	NOT AS FAST		SMOOTH
			QUIK GEL - 54					
			BRAN - 7					

470' EXISTING WELL DEPTH



# LOHMEIER FAMILY TRUST

SW/NW 19-27S-35W GRANT CO.

Legend

*Handwritten:*  
7/17/21  
PMT

TH #4 ELEV=3109'

TH #6 ELEV=3113'

EXISTING IRR WELL ELEV=3119'

TH #1 ELEV=3119' SWL=375'

Google Earth

© 2021 Google



600 ft



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



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

Mike Beam, Secretary

Laura Kelly, Governor

July 21, 2021

DAVID R UNRUH TRUST  
108 S FRY ST  
MONTEZUMA, KS 67867-9130

RE: Water Right, File No. 21850

Dear Sir:

This is to advise you that Lohmeier family Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to point of diversion under the above referenced application. An irrigation well is proposed to be relocated.

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 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 blue ink that reads "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3