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

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
45343	3-21-2021	**C1**	**04**	**03**

6. Status: ☒ Approved ☐ Denied by DWR/GMD ☐ Dismiss by Request/Failure to Return

7. Filing Date of Change: **1/29/2021**

8a. LANDOWNER, Person ID **57406**
New to system ☐ Add Seq# _____

ABC TRUST LP
Attn: WARREN FOX - MANAGER
8199 X RD
PLAINS, KS 67869

8c. LANDOWNER, correspondent Person ID _____
New to system ☐ Add Seq# _____

8b. Landowner(s), Person ID **32144**
New to system ☐ Add Seq# _____

LAL TRUST LP
ATTN: SUSAN G FOX - MANAGER
8199 X RD
PLAINS, KS 67869

8d. correspondent,applicant Person ID **5523**
New to system ☐ Add Seq# _____

WARREN F & SUSAN FOX
8199 X RD
PLAINS, KS 67869

9. Documents and Enclosure(s): ☒ DWR Meter(s) Date to Comply: **12/31/2021** ☒ N & P Date to Comply: **3/1/2022**

☐ Anti-Reverse Meter ☐ Meter Seal ☒ Check Valve ☒ N & P Form ☒ Water Tube ☒ Driller Copy ☐ H & E Letter

☐ Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **2/18/2021** By: **MAM**
Date Entered: By:

DWR 1-661 (Revised 01/02/2018)

File No. **45343**	11. County: **ME**	Basin: **CIMARRON RIVER**	Stream:	Formation Code: **211**	Special Use: **chloride**

12. Points of Diversion

CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate and Quantity Authorized Rate gpm	Authorized Quantity af	Additional Rate gpm	Additional Quantity af	Overlap PD Files
DEL 61877														
ENT		**LOT 1 (NENE)**	**6**	**34**	**30W**		**4915**	**450**		**1055**	**364**	**1055**	**364**	**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 NE ¼	NE¼ NW ¼	NE¼ SW ¼	NE¼ SE ¼	NW¼ NE ¼	NW¼ NW ¼	NW¼ SW ¼	NW¼ SE ¼	SW¼ NE ¼	SW¼ NW ¼	SW¼ SW ¼	SW¼ SE ¼	SE¼ NE ¼	SE¼ NW ¼	SE¼ SW ¼	SE¼ SE ¼	Total	Owner	Chg?	Overlap Files
CHK 55394																								

Base Acres: Year: Minimum Reasonable Quantity:

Comments: **SUA CHLORIDE AREA**

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

Kansas
Department of Agriculture
Division of Water Resources

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

Mike Beam, Secretary

Laura Kelly, Governor

March 22, 2021

WARREN F & SUSAN FOX
8199 X RD
PLAINS, KS 67869

RE: Water Right, File No. 21810 & 45343

Dear Sir and Madam:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

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 numbers 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 orders modify the original documents 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: ABC Trust LP
LAL Trust LP
GMD3

CERTIFICATE OF SERVICE

On this 22nd day of March 2021, I hereby certify that the foregoing Approvals of Application for Change in Point of Diversion, Water Right, File Nos. 21,810 & 45,343 dated 22nd day of March 2021 was mailed postage prepaid, first class, US mail to the following:

WARREN F & SUSAN FOX
8199 X RD
PLAINS, KS 67869

Pc:

ABC TRUST LP
Attn: WARREN FOX - MANAGER
8199 X RD
PLAINS, KS 67869

LAL TRUST LP
Attn: SUSAN G FOX - MANAGER
8199 X RD
PLAINS, KS 67869

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Julie Jones

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.

RECEIVED
1:23 pm
JAN 29 2021
Garden City Field Office
Division of Water Resources

File No. 45343

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: Warren Fox
8199 X RD PLAINS KS 67869
Phone Number: (620) 563-7739 Email address: wsfox2@sbcglobal.net
Name and address of Water Use Correspondent: Same as above
Phone Number: (620) 563-7739 Email address:

3. The presently authorized place of use is:
Owner of Land ---- NAME: ABC Trust, LP and LAL Trust, LP
ADDRESS: 8199 X Road, Plains, KS, 67869
(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* 1-29-21 *Check #* 1069

5. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ Quarter of the CN Quarter of Section 6, Township 34 South, Range 30 W, in Meade County, Kansas, 5066 feet North 2740 feet West of Southeast corner of section.

Authorized Rate — Authorized Quantity — Depth of well 592 (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 ~~NE~~ Quarter of the ~~NE~~ Quarter of the Lot 1 (NE NE) Quarter of Section 6, Township 34 South, Range 30 W, in Meade County, Kansas, 4915 feet North 450 feet West of Southeast corner of section.

Proposed Rate — Proposed Quantity — Proposed well depth (feet) 560.

This point is: ☐ Additional Well ☐ Geo Center List other water rights that will use this point _____.

6. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)

(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

☐ This point will not be changed ☐ This point will be changed as follows: ☐ No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.

Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____.

This point is: ☐ Additional Well ☐ Geo Center List other water rights that will use this point _____.

7. The changes herein are desired for the following reasons? (please be specific) low water volume (300gpm) surging - pumping air, yield dropped 150gpm each of last 2 years

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

9. The change(s) (was)(will be) completed by?
May 2021

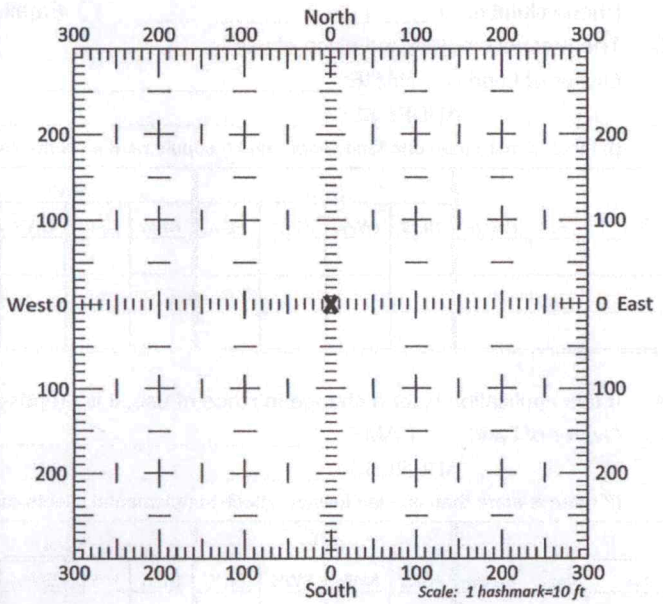
10. If the point of diversion is a well:

(a) What are you going to do with the old well?
Old well will be capped

(b) When will this be done? immediately

11. Groundwater Management District recommendation attached?
☐ Yes ☒ No

12. Assisted by Alex Torrance



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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. **(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 Plains, Kansas, this 26 day of January, 2021.

Warren Fox, Manager
(Owner)

(Spouse)

ABC Trust, L.P. By Warren F. Fox, Manager
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

LAL Trust, L.P. By Susan G. Fox, Manager
(Owner)

(Spouse)

LAL Trust, L.P. By Susan G. Fox, Manager
(Please Print)

(Please Print)

State of Kansas)
) SS
County of Meade)

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 26th day of January, 2021.

ANITA EVANS
Notary Public - State of Kansas
My Appt. Expires 12-09-2023

Notary Public

My Commission Expires 12-09-2023.

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. 45343.

1. A change application was received on January 29, 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 50 foot radius of the authorized point(s) of diversion. ☑ Applicable ☐ Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ☐ Applicable ☑ Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than 2640 feet from the previously authorized point(s) of diversion. ☑ Applicable ☐ Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. ☒ Applicable ☐ Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 21**, 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, 20 21**, or within any authorized extension of time. By March 1, 20 22 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: March 21, 2021

State of Kansas)
) SS
County of Finney)

Acknowledged before me on March 21, 2021

by Michael A. Meyer.

Signature: Julie Jones
Notary Public

My commission expires JULIE JONES My Appointment Expires December 15, 2022 (Notary Seal)

Test Hole Drilling Log

CUSTOMER:	DATE:
WARREN FOX	1-8-2021

ADDRESS:	PHONE NUMBER:
8199 ROAD X, PLAINS, KS 67869	

TEST HOLE #	DRILLER:	E-LOG:
1	Brady Palmer	YES

GPS LOCATION:	COUNTY:	QUARTER:
37.1254, -100.6177	Meade	NE NE NE NE

SECTION:	TOWNSHIP:	RANGE:
S6	T34S	R30W

TOTAL DEPTH:	TOTAL PAY:
560	244

Description of the strata, from the surface to the total depth.

(Example: 80-100, 20: Sand; Footage is from 80-100 feet, pay = 20. Sand is the strata description)

0-4: Top soil	
4-96: Medium to fine sand	
96-109: Sandstone	
109-253, 13: Medium to coarse sand	13' of pay
253-260: Clay	
260-310, 50: Medium to coarse sand	50' of pay
310-362: Blue shale	
362-431, 69: Medium to fine sand	69' of pay
431-436, 4: Medium sand, blue shale streaks	4' of pay
436-544, 108: Medium to coarse sand	108' of pay
544-560: Red bed	

Tyler Palmer
580-716-8758
Tyler.elitedrilling@gmail.com

Thank you for your business!


VSP
Depth
SPR
-200
mV
200
1ft:200ft
0
Ohm
200
Gamma
N16
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Cps
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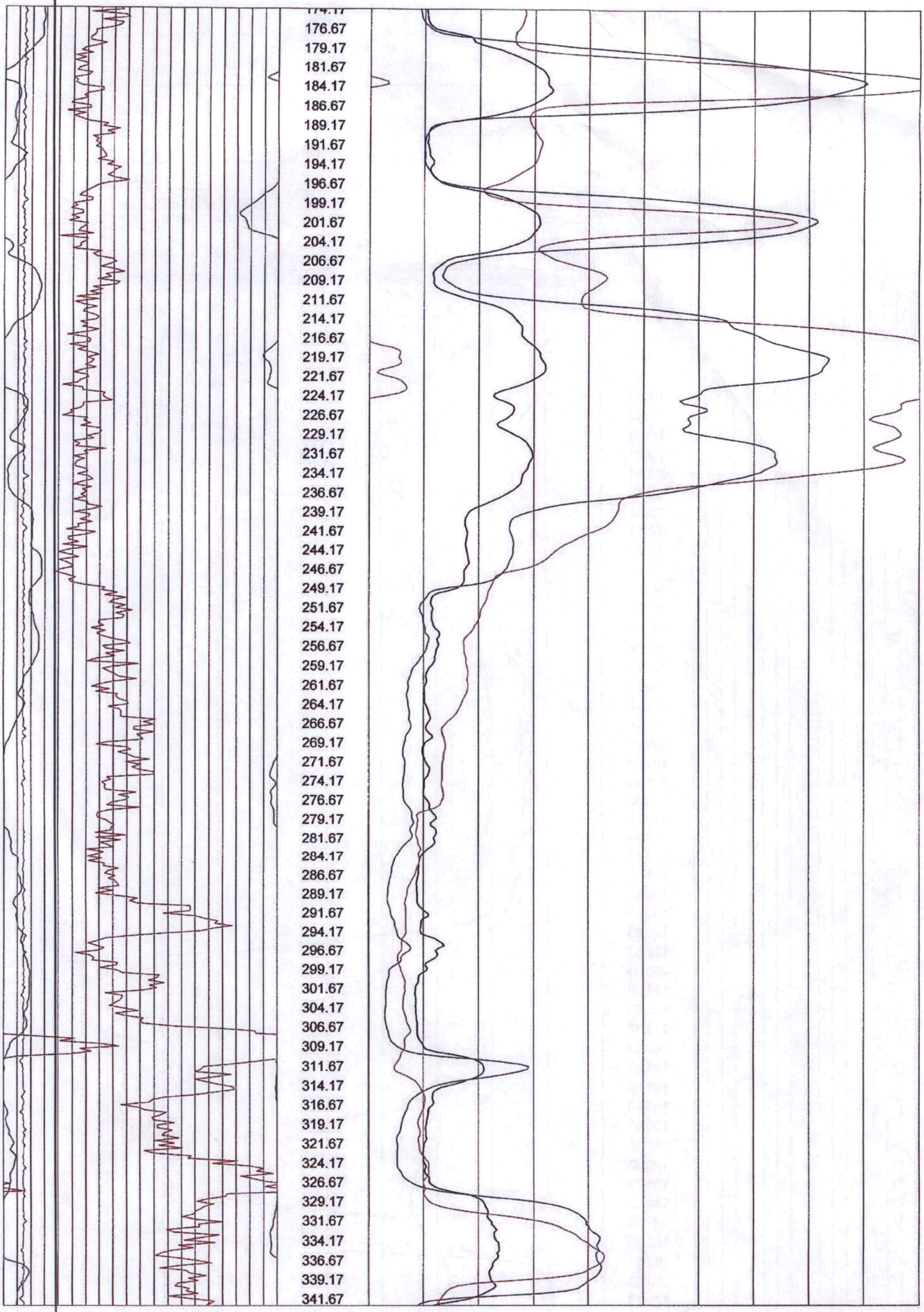
Fox test #1
E-log depth 560'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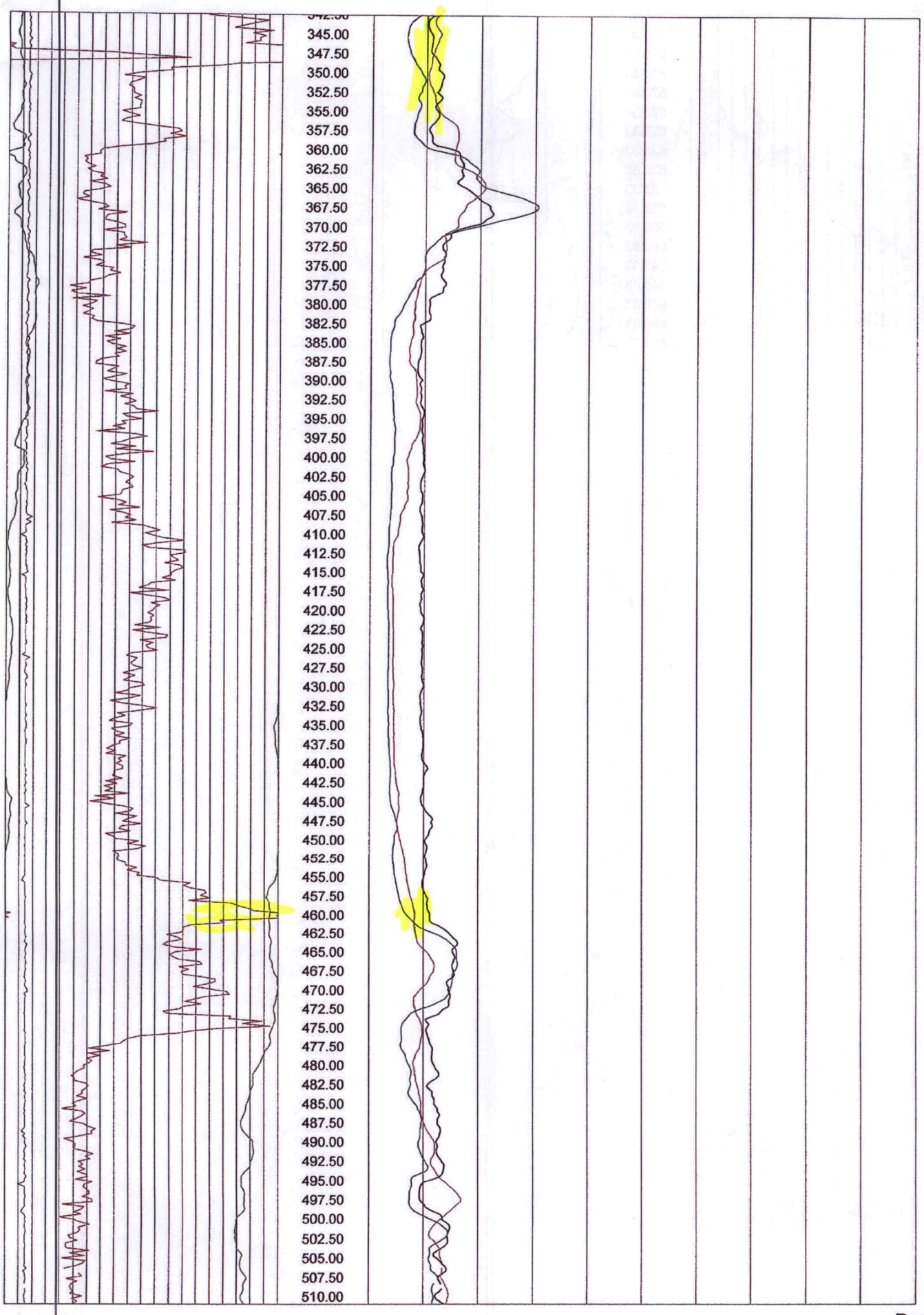
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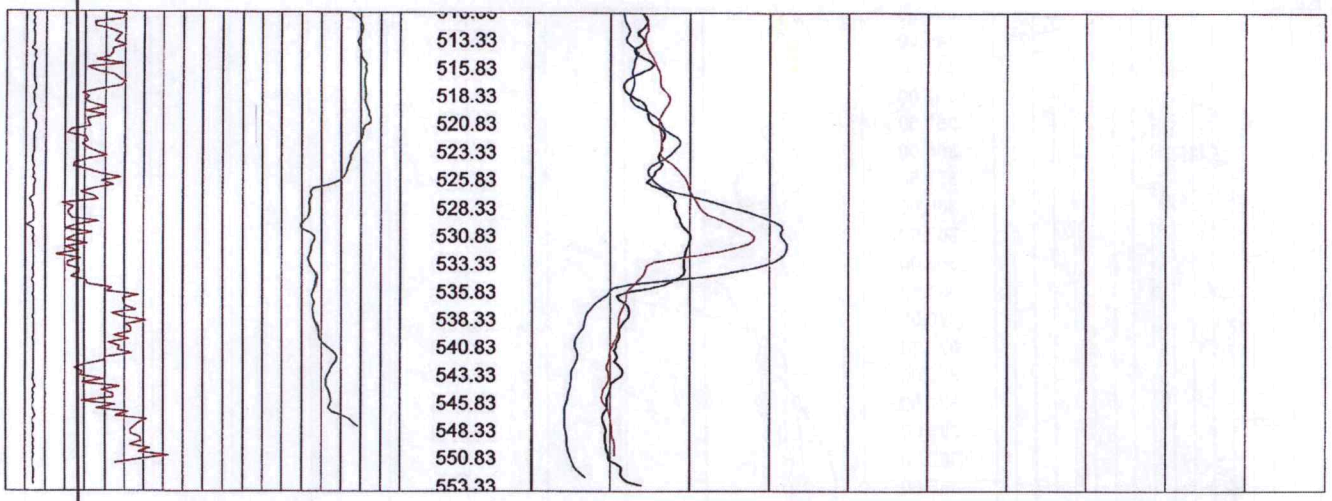
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servi tech
1816 E. Wyatt Earp • PO Box 1397 • Dodge City, KS 67801
www.servitech.com

Phone: 620.227.7123
800.557.7509
Fax: 620.227.2047

Lab #: **002795**

LABORATORY ANALYSIS REPORT

Report Date: 03/19/2021 03:09 p

Send To: 50153	ELITE IRR & DRILLING INC PO BOX 261 TURPIN, OK 73950		Sean H. Jenkins QA Manager
Client Name:	WARREN FOX	**Received:**	03/18/2021 01:55 pm
Sample ID:	445 TEST HOLE BULK Depth	**Submitted By:**	WALK IN
Location:		**Invoice No:**	380337
Sampled:	03/10/2021 10:15 am	**P.O. #:**	
Sampled By:	TYLER PALMER		

Analysis	Result	Unit	lbs / Acre Inch	meq / L
Electrical Conductivity, at 19.6°C	179	µmho/cm		
pH, at 19.6°C	7.9	unit		
Nitrate Nitrogen, NO3-N	0.52	mg/L	0.1	<0.1
Chloride, Cl	4.7	mg/L	1.1	0.1
Sulfate, SO4	18	mg/L	4.1	0.4
Sulfate-Sulfur, SO4-S	6.1	mg/L	1.4	0.4
Bicarbonate, HCO3	150	mg/L	34.0	2.5
Carbonate, CO3	<10	mg/L	<2.3	<0.3
Total Alkalinity, CaCO3	120	mg/L	27.2	2.4
Hardness (CaCO3)	110	mg/L		
Hardness (CaCO3)	6.3	grains/gal		
Total Calcium, Ca	30	mg/L	6.8	1.5
Total Magnesium, Mg	8	mg/L	1.8	0.7
Total Potassium, K	7	mg/L	1.6	0.2
Total Sodium, Na	10	mg/L	2.3	0.4
Sodium Adsorption Ratio, SAR	0.4	ratio		
Adjusted SAR, SARa	0.4	ratio		
Total Boron, B	0.04	mg/L	<0.1	
Total Iron, Fe	1.60	mg/L	0.4	
Total Manganese, Mn	0.063	mg/L	<0.1	
Total Dissolved Solids (Calc), TDS	115	mg/L		
Corrosion Indices				
Langelier Index, LI	0.2			
Aggressive Index, AI	12.0			

RECEIVED
MAR 21 2021
Garden City Field Office
Division of Water Resources

Report formatted for regulatory compliance available upon request.

servi tech
1816 E. Wyatt Earp • PO Box 1397 • Dodge City, KS 67801
www.servitech.com

Phone: 620.227.7123
800.557.7509
Fax: 620.227.2047

Lab #: **002795** **LABORATORY ANALYSIS REPORT** Report Date: 03/19/2021 03:09 p
Sample ID: 445 TEST HOLE BULK **Client Name:** WARREN FOX **Location:**

Interpretations for Corrosive Indices

AGGRESSIVE INDEX (over 12.0): The Aggressive Index (AI) is a measure of the tendency of water to deteriorate the structure of asbestos-cement pipes. The result Indicates that this water is considered "non-aggressive". A water supply can be verry corrosive even though the pH is neutral. This occurs in water where there is no hardness or dissolved minerals to coat piping and protect it from the natural corrosiveness of the water.

LANGLIER SATURATION INDEX: A calculation that indicates the calcium carbonate (CaCO3) saturation of a given water supply. An index value between -0.5 to +0.5, suggests the water is not expected to either form a calcium carbonate scale layer or dissolve an existing scale layer. The water supply may be considered "non-corrosive", but there are other factors that may affect corrosion. These factors include the type of metals used for piping and fixtures, water temperature, flow rate, and others.

Interpretations For Irrigation Use

GENERAL RATING - EXCELLENT QUALITY IRRIGATION WATER

SALINITY HAZARD - VERY LOW: Negligble potential for extended use of this irrigation water to result in salt accumulations or soil salinity problems. Some very salt-sensitive plant species could be affected under adverse conditions.

PERMEABILITY HAZARD: VERY LOW. The sodium in this irrigation water (as determined by the adjusted SAR) is not expected to affect soil properties.

BORON HAZARD - VERY LOW: Boron is one of the essential plant nutrients required by plants for healthy growth but it is only needed in very small amounts and can therefore become toxic to plants even at very low concentrations. The boron concentration in this water source is considered safe for most field crops and landscape plants.

CHLORIDE HAZARD FROM SPRINKLER IRRIGATION - VERY LOW (less than 35 mg/L): No foliar injury is expected from applying this water by sprinkler irrigation.

Report formatted for regulatory compliance available upon request. Page 2 of 2

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Phone: 620.227.7123
800.557.7509
Fax: 620.227.2047

Lab #: **002796**

LABORATORY ANALYSIS REPORT

Report Date: 03/19/2021 03:10 p

Send To: 50153	ELITE IRR & DRILLING INC PO BOX 261 TURPIN, OK 73950		Sean H. Jenkins QA Manager
Client Name:	WARREN FOX	**Received:**	03/18/2021 01:55 pm
Sample ID:	385 TEST BULK -Depth	**Submitted By:**	WALK IN
Location:		**Invoice No:**	380337
Sampled:	03/10/2021 10:00 am	**P.O. #:**	
Sampled By:	TYLER PALMER		

Analysis	Result	Unit	lbs / Acre Inch	meq / L
Electrical Conductivity, at 19.7°C	182	µmho/cm		
pH, at 19.7°C	8.1	unit		
Nitrate Nitrogen, NO3-N	0.49	mg/L	0.1	<0.1
Chloride, Cl	4.6	mg/L	1.0	0.1
Sulfate, SO4	18	mg/L	4.1	0.4
Sulfate-Sulfur, SO4-S	6.1	mg/L	1.4	0.4
Bicarbonate, HCO3	150	mg/L	34.0	2.5
Carbonate, CO3	<10	mg/L	<2.3	<0.3
Total Alkalinity, CaCO3	120	mg/L	27.2	2.4
Hardness (CaCO3)	110	mg/L		
Hardness (CaCO3)	6.1	grains/gal		
Total Calcium, Ca	29	mg/L	6.6	1.4
Total Magnesium, Mg	8	mg/L	1.8	0.7
Total Potassium, K	6	mg/L	1.4	0.2
Total Sodium, Na	9	mg/L	2.0	0.4
Sodium Adsorption Ratio, SAR	0.4	ratio		
Adjusted SAR, SARa	0.4	ratio		
Total Boron, B	0.04	mg/L	<0.1	
Total Iron, Fe	1.45	mg/L	0.3	
Total Manganese, Mn	0.060	mg/L	<0.1	
Total Dissolved Solids (Calc), TDS	116	mg/L		
Corrosion Indices				
Langelier Index, LI	0.4			
Aggressive Index, AI	12.2			

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Division of Water Resources

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www.servitech.com

Phone: 620.227.7123
800.557.7509
Fax: 620.227.2047

Lab #: **002796** **LABORATORY ANALYSIS REPORT** Report Date: 03/19/2021 03:10 p

Sample ID: 385 TEST BULK **Client Name:** WARREN FOX **Location:**

Interpretations for Corrosive Indices

AGGRESSIVE INDEX (over 12.0): The Aggressive Index (AI) is a measure of the tendency of water to deteriorate the structure of asbestos-cement pipes. The result Indicates that this water is considered "non-aggressive". A water supply can be verry corrosive even though the pH is neutral. This occurs in water where there is no hardness or dissolved minerals to coat piping and protect it from the natural corrosiveness of the water.

LANGLIER SATURATION INDEX: A calculation that indicates the calcium carbonate ($CaCO_3$) saturation of a given water supply. An index value between -0.5 to +0.5, suggests the water is not expected to either form a calcium carbonate scale layer or dissolve an existing scale layer. The water supply may be considered "non-corrosive", but there are other factors that may affect corrosion. These factors include the type of metals used for piping and fixtures, water temperature, flow rate, and others.

Interpretations For Irrigation Use

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PERMEABILITY HAZARD: VERY LOW. The sodium in this irrigation water (as determined by the adjusted SAR) is not expected to affect soil properties.

BORON HAZARD - VERY LOW: Boron is one of the essential plant nutrients required by plants for healthy growth but it is only needed in very small amounts and can therefore become toxic to plants even at very low concentrations. The boron concentration in this water source is considered safe for most field crops and landscape plants.

CHLORIDE HAZARD FROM SPRINKLER IRRIGATION - VERY LOW (less than 35 mg/L): No foliar injury is expected from applying this water by sprinkler irrigation.

Report formatted for regulatory compliance available upon request.

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Phone: 620.227.7123
800.557.7509
Fax: 620.227.2047

Lab #: **002376**

LABORATORY ANALYSIS REPORT

Report Date: 03/01/2021 04:24 p

Send To: 50153	ELITE IRR & DRILLING INC PO BOX 261 TURPIN, OK 73950

Sean H. Jenkins
QA Manager

Client Name:	WARREN FOX	**Received:**	02/25/2021 12:55 pm
Sample ID:	WELL #1	**Submitted By:**	WALK IN
Location:	FAUCET ~BHom	**Invoice No:**	380151
Sampled:	02/25/2021 10:52 am	**P.O. #:**	
Sampled By:	TYLER PALMER		

Analysis	Result	Unit	lbs / Acre Inch	meq / L
Electrical Conductivity, at 20.3°C	497	µmho/cm		
pH, at 20.3°C	7.9	unit		
Nitrate Nitrogen, NO3-N	3.66	mg/L	0.8	0.3
Chloride, Cl	16	mg/L	3.6	0.5
Sulfate, SO4	57	mg/L	12.9	1.2
Sulfate-Sulfur, SO4-S	19	mg/L	4.3	1.2
Bicarbonate, HCO3	250	mg/L	56.7	4.1
Carbonate, CO3	<10	mg/L	<2.3	<0.3
Total Alkalinity, CaCO3	200	mg/L	45.3	4.0
Hardness (CaCO3)	220	mg/L		
Hardness (CaCO3)	13	grains/gal		
Total Calcium, Ca	40	mg/L	9.1	2.0
Total Magnesium, Mg	28	mg/L	6.3	2.3
Total Potassium, K	5	mg/L	1.1	0.1
Total Sodium, Na	29	mg/L	6.6	1.3
Sodium Adsorption Ratio, SAR	0.9	ratio		
Adjusted SAR, SARa	0.9	ratio		
Total Boron, B	0.12	mg/L	<0.1	
Total Iron, Fe	0.18	mg/L	<0.1	
Total Manganese, Mn	<0.005	mg/L	<0.0	
Total Dissolved Solids (Calc), TDS	318	mg/L		
Corrosion Indices				
Langelier Index, LI	0.6			
Aggressive Index, AI	12.5			

Report formatted for regulatory compliance available upon request.

Your opinion is valuable to us. Please let us know what you think about our services! Send an email to feedback@servitech.com.

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www.servitech.com

Phone: 620.227.7123
800.557.7509
Fax: 620.227.2047

Lab #: **002376** **LABORATORY ANALYSIS REPORT** Report Date: 03/01/2021 04:24 p
Sample ID: WELL #1 **Client Name:** WARREN FOX **Location:** FAUCET

Interpretations for Corrosive Indices

AGGRESSIVE INDEX (over 12.0): The Aggressive Index (AI) is a measure of the tendency of water to deteriorate the structure of asbestos-cement pipes. The result Indicates that this water is considered "non-aggressive". A water supply can be verry corrosive even though the pH is neutral. This occurs in water where there is no hardness or dissolved minerals to coat piping and protect it from the natural corrosiveness of the water.

LANGLIER SATURATION INDEX (LSI): A calculation that indicates the calcium carbonate (CaCO3) saturation of a water supply. An index value of 0.5 or greater is considered "positive".This indicates the water supply has an increasing tendency to precipitate calcium carbonate and form a protective scale layer. The water supply may be considered "non-corrosive", but there are other factors that may affect the ability to prevent corrosion. These factors include the type of metals used for piping and fixtures, water temperature, flow rate, and others.

Interpretations For Irrigation Use

GENERAL RATING - EXCELLENT QUALITY IRRIGATION WATER

SALINITY HAZARD - VERY LOW: Negligble potential for extended use of this irrigation water to result in salt accumulations or soil salinity problems. Some very salt-sensitive plant species could be affected under adverse conditions.

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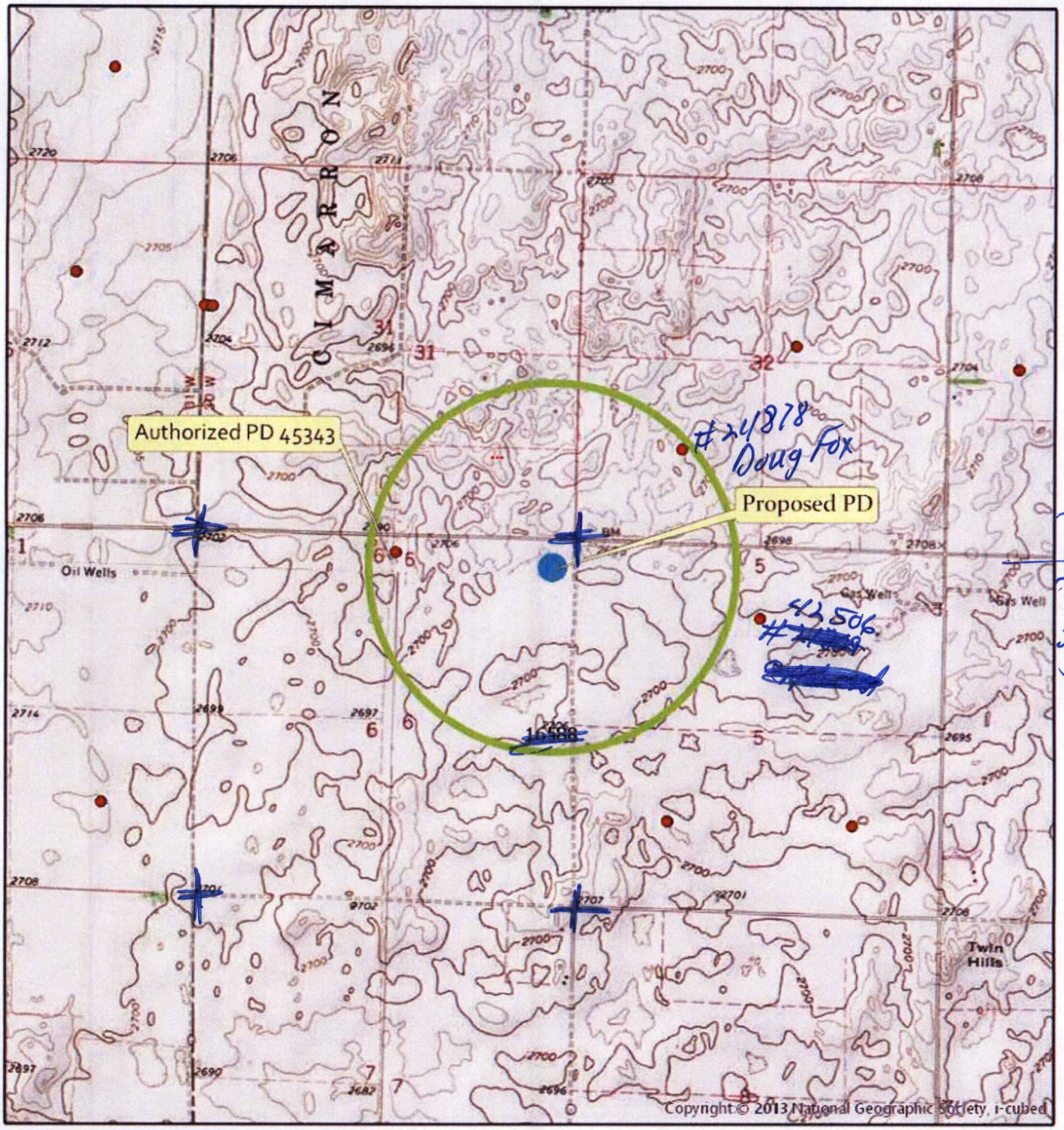
CHLORIDE HAZARD FROM SPRINKLER IRRIGATION - VERY LOW (less than 35 mg/L): No foliar injury is expected from applying this water by sprinkler irrigation.

Report formatted for regulatory compliance available upon request.

CHANGE IN POINT OF DIVERSION 45343



Township 34 South Range 30 West
ME County

0 0.17 0.35 0.7 Miles

N
W E
S

Created By: AT/GCFO

No other wells within ½ mile

*Doug Fox 2-1-2021 - informed, request no OWR letter. ok w/ proposal.

Meyer, Mike [KDA]

From: Tony Wedel <AWedel@hydroresources.com>
Sent: Tuesday, March 2, 2021 8:04 AM
To: Meyer, Mike [KDA]
Subject: RE: e log

You see how at starting around 345 feet there is little change in the resistance curves on the right hand side? That suggests salt. Everything below that 345 range is very muted signals. At 457-475 there is a big Gamma jump, but very little resistivity jump. What level is the blue clay at? Probably a few layers in-between ~ 290 to 355 would be my guess?

From: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Sent: Tuesday, March 2, 2021 7:28 AM
To: Tony Wedel <AWedel@hydroresources.com>
Subject: RE: e log

if you wouldn't mind. attached. depth is 560 feet.
thank you!

Mike

From: Tony Wedel <AWedel@hydroresources.com>
Sent: Tuesday, March 2, 2021 7:25 AM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: RE: e log

Yes you can usually tell. The resistivity readings start to drop way off because if the salinity. In bad areas it will almost flatline no matter what you are drilling thru. If you would like I can come look at it for you.

WATER MANAGEMENT
FOR SOUTHWEST
KANSAS
GMD3

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

February 23, 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. 45343

Dear Mike:

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

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4.0 ft in cases where saturated thickness is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that none of the neighboring wells exceeded the net effect above the maximum allowable threshold and were actually well under that 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,

Jason L. Norquest
Assistant Manager

GMD3 Change Review

File No(s).: 45343 . DWR office: GC.
App filed to change: PD.
Is Landowner(s) correct in WRIS: Warren Fox .
If NO, is documentation included?
Is Water Use Correspondent correct in WRIS? __.
If NO, is documentation included?
Regulation(s) Reviewed: KAR 5-23-3
Point of diversion ID No(s) __ being changed.

	ft. North	ft. West	
Authorized PD	5066	2740	Section 6-34-30
Proposed PD	4915	450	
Difference	151 s	2290 e	
a2 + b2 = c2	22801	5244100	2294.973 foot move SE

GPS for proposed PD: Lat: 37.1254 Long: -100.6177.
Is proposed PD stacking on existing WRs? No .
Is Proposed PU overlapping existing WRs? No Change.
Neighboring certified well(s) notified: __.
Name Clayton E & Kim R Stoltzfus (26005) .
Address 11023 Y RD .
Zip Meade, KS 67864.
Email: ckstoltzfus@gmail.com . Phone: 620-629-5569.

Name Clawson Land Partnership (42008 & 42261).
Address PO Box 279.
Zip Plains, KS 67869.
Email: jeanne@clawsonoffice.com . Phone: 620-563-6112.

Name Rock Ormiston (42506 & 42261).
Address 303 Main St.
Zip Kismet, KS 67859.
Email: kevin@swac.com. Phone: 620-629-3879 .

Name Doug Fox (24879, application says he has already agreed to app).
Address PO Box 235.
Zip Plains, KS 67869.
Email: . Phone: .

Domestic well(s) notified: __.
Name __.
Address __.

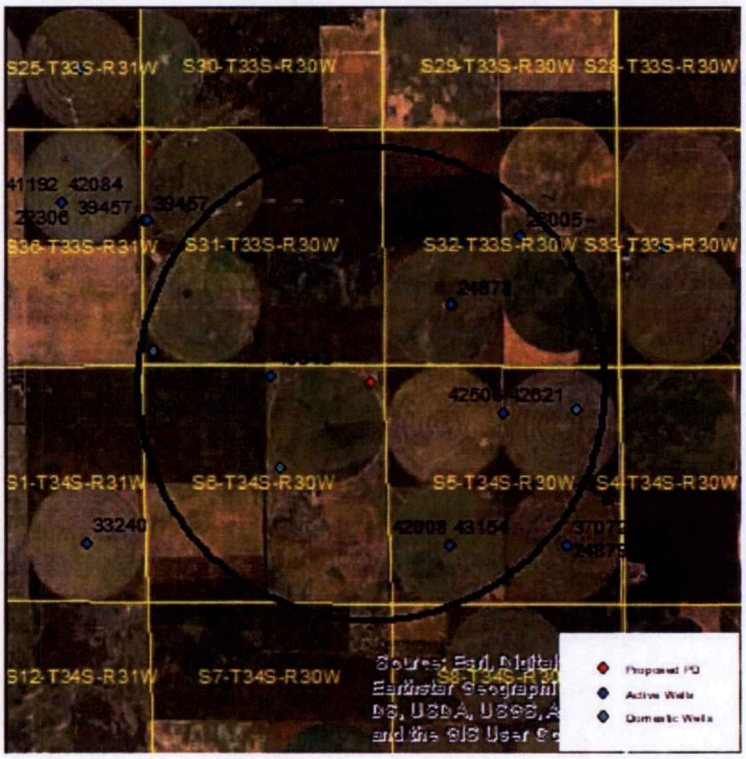
GMD3 Change Review

Zip __.

Base Acres: __.
Perfected Acres: __.
Irr. Return-Flow ___%
Proposed change due to lose of production, dropped to around 300gpm last couple years.
45343 authorized 364AF @ 1055gpm.
2010-2019 average reported use: 212.1AF
Rate was reported at 80gpm 10 years ago, last reported rate in 2017 was 550gpm.
2019 GMD3 inspection showed 424gpm.
Current well appears drilled to 492'. Proposed well proposed to around 560'.
Is a waiver needed: Spacing met and move less than half mile. Analysis shows that the proposed move effects would be within the guidelines. Closest neighbor signed off on the change, no other comment.
Recommendation: After review of all available information it appears the move meets and current rules and appears will have minimal effect on area. Staff therefore recommends approval of the application.

Evaluation of proposed move for Water Right No 45343

Proposed: Move water right no. 45343 a distance of 2,279 ft to the east.



Wells within 1 mile: 24878, 26005, 42506 & 42621, 42008 & 43154, a domestic well in section 31-33-30, a domestic well in section 6-34-30, and a domestic well in section 5-34-30.

The saturated thickness at the proposed well location is estimated to be 253 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 = 0.06384, T = 52,861.5 ft^2/day,

$tp_{current}$ = 113 days (based upon average use and observed rate), $Q_{current}$ = 424 gpm (based upon 2019 field inspection), $tp_{proposed}$ = 78 days, $Q_{proposed}$ = 1055 gpm

Theis drawdowns were calculated as follows:

24878: Drawdown from current location = 0.46 ft

Drawdown from proposed location = 1.25 ft

Net drawdown = **0.8 ft**

26005: Drawdown from current location = 0.37 ft

Drawdown from proposed location = 0.88 ft

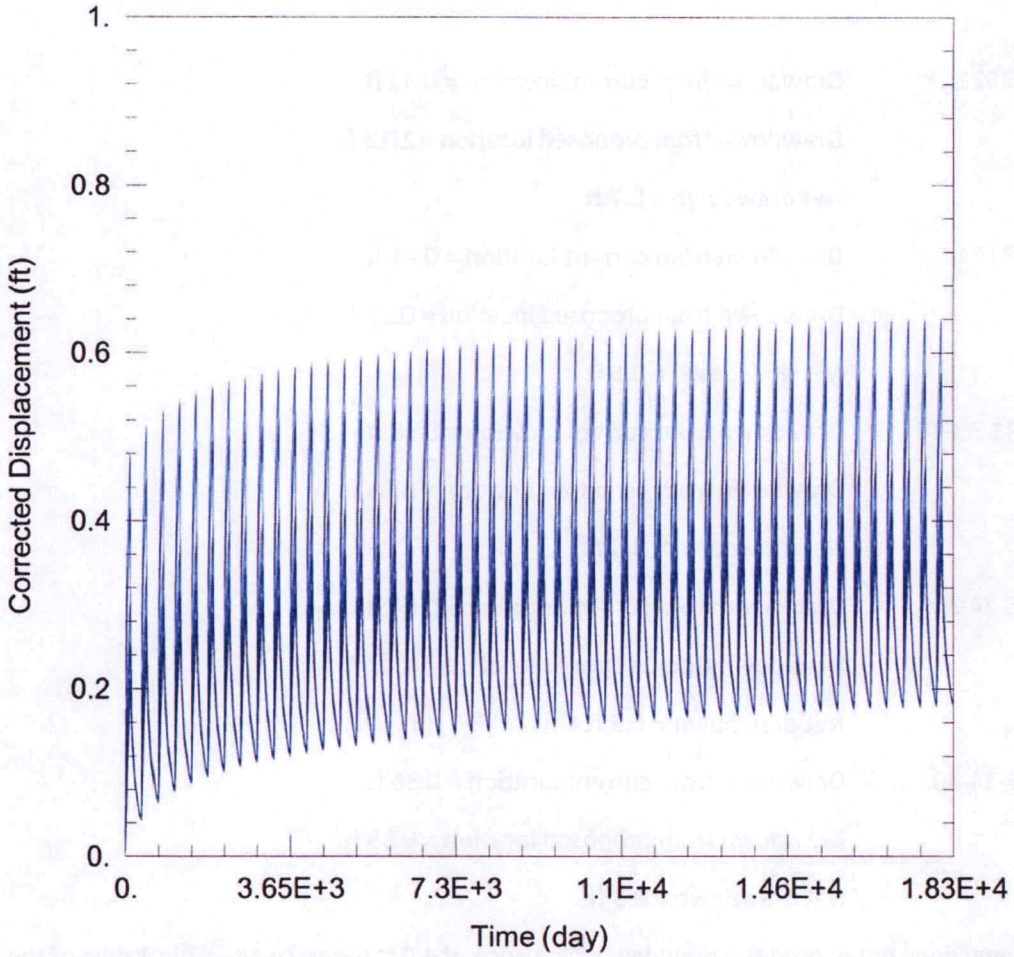
Net drawdown = **0.5 ft**

42506 & 42621:	Drawdown from current location = 0.42 ft
	Drawdown from proposed location = 1.13 ft
	Net drawdown = **0.7 ft**
42008 & 43154:	Drawdown from current location = 0.41 ft
	Drawdown from proposed location = 0.97 ft
	Net drawdown = **0.6 ft**
Domestic 31-33-30:	Drawdown from current location = 0.58 ft
	Drawdown from proposed location = 0.85 ft
	Net drawdown = **0.3 ft**
Domestic 6-34-30:	Drawdown from current location = 0.64 ft
	Drawdown from proposed location = 1.18 ft
	Net drawdown = **0.5 ft**
Domestic 5-34-30:	Drawdown from current location = 0.36 ft
	Drawdown from proposed location = 0.88 ft
	Net drawdown = **0.5 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

Data Set: C:\Users\trevora\Documents\2021_Moves\45343\45343 Current.aqt
Date: 02/19/21 Time: 14:33:36

PROJECT INFORMATION

Company: GMD 3
Project: 45343
Location: Meade County
Test Well: 45343

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
45343	50715	91363

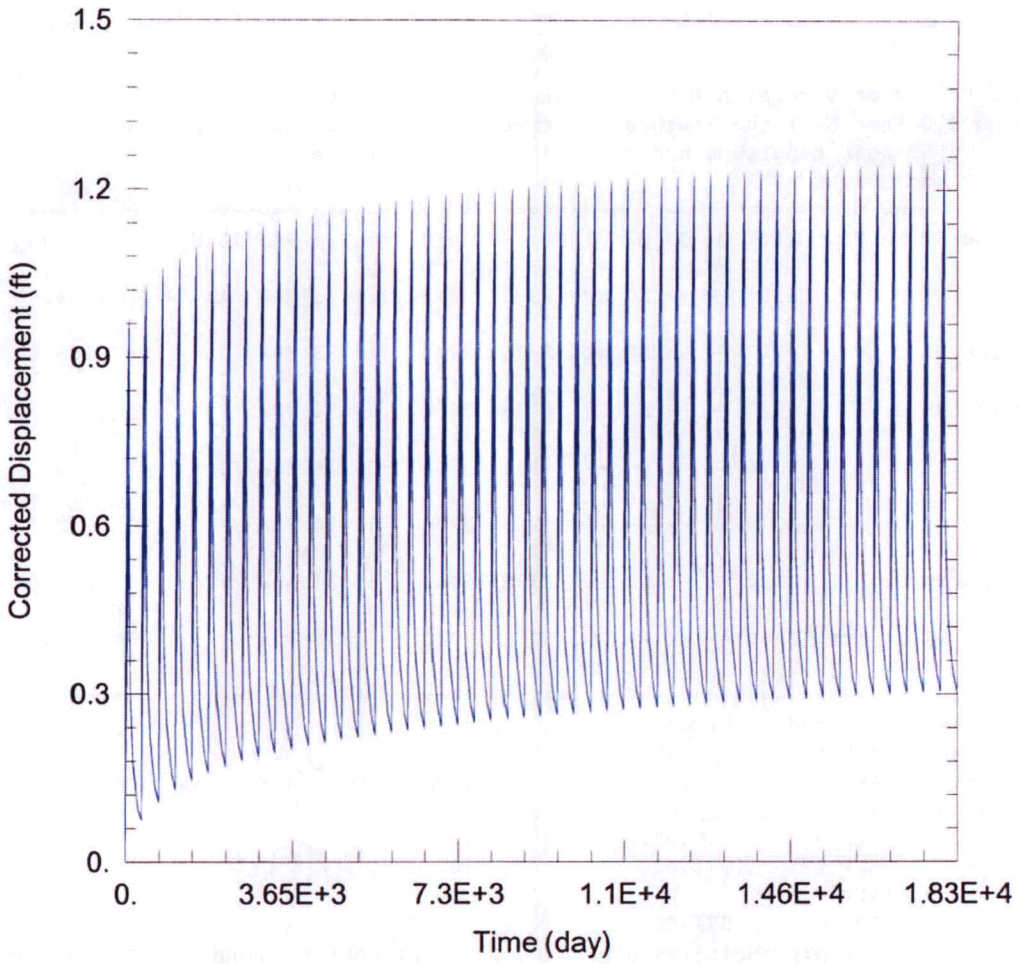
Observation Wells

Well Name	X (ft)	Y (ft)
▫	50715	91363
▫ 24878	54793	92958
▫ 26005	56394	94483
▫ 42506 & 42621	55994	90557
▫ 42008 & 43154	54746	87602
▫ Domestic 31-33-30	48076	91946
▫ Domestic 6-34-30	50941	89309
▫ Domestic 5-34-30	57646	90612

SOLUTION

Aquifer Model: Unconfined
Solution Method: Theis

T = 5.286E+4 ft^2/day
S = 0.06384



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\45343\45343 Proposed.aqt
Date: 02/19/21 Time: 14:33:25

PROJECT INFORMATION

RECEIVED
FEB 23 2021
Garden City Field Office
Division of Water Resources

Company: GMD 3
Project: 45343
Location: Meade County
Test Well: 45343

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
45343	52989	91218

Observation Wells

Well Name	X (ft)	Y (ft)
▫	52989	91218
▫ 24878	54793	92958
▫ 26005	56394	94483
▫ 42506 & 42621	55994	90557
▫ 42008 & 43154	54746	87602
▫ Domestic 31-33-30	48076	91946
▫ Domestic 6-34-30	50941	89309
▫ Domestic 5-34-30	57646	90612

SOLUTION

Aquifer Model: Unconfined
Solution Method: Theis

T = 5.286E+4 ft^2/day
S = 0.06384

Report Date: Monday, February 8 2021

Water Rights and Points of Diversion Within 1 mile of point defined as:
4915 Feet N and 450 Feet W of the Southeast Corner of Section 6 Twp 34S Rng 30W
Located at: 100.617698 West Longitude and 37.125400 North Latitude
Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 24878	00	IRR	NK	G	2506	--	--	NC	SW	1370	3818	32	33	30W	4	148	256.00	256.00	AF
A__ 26005	00	IRR	NK	G	4717	--	SW	SW	NE	2890	2240	32	33	30W	3	140	335.00	335.00	AF
A__ 42008	00	IRR	NK	G	4020	--	--	NC	SW	1320	3960	5	34	30W	2	230	260.00	260.00	AF
A__ 42506	00	IRR	NK	G	3076	--	--	--	--	4270	2700	5	34	30W	3	~~330~~ 516	250.00	250.00	AF
A__ 42621	00	IRR	NK	G	3076	--	--	--	--	4270	2700	5	34	30W	3	210 500AF	250.00	250.00	AF
A__ 43154	00	IRR	NK	G	4020	--	--	NC	SW	1320	3960	5	34	30W	2		256.00	256.00	AF
A__ 45343	00	IRR	NK	G*	2280	--	--	--	CN	5066	2740	6	34	30W	1	1400	364.00	364.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1971.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1971.00	.00

Spacing Would be Met!!

An * after the source of supply indicates a pending application for change under the file number.
An * after the ID indicates a 15 AF exemption was granted under the file number.
A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as:
4915 Feet North and 450 Feet West of the Southeast Corner of Section 6 Twp 34S Rng 30W
Located at: 100.617698 West Longitude and 37.125400 North Latitude
Both SURFACE WATER and GROUNDWATER
WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
> DOUGLAS B FOX			
>			
> PO BOX 235			
> PLAINS KS 67869			
>----------			
> CLAYTON E & KIM R STOLTZFUS			
>			
> 11023 Y RD			
> MEADE KS 67864			
>----------			
> CLAWSON LAND PARTNERSHIP			
>			
> PO BOX 279			
> PLAINS KS 67869			
>----------			
> ROCK ORMISTON			
>			
> 303 MAIN ST			
> KISMET KS 67859			
>----------			

24876 mined
26005
42008
42506

> ROCK ORMISTON
>
> 303 MAIN ST
> KISMET KS 67859
>----------

42261

> CLAWSON LAND PARTNERSHIP
>
> PO BOX 279
> PLAINS KS 67869
>----------

43154 /

> WARREN F & SUSAN FOX
>
> 8199 X RD
> PLAINS KS 67869
>----------

Application

==========

RECEIVED
FEB 23 2021
Garden City Field Office
Division of Water Resources

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

Kansas
Department of Agriculture
Division of Water Resources

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

Mike Beam, Secretary

Laura Kelly, Governor

February 5, 2021

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

Re: Water Right, File No. 45343

Dear Mr. Norquest:

This is to advise you that Warren Fox, has 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 application 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

Meyer, Mike [KDA]

From: Tyler Palmer <tyler.elitedrilling@gmail.com>
Sent: Monday, February 1, 2021 9:50 AM
To: Meyer, Mike [KDA]
Subject: Re: warren fox section 6-347-30W

yes sir, i have everything needed. do i need to take water sample to a certain water analysis

On Mon, Feb 1, 2021 at 7:51 AM Meyer, Mike [KDA] <Mike.Meyer@ks.gov> wrote:

> tyler
>
> based on he regulations, this area needs an E log and a water sample for chlorides.
>
> see part of the regulation below:
>
> (c) Each application filed to request a well within the area described in subsection (e) shall include a driller's log, an electric log, and a laboratory analysis from a state-certified laboratory of the chloride concentrations in samples taken from whatever depths are necessary to determine the vertical location where the chloride concentrations exceed 250 milligrams per liter (mg/l). The samples shall be taken from a well located within a 300-foot radius of the proposed well. A state-certified laboratory analysis shall be used to determine the vertical location of the chloride concentrations exceeding 250 mg/l.
>
> (d) Each well constructed in the area described in subsection (e) shall be constructed in a manner that prevents the movement of water containing 250 mg/l of chlorides beyond its naturally occurring condition.
>
> (e) The level of chlorides may exceed 250 mg/l in the following areas:
>
> (1) The west ½ of townships 33, 34, and 35 south, range 28 west in Meade County, Kansas;
>
> (2) the east ½ of township 33 south, range 29 west in Meade County, Kansas;
>
> (3) all of townships 34 and 35 south, ranges 29 and 30 west in Meade County, Kansas; and
>
> (4) all of townships 34 and 35 south, ranges 31 and 32 west and the east ½ of townships 34 and 35 south, range 33 west in Seward County, Kansas
>
> I will be sending warren a letter of this nature. we cannot further process the application until this is received.

Michael A. Meyer, PG

Kansas Department of Agriculture

Division of Water Resources

Garden City Field Office

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