

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

| | | | | |
|---------------------------------|--|-----------------------------|------------------------------|---------------------|
| 1. File Number: 21850 | 2. Status Change Date: 8/19/2021 | 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: 7/19/2021 |
|--|---|

| | |
|--|--|
| 8a. Landonwer, New to system <input type="checkbox"/> | Person ID 60605 Add Seq# _____ |
| LOHMEIER FAMILY TRUST 11562 S SUMMIT ST OLATHE, KS 66062-7829 | |

| | |
|--|-----------------------------------|
| 8c. Landonwer(s) New to system <input type="checkbox"/> | Person ID _____ Add Seq# _____ |
|--|-----------------------------------|

| | |
|--|-----------------------------------|
| 8b. Landonwer(s) New to system <input type="checkbox"/> | Person ID _____ Add Seq# _____ |
|--|-----------------------------------|

| | |
|---|--|
| 8d. WUC New to system <input type="checkbox"/> | Person ID 55420 Add Seq# _____ |
| J & L SMITH FARMS INC Attn: BRYAN SMITH 9170 E ROAD 2 ULYSSES, KS 67880-8151 | |

| | |
|--|--|
| 9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2021 <input checked="" type="checkbox"/> N & P Date to Comply: 3/1/2022 | |
| <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 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: 8/19/2021 By: MAM |
| Date Entered: _____ By: _____ |

File No. **21850** 11. County: GT Basin: ARKANSAS RIVER Stream: Formation Code: **211/331** Special Use:

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

DEL 45165
ENT **LOT 2 (SWNW) 19 27S 35W** **3308 4862** **1200 557** **1200 557** **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 | | | | |
| CHK 10743 | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | | | | | | | |

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

August 19, 2021

LOHMEIER FAMILY TRUST
11562 S SUMMIT ST
OLATHE, KS 66062-7829

RE: Water Right, File No. 21850

Dear Sir and Madam:

Enclosed is an 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. Conditions of these approval are 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 handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
enclosures
pc: J & L SMITH FARMS INC
GMD3

CERTIFICATE OF SERVICE

On this 19th day of August 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 21,850 dated 19th day of August 2021 was mailed postage prepaid, first class, US mail to the following:

LOHMEIER FAMILY TRUST
11562 S SUMMIT ST
OLATHE, KS 66062-7829

Pc:

J & L SMITH FARMS INC
Attn: BRYAN SMITH
9170 E ROAD 2
ULYSSES, KS 67880-8151

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. 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 LOT 3 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 480 (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 LOT 2 (SWNW) 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?

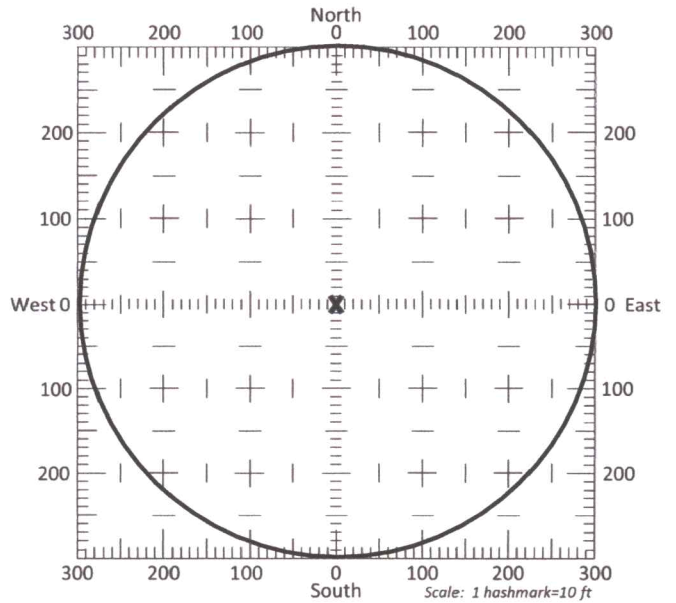
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (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)

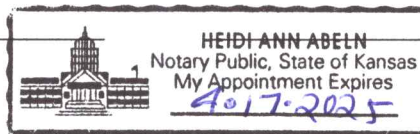
(Please Print)

(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

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. 21850.

1. A change application was received on July 19, 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 _____ 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

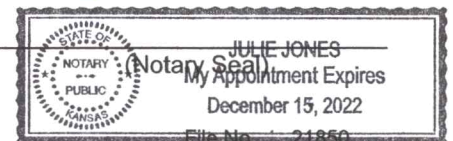
Date of Issuance: August 19, 2021

State of Kansas)
County of Stimney) SS

Acknowledged before me on August 19, 2021
by Michael A. Meyer

Signature: Julie Jones
Notary Public

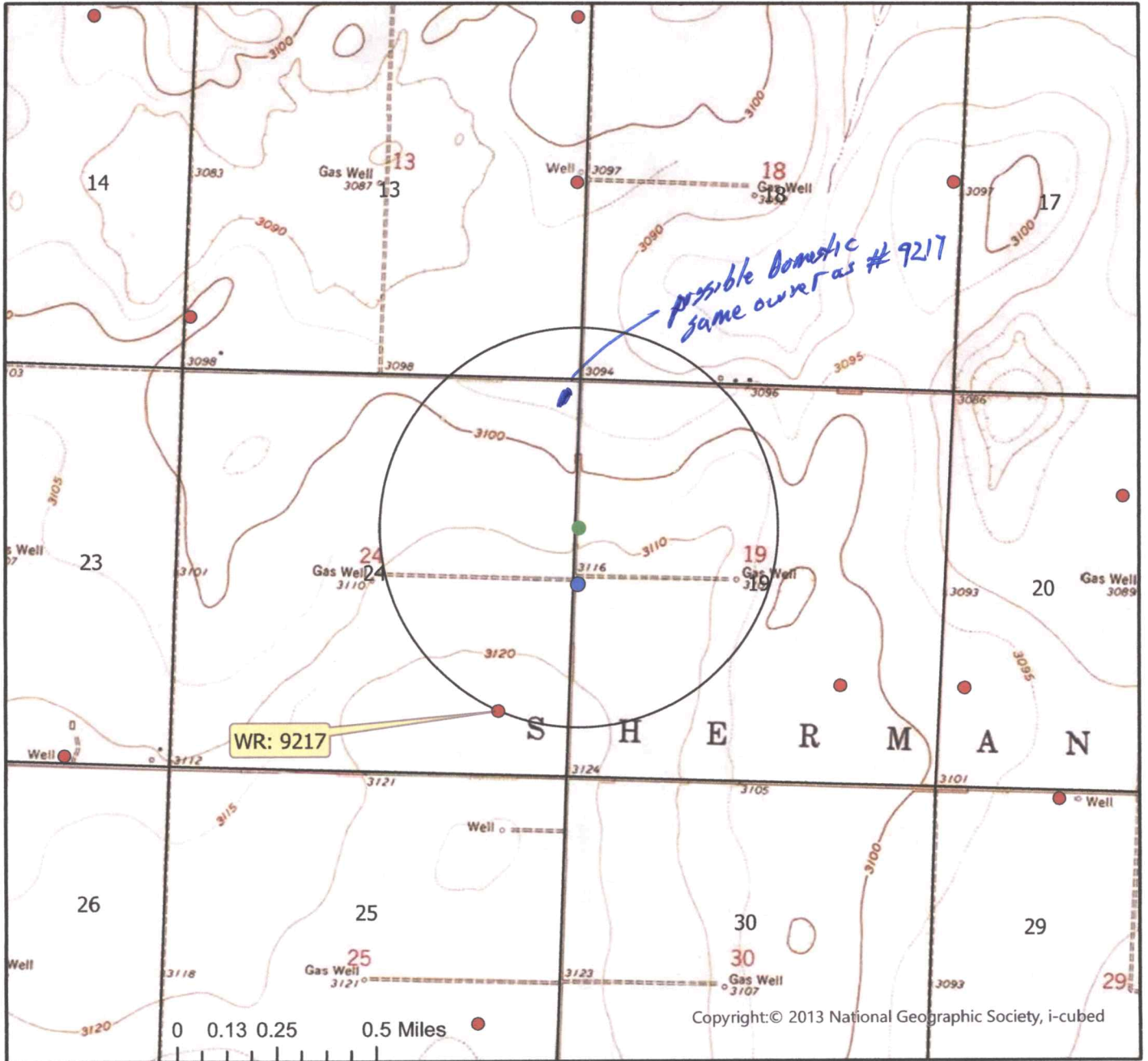
My commission expires: _____



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
PUC

WELL LOG

DATE: 4/20/2020

**Downey
Drilling Inc.**



CUSTOMER NAME: LOHMEIER - J&L SMITH FARMS

TEST HOLE #4

LEGAL: NW 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 CHATTER |
| | 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

777. 8/11/21

TH #4 ELEV=3109'

TH #6 ELEV=3113'

EXISTING IRR WELL ELEV=3119'

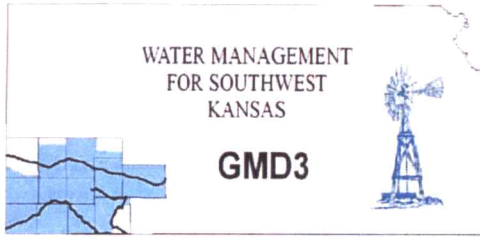
TH #1 ELEV=3119' SWL=375'

Google Earth

© 2021 Google



600 ft



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

August 18, 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. 21850

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 (3.5 ft in cases where saturated thickness is between 150-200 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. Our office received no comments of concern from neighboring well 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,

A handwritten signature in blue ink, which appears to read "Jason L. Norquest".

Jason L. Norquest
Assistant Manager

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AUG 18 2021

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 21850. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Lohmeier Family Trust.

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 | 2540 | 4915 | Sect 19-27-35 |
| Proposed PD | 3308 | 4862 | |
| Difference | -768 n | 53 e | |
| a ² + b ² = c ² | 589824 | 2809 | 769.8266 foot move NE |

GPS for proposed PD: Lat: 37.68761 Long: -101.19863.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name Tyler Esau (9217).

Address 4606 CC RD.

Zip Copeland, KS 67837.

Email: tyler4830@gmail.com Phone: 620-846-0625.

Name Syracuse Dairy LLC (27766).

Address 751 SE CR 36.

Zip Syracuse, KS 67878.

Email: frank@syracusedairy.com Phone: 785-820-6093.

Domestic well(s) notified: .

Name Smith Farms Inc. (NE NE 2-27-36).

Address PO Box 807.

Zip Emporia, KS 66801-0807.

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Authorized: 557AF @ 1260gpm. 2300' minimum spacing needed. In Grant Co.

Current well drilled to around 470'

Proposed well is around 800'.

Avg Reported use (2011-2020): 283.9AF/year. Say a good drop in 2014.

No recent rate reported or inspections while running.

GMD3 Change Review

Is a waiver needed: Move is less than half mile. Minimum spacing appears to be met. Analysis shows potential effects within the guidelines and not critical. No Response from neighbors.

Recommendation: After review of all available information, the proposed move meets all the current area rules. Staff therefore recommends approval.



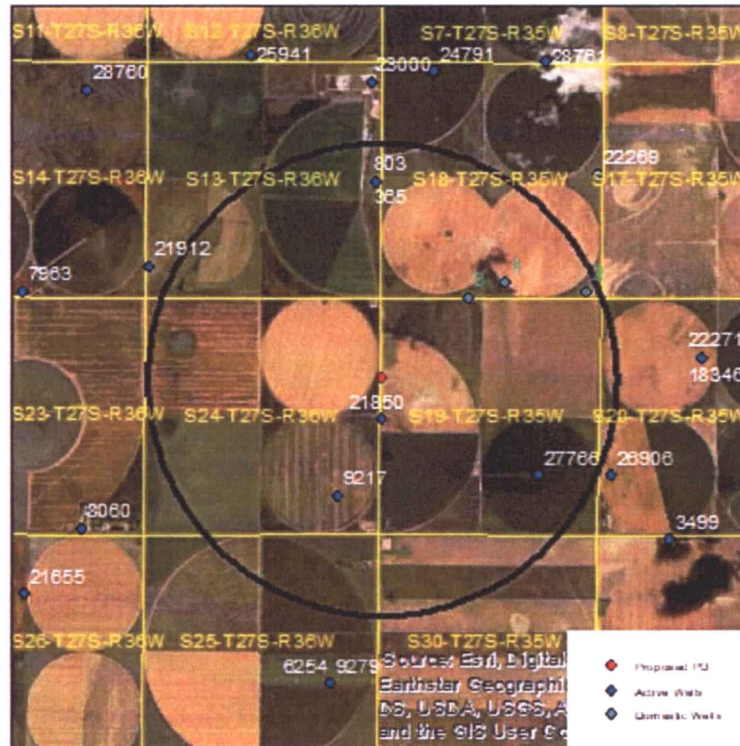
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AUG 18 2021

Garden City Field Office
Division of Water Resources

Evaluation of proposed move for Water Right No. 21850

Proposed: Move water right no. 21850 a distance of 910 ft to the north.



Wells within 1 mile: 27766, 365 & 803, 9217, and three domestic wells, numbered on the above map.

The saturated thickness at the proposed well location is estimated to be 168 ft, based upon the GMD3 model. For saturated thickness between 150 ft and 200 ft, the drawdown allowance is 3.5 ft.

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

$$S = 0.2259, T = 5228 \text{ ft}^2/\text{day},$$

$$t_{p_{\text{current}}} = 120 \text{ days (assumed)}, Q_{\text{current}} = 535 \text{ gpm (based on average use and assumed time pumped)},$$

$$t_{p_{\text{proposed}}} = 100 \text{ days}, Q_{\text{proposed}} = 1260 \text{ gpm}$$

Theis drawdowns were calculated as follows:

27766: Drawdown from current location = 2.29 ft
 Drawdown from proposed location = 4.25 ft
 Net drawdown = **2.0 ft**

365 & 803: Drawdown from current location = 1.84 ft
 Drawdown from proposed location = 4.08 ft
 Net drawdown = **2.2 ft**

9217: Drawdown from current location = 3.41 ft
Drawdown from proposed location = 5.42 ft
Net drawdown = **2.0 ft**

Domestic 1: Drawdown from current location = 2.17 ft
Drawdown from proposed location = 4.68 ft
Net drawdown = **2.5 ft**

Domestic 2: Drawdown from current location = 1.82 ft
Drawdown from proposed location = 3.76 ft
Net drawdown = **1.9 ft**

Domestic 3: Drawdown from current location = 2.44 ft
Drawdown from proposed location = 5.59 ft
Net drawdown = **3.1 ft**

Net drawdown does not exceed the drawdown allowance of 3.5 ft for any well within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

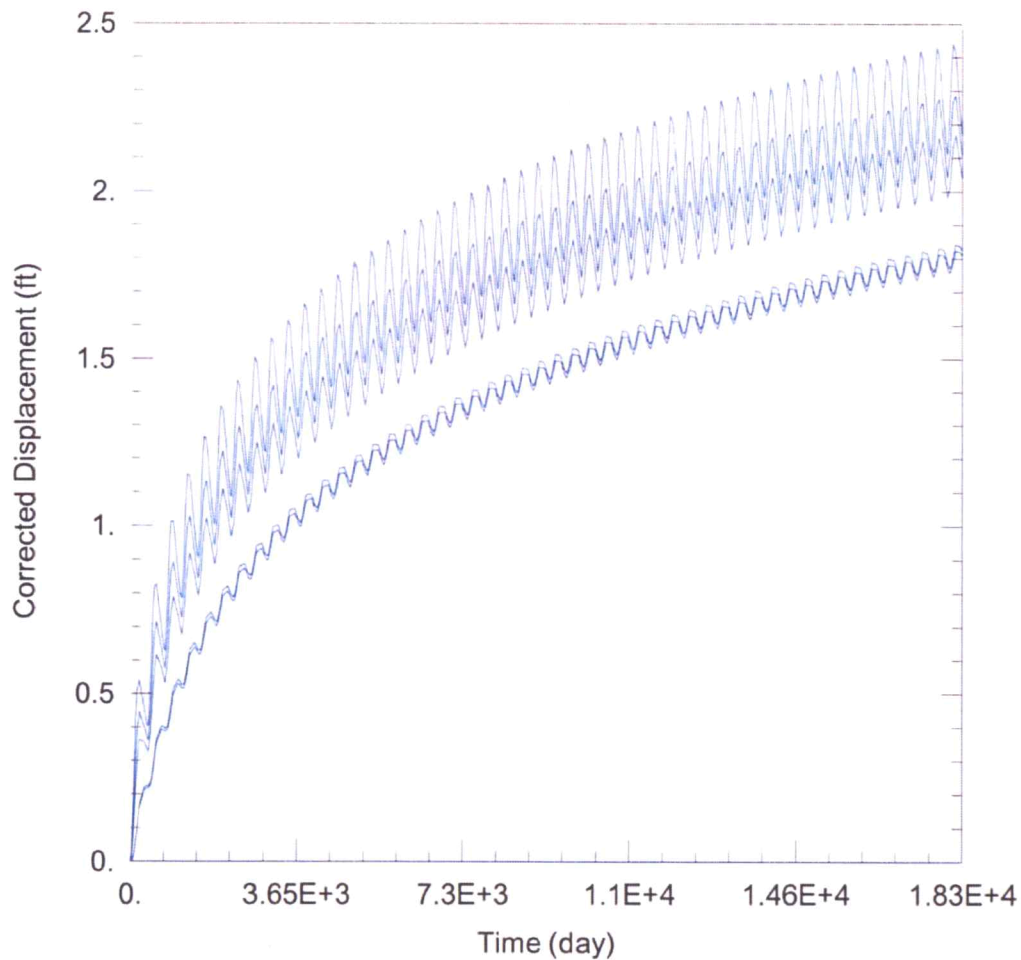
Conclusion:

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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AUG 18 2021

Garden City Field Office
Division of Water Resources



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\21850\21850 Current.aqt
 Date: 08/13/21 Time: 16:01:44

PROJECT INFORMATION

Company: GMD 3
 Project: 21850
 Location: Grant County

WELL DATA

Pumping Wells

| Well Name | X (ft) | Y (ft) |
|-----------|---------|--------|
| 21850 | -115510 | 295217 |

Observation Wells

| Well Name | X (ft) | Y (ft) |
|--------------|---------|--------|
| □ | -115510 | 295217 |
| □ 27766 | -111985 | 293957 |
| □ 365 & 803 | -115661 | 300548 |
| □ 9217 | 116530 | 293502 |
| □ Domestic 1 | -112737 | 298252 |
| □ Domestic 2 | -110889 | 298052 |
| □ Domestic 3 | -113538 | 297943 |

SOLUTION

Aquifer Model: Unconfined

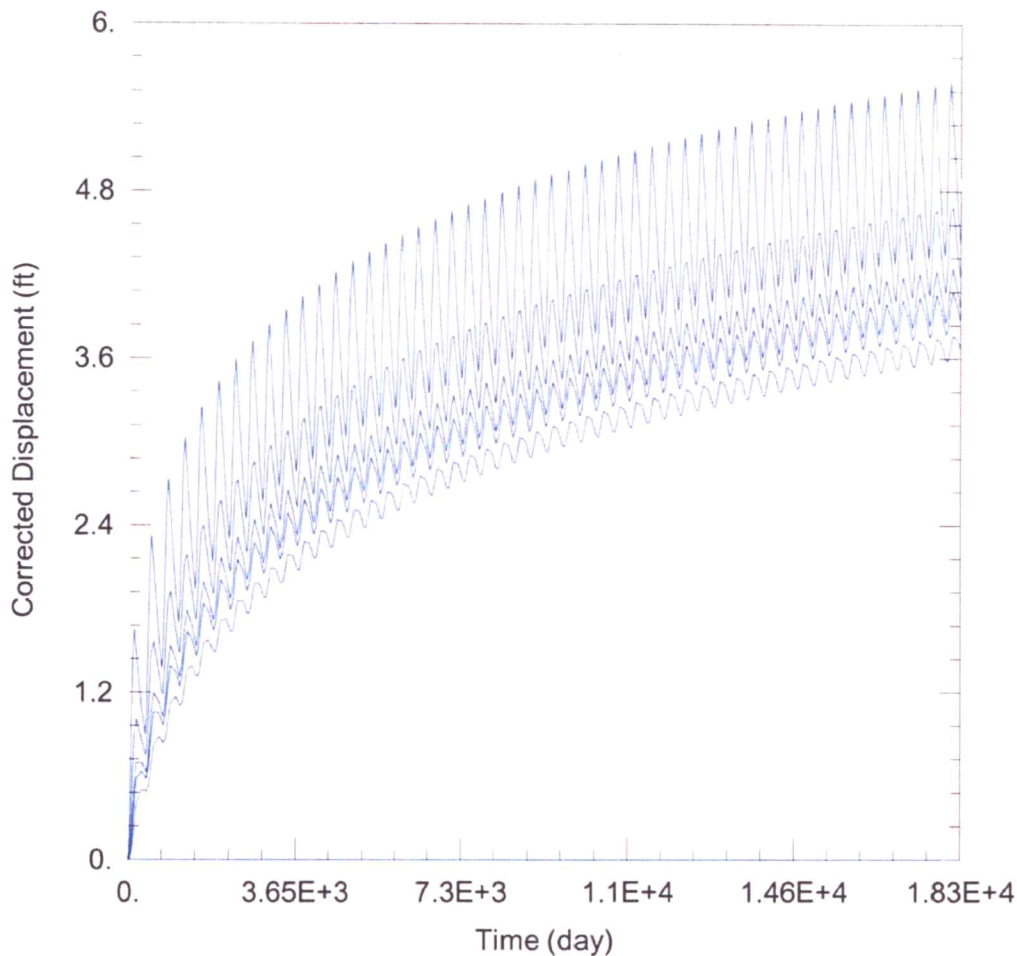
Solution Method: Theis

T = 5228 ft²/day

S = 0.2259

Kz/Kr = 1

b = 168 ft



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\21850\21850 Proposed.aqt
 Date: 08/13/21 Time: 16:01:38

PROJECT INFORMATION

Company: GMD 3
 Project: 21850
 Location: Grant County

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AUG 18 2021

Garden City Field Office
 Division of Water Resources

WELL DATA

Pumping Wells

| Well Name | X (ft) | Y (ft) |
|-----------|---------|--------|
| 21850 | -115515 | 296127 |

Observation Wells

| Well Name | X (ft) | Y (ft) |
|--------------|---------|--------|
| □ | -115515 | 296127 |
| □ 27766 | -111985 | 293957 |
| □ 365 & 803 | -115661 | 300548 |
| □ 9217 | 116530 | 293502 |
| □ Domestic 1 | -112737 | 298252 |
| □ Domestic 2 | -110889 | 298052 |
| □ Domestic 3 | -113538 | 297943 |

SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

T = 5228. ft²/day

S = 0.2259

Kz/Kr = 1.

h = 168 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

Mike Beam, Secretary

Laura Kelly, Governor

August 2, 2021

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

Re: Water Right, File No. 21850

Dear Mr. Norquest:

This is to advise you that Lohmeier Family Trust, have filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion.

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,

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

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

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 black ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3

SCANNED