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

1. File Number: <b>28636</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ⊠ Approved □	Denied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: <b>6/12/2021</b>
8a. Applicant(s) New to system ☐  GREGORY C & SUE 24506 13 RD MONTEZUMA, KS 67		8c. Landowne New to sy		Person IDAdd Seq#
8b. Landowner(s) New to system   LOVE AG COMPANY Attn: GREG LOVE 24506 13 RD MONTEZUMA, KS 67		8d. WUC New to sy	stem 🗌	Person IDAdd Seq#
9. Documents and Enclosure(s):	☑ DWR Meter(s) Date to Compl	y: 12/31/2021	⊠ N & P Date	e to Comply:3/1/2022
	Meter Seal ⊠ Check Valve			Driller Copy H & E Letter
10. Use Made of Water From:		To: _		- 1
			Date Prepared: <b>3/3/</b> Date Entered:	/ <b>2021</b> By: <b>MAM</b> By:

File No. <b>28636</b>	11. County:	GY	Bas	sin: AR	KANS	SAS R	IVER			St	tream:	1						Fo	rmation	Code: <b>21</b>	1 Special Use:
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Limitation:	af/yr a	at	411	16	g	pm (_	122			cfs) w	hen co	ombine	ed with	file n	umber	(s)					
15. 5YR Allocation: Allocation	Туре	Sta	art Year			5 YR	Amou	nt _		Amo	unt U	nit		Base	Acres		_ Co	omment .			
16. Place of Use CHK			NE	=1/4			NV	V¹/4	6-19	2 1	sv	N¹/4	7	17.50	s	E1/4		Total	Owner	Chg	P Overlap Files
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Base Acres: Year: Comments:	M	I 1inimun	n Reas	onable	Quan	tity:	L	70 00 00		100	1000								· ·	N N	



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

March 16, 2021

LOVE AG COMPANY Attn: GREG LOVE 24506 13 RD MONTEZUMA, KS 67867-9073

RE:

Water Right, File No. 28636

Dear Sir:

Enclosed is an order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the 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. Also please note the additional condition attached for the reduced authorized diversion rate.

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,

Michael A. Meyer

Water Commissioner

MAM enclosures

pc:

Gregory & Sue Love

GMD3

#### CERTIFICATE OF SERVICE

On this 16<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. 28,636 dated 16<sup>th</sup> day of March 2021 was mailed postage prepaid, first class, US mail to the following:

LOVE AG COMPANY Attn: GREG LOVE 24506 13 RD MONTEZUMA, KS 67867-9073

Pc:

GREGORY C & SUE LOVE 24506 13 RD MONTEZUMA, KS 67867-9073

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

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						□ P	lace of	Use			Point	of Dive	rsion				DI	VISION OF	City Field Office WAJER RESOL
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F	Phone N	umber:	(	)					Email	addre	ss:		Page 2		-				
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#28636

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addresses of the owners. For surface water sources, show the lines and one-half mile upstream from your property diagram shown above in the indication of diversion and the names and malling diversion. (PLEASE NOTE: The "X" in center of the diagram shown above in the presently authorized positive above represents the presently authorized positives.		of the proposed point of diversion addresses of the owners.	otograph. For groundy domestic) within one-half and the names and ma	vater of the diagonaling dive	e proposed point of diversion existing point of diversion above in relation. (PLEASE NOTE: ve represents the presents)	will be relocated to on, indicate its lo ation to the exis	cation on the

14. If the proposed groundwater point of diversion is 300 or fewer	er feet from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currer  ☐ Yes ☐ No (If no, all owners must sign the current of the curre	ntly authorized place(s) of use identified in this application? his application.)
(b) Will the ownership interest of any owner of the current affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign	tly authorized place(s) of use identified in this application be adversely this application.)
(c) If this application is not approved expeditiously, will then ☐ Yes ☐ No (If no, all owners must sign the	re be substantial damage to property, public health or safety? his application.)
If the application proposes a surface water change in point of div or a change in place of use, the application must be signed by al agent (attach notarized statement authorizing representation).	rersion, a groundwater change in point of diversion greater than 300 feet Il owners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a duly their behalf, in regards to the water right(s) to which t contained in this application are true, correct and com	r affirmation and under penalty of perjury, that I am of lawfu authorized agent of the owner(s) to make this application or this application pertains. I further verify that the statements aplete.
Dated at GARDEN CITY, Kans	sas, this $9^{\frac{1}{12}}$ day of $\frac{1}{12}$ day
My of puffelo	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Finney	TAMMY FLOWERS NOTARY PUBLIC STATE OF KANSAS MY APPT. EXPIRES
I hereby certify that the foregoing application was sign	ned in my presence and sworn to before me this 9 day
of <u>June</u> , 20 <u>20</u> .	January Howers
My Commission Expires 5.28.2024	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be comaccurate information; maps, if necessary, must be included; signatures of the appropriate fee must be paid.	nplete, all of the applicable portions of the application form must be completed wit f all the appropriate owners' must be affixed to the application and notarized; and
FEE S	SCHEDULE
forth in the schedule below: Make checks payable to: Kansas D  (1) Application to change a point of diversion 300 feet or  (2) Application to change a point of diversion more than	sion under this section shall be accompanied by the application fee set Department of Agriculture r less . \$100 300 feet . \$200 \$200

28636 Sec 29-27-28 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? (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? П 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 (If no, all owners must sign this application.) ☐ No 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. , Kansas, this Dated at (Please Print) (Owner) (Spouse) (Please Print) (Please Print) (Spouse) (Owner) (Please Print) (Please Print) YOLANDA J. BLATTNER State of Kansas Notary Public - State of Kansas SS County of Gra My Appt. Exp. 11-14-2024 I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16 day of March 2021 planda f My Commission Expires 11-14-2024

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

	Solicule below. Make checks payable to. Namada bepartment 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. 2863 June 12, 2021 A change application was received on 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. 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 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. 

Applicable Not Applicable feet from the previously 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, 20-3, 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. ☐ Not Applicable Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 \_\_\_\_\_\_, 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. ☐ Not Applicable ✓ 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 \( \subseteq \) Not Applicable 11. Additional Conditions are attached. Yes ΠNo 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): 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, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: 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 County of Acknowledged before me on Signature: STATE OF JULIE JONES My commission expires: My Appointment Expires . PUBLIC (Notaraconnal) 5, 2022

Page 4

File No.

DWR 1-121 (Revised 04/5/2018)

# ADDITIONAL CONDITIONS TO SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS, Water Right, File Nos. 28,636

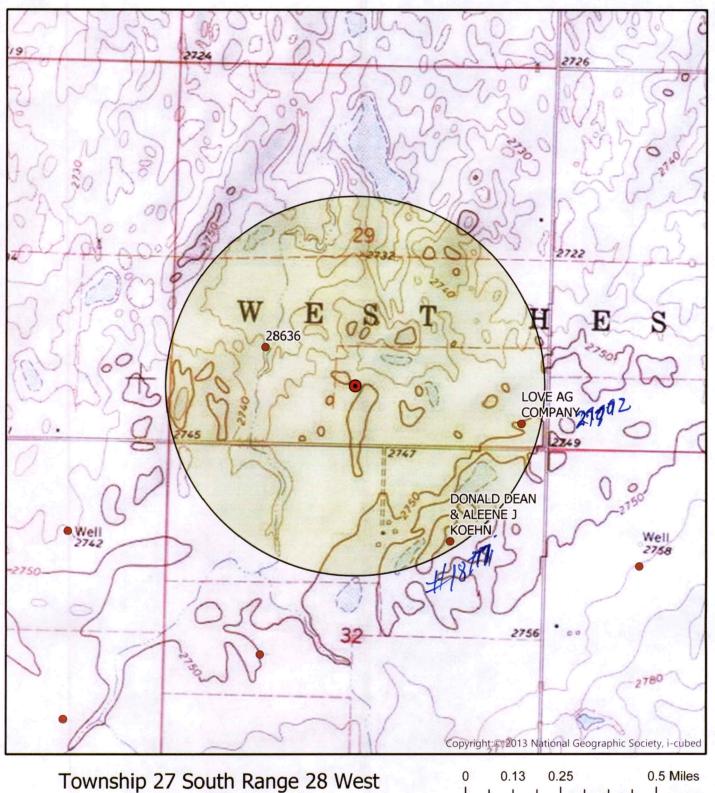
The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the following condition is included as a condition of the approval of this application for change in point of diversion.

This order effectively reduces the authorized maximum rate of diversion to a rate not to exceed 725 gallons per minute (1.61 c.f.s.) from the authorized point of diversion described herein.

	By:(Duly Authorized Designee of the Chief Engineer)
	(Print Name): MCHAECA-MEYER  Division of Water Resources Kansas Department of Agriculture
	Dated of Issuance: March 16, 2021
State of Kansas	)
County of Finney )	
Acknowledged before me on	the day of March 2021
By <u>Michael</u>	A. Meyer
Signature Notary	Public
My Commission expires:	JULIE JONES My Appointment Expires  (Notary Seal) December 15, 2022  JULIE JONES My Appointment Expires December 15, 2022

DWR 1-121

# CHANGE IN POINT OF DIVERSION FILE NO. 28636



**Gray County** 

POINT OF DIVERSION

All wells of any kind within a half mile of the proposed point of diversion are shown:

PROPOSED PD

Created By: AM/GCFO

3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389

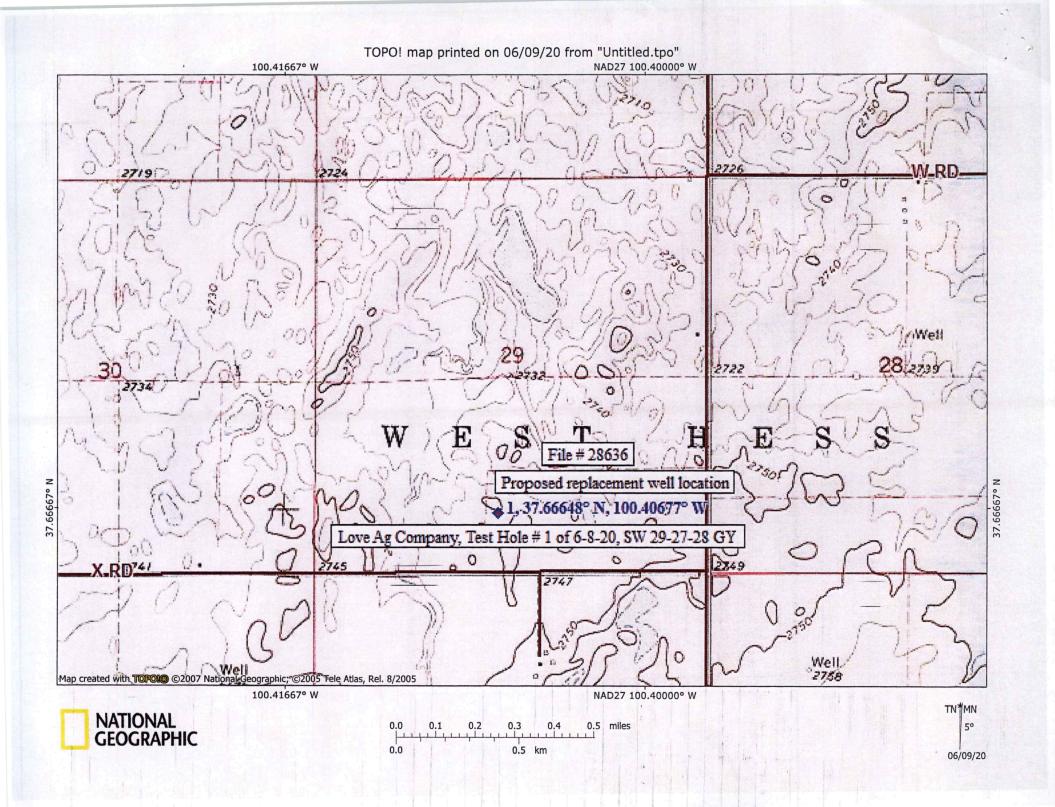


PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

28638

Customer	Name:	Love AG Com	Bassy		WO#: 2	0324	Date: 6-8	-20
Street Add		24506	ROAD 13		Test #:		E LOG: YS	Parise y 12
City, State	);	MUNTEZU		67867	Driller: D	ale Gui	200	
County:	Grav	Quarter: SW	Section:	29	Township:	27	Range: 28	20
Location:		where a little was a second		GP	S: N37,66648	W100,4	0677	100
Rig #:	10002		Elevation:	2744'	Static WL:	85'	Estimated?	The same
		1200			, Proposed Well		258	
	Contract was	II Men		WELL	LOCATION	20'0		Page 184

	eregia to	Sil Pier.		WELLLOCATION 20' SUMP
		Footage		
%	From	Pay	То	Description of Strata
1000	0		2	Fine Sand "Top Soil"
	2		111	Fine Sand w/little Clay Mixed
	111		59	Brown Sandy Clay
	159		65	Fire Sead
- Lawrence		11.00	94	Brown + White Sandy Clay W/Fow Lime Rock Strips Finz Mid Course Sand Small Med Large. Gravel Fine Med Course Sand Small Med Gravel
6 12 Marie 1	94		160	Finz Mid Course Sand Small Med Foras Gravel
	160		179	Fine Med Course Sand Small Med Gravel
35	1179	53	238	Fine Med Course Sand Small Med Large Gravel
	238		240	Sonp Stone
	240		250	Black Shale
- Harrison				
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# KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

#### <u>MEMORANDUM</u>

TO: Files

-

DATE:

FROM: M

Michael A. Meyer

Garden City Field Office

RE: Change in Point

of Diversion Application,

March 3, 2021

Water Right, File No. 28636

A proposed field office change in point of diversion application was received in the office June 12, 2020 that met well spacing rules after initial review. The application was delayed in processing due to the completion of a nearby aguifer test of File No. 20063 to gain more remote aquifer properties to use for theis in this application due to neighbor concerns, and past discussions with this application and others from the landowner where there is limited aguifer and limited real time aguifer data rather than calculated data in the GMD3 model that may prove to be too conservative. Nearby well letters were sent both by DWR and GMD3, there was one response. The response was a concern of the latitude that this particular water right had authorized to be able to pipe water to the extension authorized place of use. GMD3 conducted a well evaluation effects and found one "critical" well that would exceed the net effect above their maximum allowable threshold based on the GMD3 model data. To mitigate effects and remove the "critical well" as documented by GMD3, GMD3 proposed to limit the rate of diversion for the above referenced water right to 725 gallons per minute. With verbal and written agreement by Garrett and Greg Love on March 2, 2021, the Loves agreed to reduce their authorized diversion rate to 725 GPM to further process the application for approval and to allow the change in point of diversion. Therefore, the proposal is to recommend approval based on the discussion above and the agreements made between all parties.

> Michael A. Meyer Water Commissioner

#### Meyer, Mike [KDA]

From:

Meyer, Mike [KDA]

Sent:

Tuesday, March 2, 2021 2:56 PM

To:

'greg love (Greg.c.love@gmail.com)'

Cc:

'Garrett Love'

Subject:

section 29 application

**Attachments:** 20210302143709294.pdf

Greg, as you know, the GMD3 recommended approval of this application to our office contingent upon you agree to limit the diversion rate to 725 GPM. as with your other applications, we will need you to agree to voluntarily reduce the authorized pumping rate from 2000 GPM to 725 GPM.

I have attached a copy of the originally application proposing a reduction in authorized rate only on page 2. if you agree, please sign and date where indicated that you agree to reduce the authorized diversion rate.

again, since this is a voluntary request to drill a permanent well and to help prevent impairment to existing wells based on the GMD3 recommendation, we must ensure the request is reasonable and require agreement to reduce the authorized diversion rate.

thank you and you can scan and return if you agree to finalize this process.

Michael A. Meyer, PG Kansas Department of Agriculture Division of Water Resources Garden City Field Office 4532 W Jones Ave, Suite B Garden City KS 67846 Lat 37.98820, Lon -100.944470 (620)-276-2901 mike.meyer@ks.gov



# 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 1, 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. 28636

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 again 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 (1.5 ft in cases where saturated thickness is between 50-75 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 multiple neighboring wells exceeded the net effect above the maximum allowable threshold and required further evaluations. The analysis shows that if the water right was limited to a rate of 725gpm, the neighboring wells would no longer be considered critical. We have discussed our results with the applicant, who would agree to our recommended limitation. 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

MAR 01 2021

Garden City Field Office Division of Water Resources

Working Water Conservation Every Day Since 1976

# **GMD3** Change Review

File No(s).: 28636. DWR office: GC. App filed to change: PD. Is Landowner(s) correct in WRIS: <u>Greg Love</u>. 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) 03 being changed. ft. North ft. West **Authorized PD** 1320 3980 Sect 29-27-28 Proposed PD 778 2726 Difference 542 5 1254 e 1366.119 foot move SE a2+b2=c2293764 1572516 GPS for proposed PD: Lat: 37.66648 Long: -100.40677. Is proposed PD stacking on existing WRs? No. Is Proposed PU overlapping existing WRs? No Change. Neighboring certified well(s) notified: \_\_. Name Victor V & Louise M Thomas Trusts (12045). Address PO Box 381. Zip Montezuma, KS 67867. Phone: 620-846-2970 Email: reed.alant@gmail.com Name Donald Dean & Aleene J Koehn %Donald Koehn II (18777& 27765). Address 18502 X RD. Cimarron, KS 67835. Zip Email: donniekoehn2@gmail.com Phone: 620-846-0864 Domestic well(s) notified: Domestics in 32-27-28 part of Koehn. RECEIVED Domestic in 30-27-28 appears to be Love Af. Name Dawn Lenz (SW NW 33-27-28) . MAR 0 1 2021 Address 24506 15 RD . Garden City Field Office Cimarron, KS 67867. Zip Division of Water Resources Base Acres: . Perfected Acres: \_\_\_. Irr. Return-Flow

Lose of production.

DWR did get response from one of their notices.

Is a waiver needed: Move less than half mile. Minimum spacing appears met. Analysis shows that limitations would be needed to limit effect of proposed move.

# **GMD3** Change Review

Recommendation: <u>DWR did get a neighbor response from a neighbor, concerned of water but also talked about where the water was used. Analysis shows limiting the water right to 311AF @ 550gpm would reduce the possible effect to neighboring wells. Staff recommends approval of the application with the limitations proposed. Analysis was performed again in the area using updated values. New analysis shows that limiting the rate to 725gpm will mitigate effects in the neighboring area to within the guidelines. Staff therefore recommends approving the application with limited rate.</u>

JA

MAR 01 2021

Garden City Field Office
Division of Water Resources

#### Evaluation of proposed move for Water Right No 28636

Proposed: Move water right no. 28636 a distance of 1,252 ft to the southeast.



Wells within 1 mile: 27702, 14536, 27765, 18777, 12045, and 5 domestic wells, numbered on the above map.

The saturated thickness at the proposed well location is estimated to be 54 ft, based upon an observation well in section 30-27-28 and the driller's log. For saturated thickness between 50 ft and 75 ft, the drawdown allowance is 1.5 ft.

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

S = 0.001403,  $T = 14,040 \text{ ft}^2/\text{day}$ ,  $tp_{current} = 80 \text{ days}$  (based upon average use and observed rate),  $Q_{current} = 713 \text{ gpm}$  (based upon 2012 field inspection),  $tp_{proposed} = 62 \text{ days}$ ,  $Q_{proposed} = 2000 \text{ gpm}$ 

Theis drawdowns were calculated as follows:

27702:

Drawdown from current location = 4.52 ft

Drawdown from proposed location = 11.66 ft

Net drawdown = 7.1 ft

14536:

Drawdown from current location = 4.51 ft

Drawdown from proposed location = 11.65 ft

Net drawdown = 7.1 ft

27765:

Drawdown from current location = 4.29 ft

Drawdown from proposed location = 11.04 ft

Net drawdown = 6.7 ft

18777:

Drawdown from current location = 4.51 ft

Drawdown from proposed location = 11.65 ft

Net drawdown = 7.1 ft

12045:

Drawdown from current location = 3.77 ft

Drawdown from proposed location = 9.58 ft

Net drawdown = 5.8 ft

Domestic 1:

Drawdown from current location = 4.45 ft

Drawdown from proposed location = 11.47 ft

Net drawdown = 7.0 ft

Domestic 2:

Drawdown from current location = 4.48 ft

Drawdown from proposed location = 11.57 ft

Net drawdown = 7.1 ft

Domestic 3:

Drawdown from current location = 4.45 ft

Drawdown from proposed location = 11.47 ft

Net drawdown = 7.0 ft

Domestic 4:

Drawdown from current location = 3.91 ft

Drawdown from proposed location = 9.96 ft

Net drawdown = 6.1 ft

Domestic 5:

Drawdown from current location = 4.71 ft

Drawdown from proposed location = 12.20 ft

Net drawdown = 7.5 ft

Net drawdown exceeds the drawdown allowance of 1.5 ft for all wells within 1 mile of the proposed location. The GMD3 model predicts the saturated thickness of the area to reduce under current conditions by more than 40% over the next 25 years, so all wells in the area are critical wells.



#### Conclusion:

This proposed change will create a noticeable effect on neighboring critical wells. These wells have a limited remaining water supply, creating high risk of impairment. GMD3 staff recommends mitigating effects on neighboring wells by limiting the proposed well to a rate of 725 gpm. This limitation will reduce net effect on neighboring wells to the following values:

27702: Net drawdown = **1.5** ft

14536: Net drawdown = 1.5 ft

27765: Net drawdown = **1.5** ft

18777: Net drawdown = 1.5 ft

12045: Net drawdown = 1.4 ft

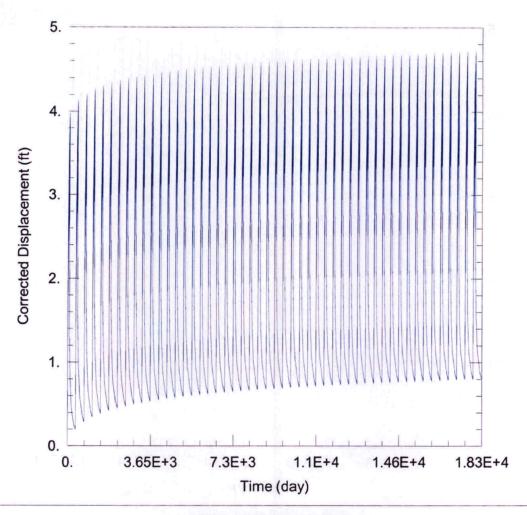
Domestic 1: Net drawdown = 1.5 ft

Domestic 2: Net drawdown = 1.5 ft

Domestic 3: Net drawdown = 1.5 ft

Domestic 4: Net drawdown = 1.4 ft

Domestic 5: Net drawdown = 1.5 ft



## WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020\_moves\28636\Updated Current.aqt

Date: 02/16/21 Time: 15:33:33

#### PROJECT INFORMATION

Company: GMD 3 Project: 28636

Location: Gray County Test Well: 28636

# RECEIVED

MAR 0 1 2021

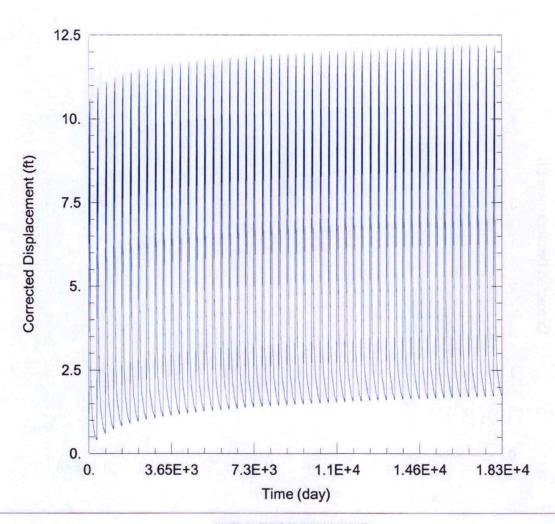
Garden City Field Office
Division of Water Resources

#### **WELL DATA**

F	Pumping Wells	
Well Name	X (ft)	Y (ft)
28636	112526	288948

Obse	ervation Wells	
Well Name	X (ft)	Y (ft)
O SECRETARIA	112526	288948
<b>27702</b>	116140	287973
· 14536	109859	286304
<b>27765</b>	112570	284631
<b>18777</b>	115193	286302
<b>12045</b>	117833	286024
Domestic 1	109153	290930
Domestic 2	108834	287939
Domestic 3	116052	290650
Domestic 4	116728	285333
Domestic 5	115401	287320

## SOLUTION



#### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020\_moves\28636\Updated Proposed.aqt

Date: 02/16/21 Time: 15:40:08

#### PROJECT INFORMATION

Company: GMD 3
Project: 28636
Location: Gray County
Test Well: 28636

#### **WELL DATA**

F	Pumping Wells		Obs	Observation Wells				
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)			
28636	112526	288948	O TOTAL TOTA	112526	288948			
		1041	<b>27702</b>	116140	287973			
			<b>14536</b>	109859	286304			
			<b>27765</b>	112570	284631			
			<b>- 18777</b>	115193	286302			
			<b>12045</b>	117833	286024			
			<ul> <li>Domestic 1</li> </ul>	109153	290930			
			<ul> <li>Domestic 2</li> </ul>	108834	287939			
			<ul> <li>Domestic 3</li> </ul>	116052	290650			
			Domestic 4	116728	285333			
MANUEL IN SIT			Domestic 5	115401	287320			

SOLUTION

#### Meyer, Mike [KDA]

From:

Jason Norquest < norquest@gmd3.org>

Sent:

Tuesday, December 29, 2020 9:51 AM

То:

Meyer, Mike [KDA]

Subject:

28636

**EXTERNAL**: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Mike, we would like to ask for an extension on the change app filed under the mentioned water right. A sixty day extension would allow for all of us to evaluate the possible data on the monitoring well recently equipped to the north to determine if current models for the area are sufficient to project out to this change. We believe it is in the best interest of all parties to have the best information we can to determine a final resolution.

Thank you for you time and consideration. Have a good day.

# Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289 Office: 620-275-7147

www.gmd3.org



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

December 29, 2020

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

RE:

Application for Approval to Change Point of Diversion Water Right, File No. 28636

Dear Sir:

As requested on December 29, 2020, the Chief Engineer has extended the initial time in which to supply the requested recommendation for the application for approval to change for the above referenced file.

We will delay any further action until March 1, 2021. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer Water Commissioner

**MAM** 

# Meyer, Mike [KDA]

From:

Meyer, Mike [KDA]

Sent:

Wednesday, October 7, 2020 3:34 PM

To:

Jason Norquest

Cc: Subject: Mark Rude RE: 28636

#### good afternoon

lets extend the time frame for you to provide a recommendation for 60 days for a check point at that time to see where everyone is at.

I emailed Garrett this morning on an update of a projected well drilling, but have not heard yet. with this email, we will grant until <u>December 5, 2020</u>. unless you want earlier...

Mike



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

October 7, 2020

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

Application for Approval to Change Point of Diversion Water Right, File No. 28636

Dear Sir:

As requested on October 6, 2020, the Chief Engineer has extended the initial time in which to supply the requested recommendation for the application for approval to change for the above referenced file.

We will delay any further action until December 5, 2020. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer Water Commissioner

MAM



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

August 5, 2020

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

Applications for Approval to Change Point of Diversion Water Right, File Nos. 14550, 20063, & 28636

Dear Sir:

At your request, the Chief Engineer has extended, the initial time in which to supply the requested recommendation for the applications for approval to change for the above referenced files.

As requested, we will delay any further action until October 5, 2020. 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,

Michael A. Meyer

Water Commissioner

**MAM** 



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

July 6, 2020

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

Re: Water Right, File Nos. 28636

Dear Mr. Norquest:

This is to advise you that Love Ag Company, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion for the above referenced files. The application is proposing a to move the current authorize point of diversion that meets regulations. I received a phone call from Donnie Koehn. He said he would write a letter to object to the move, as he did not want wells moving closer to his well.

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

#### Dear Sir or Madam:

This is regards to the letter you sent us. I am enclosing a copy for your reference. We are opposing this new well for Greg Love. Without doubt, it will affect our well. Greg Love drilled a new well 2 years ago to the north east of our well and this one would be to the north west. He does not keep the water on the quarter that his wells are on, rather laying pipe lines to other quarters and pump water over and beyond the crop on the quarter where the well is located.

We are asking you to not approve his request. Our well, with out question will be affected.

Thank you very much for your consideration in this matter.

Donard Kach As P.O. A.

Donald Koehn

**RECEIVED** 

JUL 0 7 2020



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

June 15, 2020

DONALD DEAN & ALEENE J KOEHN Attn: DONALD KOEHN II 18502 X RD CIMARRON, KS 67835

> RE: Water Right, File No. 28636

Dear Sir or Madam:

This is to advise you that Greg Love has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 29, Township 27 South, Range 28 West, Gray County.

You can find the complete applications posted by water right file number as referenced above at: https://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 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 contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3