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

1. File Number: <b>25460</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ☐ Approved ☐	Denied by DWR/GMD	Dismiss by Request	t/Failure to Return	7. Filing Date of Change: 3/5/2021
8a. Applicant(s) New to system   JANET BATCHELDE 9520 S HANDS RD GARDEN CITY, KS 6		8c. Landowned New to sys		Person ID Add Seq#
8b. Landowner(s) New to system □  8a	Person ID Add Seq#	1955 W	stem □ GLE H GRAIN 8 PLYMELL RD EN CITY, KS 67	
9. Documents and Enclosure(s):    Anti-Reverse Meter	Meter Seal	⊠ N & P Form	☐ Water Tube	Driller Copy ⊠ H & E Letter
10. Use Made of Water From:		To: _		
E out pur tra			Date Prepared: <b>3/26</b> Date Entered:	By: <b>AM</b> By:

File No.	25460	)	11. Count	ty: FI	В	asin: A	RKAN	ISAS F	RIVER			Stre	am:				#2501	di.		ormation Code: 11/331	Special Use:
CHK MOD	ts of Dive	ersion														and Q Authori	uantity ized		A	dditional	
DEL	PDIV	Qualifier	S	Т	R	ID		'N	ʻW		Comr	ment (A	KA Line	)	Rat gpr		Quantit af	у	Rate		Overlap PD Files
DEL	15842						- 1														
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MOD	81708	SE NW NW	36	26S	34W	5	4	266	409	4					89	5	400	t .	895	400	NONE
СНК	13980	NC SE	36	26S	34W	4	1	320	134	5					90	5	260		905	260	NONE
						1			1				-11-57								
13. Stora	ge: Rate			_NF	Qua	antity _				;	ac/ft	Add	itional F	ate _	A A C	<u> Aug</u>		NF	Add	itional Quantity	ac.
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Limit																					
	ation:		af/y	r at				gpm (_			c	fs) whe	n comb	ned w	ith file r	umber	r(s)	7 7			
15. 5YR	ation:		af/y	r at	Start Yea			gpm (_		nt	c	fs) whe	n comb	ned w	ith file r	Acres	r(s)	7 7	omment .		
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15. 5YR  16. Plac CHK MOD DEL ENT	Allocation e of Use		af/y	r atS	Start Yea	ar	SE	gpm (_ 5 YR	Amour <b>NW</b>	nt	SE	Amour	sw1/4	ned w	Base	Acres	SE1/4 SW	_ Co	omment .		
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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

March 26, 2021

JANET BATCHELDER HANDS 9520 S HANDS RD GARDEN CITY, KS 67846

RE:

Water Right, File No. 25460

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,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

Triangle H Grain & Cattle Co.

GROUNDWATER MANAGEMENT DISTRICT NO. 3

#### CERTIFICATE OF SERVICE

On this 26<sup>th</sup> day of March, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 25,460 dated 26<sup>th</sup> day of March, 2021 was mailed postage prepaid, first class, US mail to the following:

JANET BATCHELDER HANDS 9520 S HANDS RD GARDEN CITY, KS 67846

Pc:

TRIANGLE H GRAIN & CATTLE CO 1955 W PLYMELL RD GARDEN CITY, KS 67846

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.

Sec. Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ AC					-													F	REC	EIVED
Application is hereby made for approval of the Chief Engineer to change the (check one or both):    Place of Use   Point of Diversion   Place of Use   Place							to a	File No	. <u>2546</u>	0			ad to		24.				MAR	<b>0 5</b> 2021
under the water right which is the subject of this application in accordance with the conditions described below.  The source of supply is:	A	pplicati	on is he	ereby r	nade f	or app	roval c	of the C	Chief E	nginee	er to ch	nange	the (ch	neck or	ne or b	oth):		Gai	rden C	ity Field Office
Name and address of Applicant: JB CIRCLE LAND INC  9520 S HANDS RD GARDEN CITY KS 67846  Phone Number: (620)272-1404 Email address: JHANDS@WBSNET.ORG  Name and address of Water Use Correspondent: TRIANGLE H FARMS  1955 W PLYMELL RD GARDEN CITY KS 67846  Phone Number: (620)276-4004 Email address: JHANDS@WBSNET.ORG  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.)  NEY, NWY, SWY, SEY,							☐ P	lace o	f Use		$\boxtimes$	Point	of Dive	ersion				Divisi	on of \	Nater Resour
Name and address of Applicant: JB CIRCLE LAND INC  9520 S HANDS RD GARDEN CITY KS 67846  Phone Number: (620)272-1404	ur	nder th	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	ordanc	e with	the co	ndition	s desc	ribed b	elow.		
9520 S HANDS RD GARDEN CITY KS 67846 Phone Number: (620)272-1404 Email address: JHANDS@WBSNET.ORG Name and address of Water Use Correspondent: TRIANGLE H FARMS 1955 W PLYMELL RD GARDEN CITY KS 67846 Phone Number: (620)276-4004 Email address: JHANDS@WBSNET.ORG 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.)  NE¼ NW¼ SW¼ SE¼ NE⅓ NW⅓ SE⅓ NE⅙ NW⅓ SE⅓ SE⅓ NE⅙ NW⅓ SE⅙ NW⅓ SE⅙ NE⅙ NW⅓ SE⅙ NW⅓ SE⅙ NE⅙ NW⅙ SE⅙ SE⅙ NOW SE⅙ SE⅙ NW⅙ SE⅙ SE⅙ SE⅙ NW⅙ SE⅙ SE⅙ NW⅙ SE⅙ SE⅙ SE⅙ SE⅙ SE⅙ SE⅙ NW⅙ SE⅙ SE⅙ SE⅙ SE⅙ SE⅙ SE⅙ SE⅙ SE⅙ SE⅙ SE	TI	ne sou	rce of s	upply i	s:			Fround	water			Surfa	ce wat	er						
Phone Number: (620)272-1404 Email address: JHANDS@WBSNET.ORG  Name and address of Water Use Correspondent: TRIANGLE H FARMS  1955 W PLYMELL RD GARDEN CITY KS 67846  Phone Number: (620)276-4004 Email address: JHANDS@WBSNET.ORG  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.)  NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½  ACC  If this application is for a change in place of use, it is preposed 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.)  NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½  ADDRESS:  (If there is more than one landowner, attach supplemental sheets as necessary.)	N	ame ar	nd addr	ess of	Applic	ant: <u>J</u>	B CIR	CLE L	AND II	NC	- 1		styri	nitro I	D_	v				112
Name and address of Water Use Correspondent: TRIANGLE H FARMS  1955 W PLYMELL RD GARDEN CITY KS 67846  Phone Number: (620)276-4004	9	520 S	HANDS	RD C	GARDI	EN CI	TY KS	6784	6		<u> </u>			THE STATE OF						1. 57.
Phone Number: (620)276-4004	P	hone N	lumber:	(620)	272-14	404				Email	addre	ss: JH	IANDS	@WB	SNET.	ORG	-	-		
Phone Number: (620)276-4004	N	ame ar	nd addr	ess of	Water	Use C	orresp	onden	t: TR	ANGL	EHF	ARMS	3	All the same			ر. دول بودست	1		
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For Office Use Only: Code Fee \$200. TR # Receipt Date 3-5-21 Check #													75	26 OL	don :	TI	1			

	rized point of					
One in the		Quarter of the	NC	Quarter of the	SW	Quarter
of Section	36	, Township	26	South, Range	34	(W),
				39935 feet West of		
				Depth of well		
				feet North		
				No change, point better		
				ed or if existing point is		
One in the	NW	Quarter of the	NE	Quarter of the	SW	Quarter
of Section	36	, Township	26	South, Range 3959 feet West of	34	(W),
in FINNEY	Cou	unty, Kansas, <u>2383</u>	feet North _	3959 feet West of	Southeast corne	er of section.
				Proposed well depth		
This point is:	Additional Well	☐ Geo Center List	other water righ	nts that will use this poin	1 - 60 - 10 - 10 - 10 - 10 - 10 - 10 - 1	LINE COLUMN
3//17075	uius d u sint sf	dhaanian				
Presently autho			NIVA/	Quarter of the	NDAZ	Ouarte
				Quarter of the		
				South, Range		
				4094 feet West of		
				Depth of well		
				feet North		
				☐ No change, point better o		
Proposed point	of diversion:	Complete only if chan	ge is requeste	ed or if existing point is	better describ	ed by GPS)
One in the		Quarter of the		Quarter of the		Quarter
of Section		, Township		South, Range	miles in Prairie	(W),
in	Cou	unty, Kansas,	feet North _	feet West of	Southeast corne	er of section.
Proposed Rate _		Proposed Quantity _	HIRITAGE IN	Proposed well depth	(feet)	red participal
				nts that will use this poin		
		for the following reason		Nortl	h	
			. 300 巴	) 200 100 <u>0</u>	100 200	300 ППП
			·			4
If a well, is the tes	t hole log attach	ed? Xes No	na i kaug sa uter	-141+1=	1+1+	
	the control of		200	-/ =	1 + 1 +	1=200
The change(s) (w	as)(will be) com	pleted by?	E	/ =		1
UPON APPROVA	L		100	/	1+1+	100
If the point of dive	reion is a wall-		1			4
If the point of dive		a the old well?	West 0		uduuluutuulu	IIIIHH 0 East
(a) What are you	going to do with	i trie old well?				1 2 2 2 2 2 2
PLUG / CAP		and a second second	tind in the same	and the second selection of selections	ste a fall a main	. ∄
(b) When will this	s be done? <u>UPC</u>	N COMPLETION	100	-\ -   -   =	+ + + +	100
	agement Distric Yes ⊠ No	t recommendation attach	ed? 200	-1+1==	1 + 1 +	200
Assisted by AM /	GCFO	hyperian by the	2000	mlmlmlmlm±	100 200	<u>Биш</u>
		vill be relocated more than	- 300 n 300	200 100 0 Sout	h Scale: 1 hashm	300 ark=10 ft
feet but within 2,6 a topographic m sources, show all	40 feet of the ex ap or aerial ph wells (including	isting point of diversion, a notograph. For groundy domestic) within one-half n and the names and mand the name that the name th	ttach 13b.lf the water foot i f mile on th	e proposed point of divers radius of the existing poin ne diagram shown above rsion. The proposed poi	t of diversion, ind in relation to the	icate its location existing point

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.)

lines

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

#### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

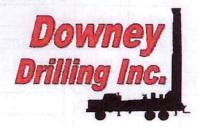
### FILE NO. 25460

Presently authorized p	point of diversion:						
One in the	Quarter of	of the	NC	Qu	arter of the	SE	Quarter
of Section				So	uth, Range	34	(E/W),
in FINNEY	County, Kansas,	1320	_ feet North _	1345	_ feet West of S	Southeast corner of	of section.
Authorized Rate 905	GPM Authorized	Quantity_	260 AF	Dept	th of well	(feet)	
(DWR use only: Comp							
☐ This point will not be c	hanged  This point	will be chan	ged as follows:	☐ No cha	ange, point better	described with GPS	as follows:
Proposed point of dive	ersion: (Complete on	y if chang	ge is requeste	ed)			
One in the	Quarter o	of the		Qu	arter of the		Quarter
of Section	, Townsh	nip		So	uth, Range		(E/W),
in	County, Kansas, _		_ feet North _		_ feet West of S	Southeast corner of	f section.
Proposed Rate							
This point is:  Additio	onal Well	iter List o	ther water righ	nts that w	ill use this point		

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 aut ☐ Yes ☐ No (If no, all owners must sign this app	
<ul> <li>(b) Will the ownership interest of any owner of the currently auth affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	
(c) If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this app	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owne agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affir age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this a contained in this application are true, correct and complete.	orized agent of the owner(s) to make this application on opplication pertains. I further verify that the statements
Dated at Sonat S Hands (Please Print)  (Nansas, this series of the serie	Samuel L. Hards (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Funda	
I hereby certify that the foregoing application was signed in of	my presence and sworn to before me this 50 day
My Commission Exp System My Appointment Expires June 9, 2022  ONLY COMPLETE AP LICENTONS WILL BE PROJESSED. To be complete, a	Notary Public  Notary Public  Ill of the applicable portions of the application form must be completed with
accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	
FEE SCHEE	DULE
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departr (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	ment of Agriculture \$100 et

#### 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. 5,2021 A change application was received on March 5, 202\ requesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of 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 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 \_\_\_\_\_\_\_\_ foot radius of the authorized point(s) of diversion. Applicable 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. feet from the previously 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 20**, 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 Installation of the works for diversion of water shall be completed on or before December 31, 20 2, or within any authorized extension of time. By March 1, 20 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 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): Hustin review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds Acknowledged before me on 202 Signature: on Votary Public STATE OF JULIE JONES My commission expire My Appointment Expire (Notatem Sep 41) 2022



CUSTOMER NAME: JB CIRCLE LAND INC. JB-8 TH#2

LEGAL: SW 36-26S-34W

COUNTY: FINNEY CO, KS



GPS: 37.743385

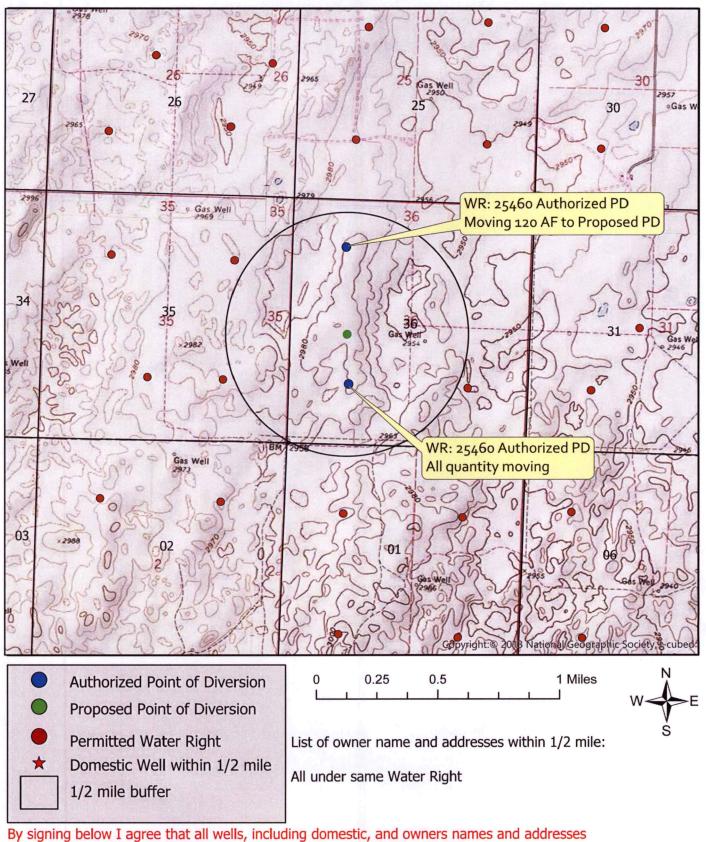
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TW	FROM	то	LOGGER: DRILLER TYPE	HARDNESS	COLOR	SPEED	WO: PULL DOWN	20-1350 OTHER / DRILLING ACTION
	0	2	SURFACE SAND	SOFT	BROWN	FAST		<b>SMOOTH</b>
	2	12	SILTY SANDY CLAY	SOFT	BROWN	FAST	11 1 1	sмоотн
	12	26	MED SAND	SOFT	BROWN	FAST	131-11L	LT. CHATTER
	26	40	SILTY SANDY CLAY W/SAND	SOFT	BROWN	FAST		SMOOTH W/LT. CHATTER
	40	61	FINE-MED-COARSE SAND W/ FINE GRAVEL	SOFT	RED	FAST		FAST CHATTER
	61	71	SILTY SANDY CLAY	SOFT	BROWN	FAST		SMOOTHER
	71	193	COARSE SAND W/ FINE-MED-LARGE GRAVEL	SOFT SEMI-FIRM	RED	FAST		FAST CHATTER
	193	197	SAND, SANDY CLAY	SOFT	TAN	FAST		SMOOTH & VIBRATION
	197	273	MED-COARSE SAND, FINE GRAVEL	SOFT	TAN / RED	FAST		CHATTER
	273	276	SAND, SANDY CLAY	SEMI- STIFF	YELLOW	FAST		SMOOTHER
	276	297	MED-COARSE SAND W/ FINE GRAVEL, TR. CEMENTED LENSES	SEMI- SOFT	TAN / RED	SEMI- SLOW		FAST CHATTER
	297	303	SANDY CLAY	SOFT	RED	FAST		SMOOTH
	303	310	MED-COARSE SAND EST. STATIL 325'	SOFT	TAN	FAST		CHATTER
	310	341	FINE-MED-COARSE SAND W/ MED-LARGE GRAVEL & CEMENTED SAND	SEMI- SOFT	RED/TAN	FAST	Total la	CHATTER
	341	351	SANDY CLAY	SOFT	WHITE	FAST		SMOOTH
Nys	351	357	MED-COARSE SAND W/ TR. CEMENTED SAND	SEMI- SOFT	TAN	FAST		CHATTER
	357	367	SANDY CLAY W/ FINE SAND	SOFT &	BROWN	FAST		SMOOTH
	100000		20	and department	AND DESCRIPTION	SEMI-		A CONTRACTOR
	367	387		SEMI-FIRM	WHITE &	FAST		CHATTER
	396	396	FINE-MED TR. COARSE SAND 22	SOFT	TAN	FAST		CHATTER
	der e	418	The state of the s			SHAP CO.		All the second second second
	418	431	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		LT. CHATTER
	431	436	SANDY CLAY W/ FINE SAND & LIMEROCK LEDGES 2	STIFF SOFT &	TAN	FAST		CHATTER
	436	441	7	STIFF	WHITE	FAST		SMOOTH & CHOPPY
	441	448	BROWN ROCK W/ SANDSTONE	SEMI-FIRM	RED &	FAST	Juliant media	FAST CHATTER
	448	456	CLAY 67	SOFT	WHITE GRAY &	FAST		SMOOTH
	456	463	CLAY	SOFT	YELLOW	FAST		SMOOTH
	463	468	SHALE	STICKY	BLACK	FAST		SMOOTH
	468	473	FINE SAND TR. SANDSTONE 5	SOKT	TAN	FAST		LT. CHATTER
	473	494	CLAY	SOFT	RED	FAST		SMOOTH
	494	554	SANDSTONE W/ FINE SAND, TR. BROWN ROCK 60	SEMI-FIRM		FAST		FAST CHATTER & VIBRATION
	554	594	BROWN ROCK W/ FINE SAND	SEMI-FIRM	BROWN & GRAY	FAST	125,11	CHATTER
	594	596	SHALE	SOFT	BLUE	SLOW		SMOOTH
	596	610	SAND, SANDSTONE, TR. BROWN ROCK	SEMI-FIRM	BROWN & GRAY	FAST		CHATTER
	616	620	SHALE (121)	SOFT	BLUE	SLOW		SMOOTH
	620	623	SANDSTONE	SEMI-FIRM		FAST		FAST CHATTER
		677	SHALE	SOFT	BLUE	SLOW		SMOOTH

N	FROM	то	ТҮРЕ	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLIN ACTION
	677	679	SANDSTONE	SEMI-FIRM	GRAY	FAST		FAST CHATTER
	679	699	SHALE	SOFT	BLUE	SLOW		SMOOTH
-	699	703	SANDSTONE	SEMI-FIRM		FAST	United to the second	FAST CHATTER
1	703	720	SHALE, SANDSTONE LENSE @ 712' - 713'	THE THE RESERVE ASSETS	BLUE	SLOW		<b>SMOOTH</b>
1			QUIKGEL - 9				T PAGE	
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Ī			EZ MUD - 1/2					7. 1.4
1			SODA ASH - 1/4					
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# **CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 25460**

SW 1/4 of Section 36 Township 26 South Range 34 West Finney County



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



# 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

March 26, 2021

Austin J McColloch 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. 25460

Dear Austin:

We have completed a review of the application for the above referenced water right. The proposed change in point of diversion and reallocation between wells under this water right 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 aguifer 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 one response from neighboring well. Our discussion focused mainly on understanding the analysis/report and also discussion on Kansas water law. They did not provide any comment for or against the proposal. 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

# **GMD3** Change Review

DWR office: GC. File No(s).: <u>25460</u>. App filed to change: 1 PD & reallocation. Is Landowner(s) correct in WRIS: Batchhelder Hands. If NO, is documentation included? Is Water Use Correspondent correct in WRIS? <u>Triangle H</u>. If NO, is documentation included? Regulation(s) Reviewed: KAR5-23-3 Point of diversion ID No(s) 03 being changed. ft. North ft. West **Authorized PD** 3935 Sect 36-26-34 1320 2383 3959 Proposed PD Difference -1063 n -24 w 1129969 576 1063.271 foot move N a2 + b2 = c2Long: -100.993920. GPS for proposed PD: Lat: 37.743385 Is proposed PD stacking on existing WRs? No, but are reallocating between wells. Is Proposed PU overlapping existing WRs? No Change. Neighboring certified well(s) notified: . Name Jacob Neufeld (20890, 22576D3, 22578). Address 6001 W. Parallel Road. Garden City, KS 67846. Zip Phone: 620-271-8283. Email: jacob@sandyacresllc.com. Deseret Cattle Feeders LLC %Armando Caballero (22578D1, 30819, 30820). Name Address 521 RD 50. Satanta, KS 67870. Zip Phone: 620-275-6181. Email: acaballero@deseretranches.com. Domestic well(s) notified: \_\_\_. Name Eric Peevy. Address 14505 S Ivanhoe RD. Garden City, KS 67846. Zip Base Acres: . Perfected Acres: . Irr. Return-Flow \_\_\_\_% Currently:

ID3: 260AF @ 790gpm (proposed new well + 120AF from ID5) 380AF total New well looks to be around 700' depth Avg. reported use (2011-2020): 91.91AF

GMD3 2019 inspection showed 147gpm

# **GMD3** Change Review

ID4: 260AF @ 905gpm (no change)

Avg. reported use (2011-2020): 223.18AF

GMD3 2019 inspection showed 476gpm

ID5: 520AF @ 895gpm (will drop to 400AF)

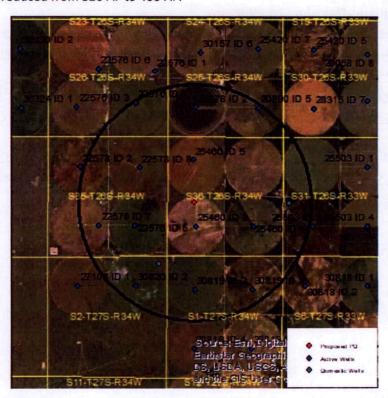
Avg. reported use (2013-2020): 358.8AF GMD3 2019 inspection showed 690gpm.

Is a waiver needed: Move is less than half mile. GPS supports that spacing is met to wells under this water right and others. Analysis shows possible effects of the proposed change within the guidelines of the evaluation, no critical wells. Did have contact with representative of Deseret Cattle. Very good discussion and had questions about the change process and what the analysis shows/tells them. No comments made against the application.

Recommendation: After review of all available information, current area rules appear met. The analysis shows that any effects are within the guidelines and no critical wells. Staff therefore recommends approval of the application.

#### Evaluation of proposed move for Water Right No 25460 ID 3

Proposed: Move water right no. 25460 ID 3 a distance of 1,078 ft to the north. Move a quantity of 120 AF from the well authorized under water right no. 25460 ID 5 to the new well location. Total authorized quantity under 25460 ID 3 will be increased from 260 AF to 380 AF. Total authorized quantity under 25460 ID 5 will be reduced from 520 AF to 400 AF.



Wells within 1 mile: 25460 ID 4, 25460 ID 5, 22576, 20890, 22578 ID 2, 22578 ID 5, 22578 ID 7, 22578 ID 8, 30820, 30819 ID 1, 30819 ID 2, a domestic well in section 31-26-33, and a domestic well in section 2-27-34.

The saturated thickness at the proposed well location is estimated to be 209 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 = 0.2647, T = 30,250 ft<sup>2</sup>/day,

 $tp_{current}$  = 109 days (based upon average use and observed rate),  $Q_{current}$  = 790 gpm (based upon 2019 field inspection),  $tp_{proposed}$  = 109 days,  $Q_{proposed}$  = 790 gpm

Theis drawdowns were calculated as follows:

25460 ID 4: Drawdown from current location = 0.25 ft

Drawdown from proposed location = 1.05 ft

Net drawdown = 0.8 ft

25460 ID 5: Drawdown from current location = 0.23 ft

Drawdown from proposed location = 1.35 ft

Net drawdown = 1.1 ft

22576: Drawdown from current location = 0.15 ft

Drawdown from proposed location = 0.71 ft

Net drawdown = 0.6 ft

20890: Drawdown from current location = 0.15 ft

Drawdown from proposed location = 0.72 ft

Net drawdown = 0.6 ft

22578 ID 2: Drawdown from current location = 0.17 ft

Drawdown from proposed location = 0.83 ft

Net drawdown = 0.7 ft

22578 ID 5: Drawdown from current location = 0.24 ft

Drawdown from proposed location = 1.05 ft

Net drawdown = 0.8 ft

22578 ID 7: Drawdown from current location = 0.19 ft

Drawdown from proposed location = 0.80 ft

Net drawdown = 0.6 ft

22578 ID 8: Drawdown from current location = 0.21 ft

Drawdown from proposed location = 1.04 ft

Net drawdown = 0.8 ft

30820: Drawdown from current location = 0.20 ft

Drawdown from proposed location = 0.78 ft

Net drawdown = 0.6 ft

30819 ID 1: Drawdown from current location = 0.20 ft

Drawdown from proposed location = 0.77 ft

Net drawdown = 0.6 ft

30819 ID 2:

Drawdown from current location = 0.24 ft

Drawdown from proposed location = 0.87 ft

Net drawdown = 0.6 ft

Domestic 31-26-33:

Drawdown from current location = 0.19 ft

Drawdown from proposed location = 0.82 ft

Net drawdown = 0.6 ft

Domestic 2-27-34:

Drawdown from current location = 0.27 ft

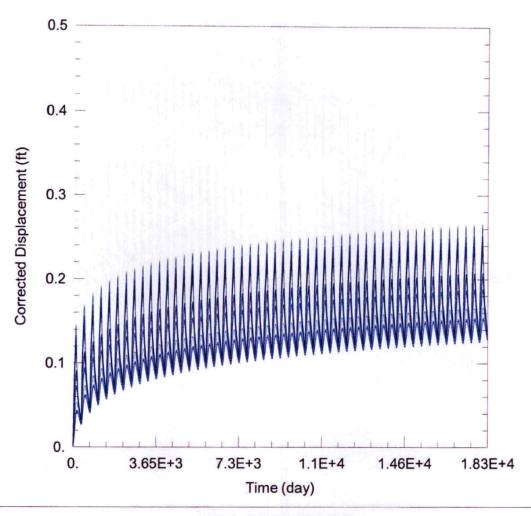
Drawdown from proposed location = 0.99 ft

Net drawdown = 0.7 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.



# WELL TEST ANALYSIS

PROJECT INFORMATION

Data Set: C:\Users\trevora\Documents\2021\_Moves\25460\25460 Current.aqt

Date: 03/16/21

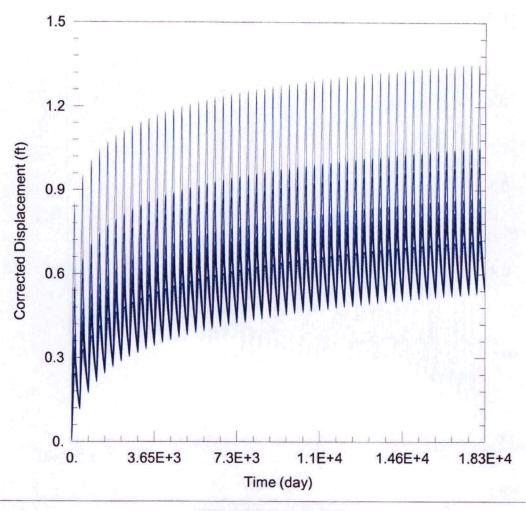
Time: 15:29:50

Company: GMD 3
Project: 25460 ID 3
Location: Finney County
Test Well: 25460 ID 3

### **WELL DATA**

Distriction about the band of the F	umping vveils	
Well Name	X (ft)	Y (ft)
25460 ID3	-56173	315174

Observation Wells								
Well Name	X (ft)	Y (ft)						
	-56173	315174						
□ 25460 ID4	-53571	315158						
□ 25460 ID5	-56309	318149						
· 22576	-58909	320693						
· 20890	-53300	320463						
□ 22578 ID2	-56162	320487						
22578 ID5	-58920	315198						
22578 ID7	-60569	315205						
22578 ID8	-58741	317794						
<sup>-</sup> 30820	-58897	312536						
a 30819 ID1	-53605	312339						
30819 ID2	-56208	312352						
<ul> <li>Domestic 31-26-33</li> </ul>	-51939	316186						



# WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021\_Moves\25460\25460 Proposed.aqt

Date: 03/16/21 Time: 15:29:40

### PROJECT INFORMATION

Company: GMD 3
Project: 25460 ID 3
Location: Finney County
Test Well: 25460 ID 3

### **WELL DATA**

Pumping vveils						
Well Name	X (ft)	Y (ft)				
25460 ID3	-56235	316250				

Well Name	X (ft)	Y (ft)
	-56235	316250
□ 25460 ID4	-53571	315158
□ 25460 ID5	-56309	318149
· 22576	-58909	320693
<b>20890</b>	-53300	320463
□ 22578 ID2	-56162	320487
□ 22578 ID5	-58920	315198
□ 22578 ID7	-60569	315205
□ 22578 ID8	-58741	317794
<b>30820</b>	-58897	312536
□ 30819 ID1	-53605	312339
□ 30819 ID2	-56208	312352
<ul> <li>Domestic 31-26-33</li> </ul>	-51939	316186

Report Date: Friday, March 12 2021

111

Water Rights and Points of Diversion Within 1 mile of point defined as: 2383 Feet N and 3959 Feet W of the Southeast Corner of Section 36 Twp 26S Rng 34W Located at: 100.993919 West Longitude and 37.743384 North Latitude Both SURFACE WATER and GROUNDWATER

oth	SURFACE	E W	ATER	and	d G	ROUND	WATER									1			1400 00	- 11
ile Init	Number		Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan
	20890	00	IRR	NK	G		5134	1	NW	SE	SE	1280	1046	25	26	34W	5		272.00	272.00
AF	22576	D3	IRR	NK	G		5186	_	SE	NW	SE	1488	1432	26	26	34W	7		272.00	272.00
AF	22578	D1	IRR	NK	G		2890	_	NE	sw	SE	1330	1420	35	26	34W	5		272.00	272.00
AF							2941		NW	SE	NE	3932	1263	35	26	34W	8		272.00	272.00
AF ame							4459	_	SE	NE	SW	1345	3084	35	26	34W	7		272.00	272.00
AF	22578	D2	IRR	NK	G		4238			NC	SW	1299	3932	25	26	34W	2		272.00	272.00
AF	25460	00	IRR	NK	G	4	1062			NC	SW	1320	3935	36	26	34W	3	1	400 260.00	260.00
AF	GPS	Pu	Ls			- 7A	1886		SE	NW	NW	4266	4094	36	26	34W	5	- 1	400 520.00	520.00
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AF	30819				G		3898	<u>_</u>		NC	NW	3960	3935	1	27	34W	2		266.00	266.00
AF ame							4712	_		NC	NE	3960	1345	1	27	34W	1		266.00	266.00
AF AF	30820	00	IRR	NK	G		4601	/_				4180	1430	2	27	34W	2		266.00	266.00

Total	Net Quant:	ities Au	thor	ized:	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)	=	3470.00	.00
Total	Vested	Amount	(AF)	=	.00	.00
TOTAL	AMOUNT		(AF)	=	3470.00	.00

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: 2383 Feet North and 3959 Feet West of the Southeast Corner of Section 36 Twp 26S Rng 34W Located at: 100.993919 West Longitude and 37.743384 North Latitude Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

File Number Use ST SR 20890 > JACOB NEUFELD 6001 W PARALLEL ROAD > GARDEN CITY KS 67846 22976 D3 >-----JACOB NEUFELD > 6001 W PARALLEL ROAD GARDEN CITY KS 67846

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>	DESERET TRUST #2-50899 FARMLAND RESERVE INC 521 50TH ROAD SATANTA KS 67870	2578 DI			
>>/	JACOB NEUFELD  6001 W PARALLEL ROAD GARDEN CITY KS 67846	2516			
>	TRIANGLE H GRAIN & CATTLE	co 25 461	APP	leart	
>	DESERET CATTLE FEEDERS LLC	30814	100		
>	DESERET TRUST #2-50899 FARMLAND RESERVE INC 521 50TH ROAD SATANTA KS 67870	36920			

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

March 11, 2021

GROUNDWATER MANAGEMENT DISTRICT #3 2009 E SPRUCE ST GARDEN CITY KS 67846

Change Application, File No. 25460

#### Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by J B Circle Land Inc and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch

Assistant Water Commissioner

Enclosure

pc: