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:
9283		C2	04	03
6. Status: ☐ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				2/25/21
8a. Applicant(s) New to system □	Person ID 65787 Add Seq#	8c. Landown		Person ID Add Seg#
L & R LEGACY FARM LL 2198 EAST ROAD 7 JOHNSON, KS 67855			30III <u> </u>	Add Geg#
8b. Landowner(s) New to system □ 8A	Person IDAdd Seq#	JOHN I	O & CAROLYN K	
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Compl	y: 12/31/21	N & P Date to	Comply: 3/1/22
☐ Anti-Reverse Meter ☐ Meter	Seal Check Valve	☑ N & P Form	☑ Water Tube ☐ Dr	riller Copy 🛛 H & E Letter
☐ Conservation Plan Date Requir	ed: Da	te Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 5/6/21 Date Entered:	ву: АМ Ву:

File No.	9283		11. Count	y: ST	Ва	asin: N	FCIM	IARRO	N RIV	ER		S	tream:								rmation Code: 1/331	Special Use:	
12. Points of Diversion CHK MOD																and Qu	uantity zed		Ac	dditional			
DEL ENT	PDIV	Qualifier	S	Т	R	ID	,	N	'W		Com	ment	(AKA L	_ine)		Rate		Quantity af	y	Rate gpm		Overlap PD Files	
DEL	14262																						
ENT	81759	NE NE SE	17	298	39W	5	2	600	476							1335	5	477		1335	477	12407	
13. Storage: RateNF Quantityac/ft Additional RateNF Additional Quantityac/ft																							
	14. Limitation: af/yr at gpm (cfs) when combined with file number(s)																						
Limitation:af/yr atgpm (cfs) when combined with file number(s)																							
15. 5YR	Allocation	: Allocation	Туре	_ s	tart Yea	ar		5 YR	Amou	nt		Amo	ount Ur	nit	_	Base	Acres		_ Co	mment _			
16. Plac	Place of Use K				N	IE¼			NV	V¹/4			sv	V¹/4			S	E1/4		Total	Owner Ch	g? Overlap Files	
MOD DEL ENT	PUSE	STR	ID	NI 1/2			SE 1/4	NE ¼	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4				
CHK 1	7134																						
CHK 4	0637																						
																	-						
	Base Acres: Year: Minimum Reasonable Quantity: Comments: QUANTITY AND RATE ALL ADDITIONAL																						

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

May 6, 2021

L & R LEGACY FARM LLC 2198 EAST ROAD 7 JOHNSON, KS 67855

RE: Water Right, File No. 9283

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: GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 6th day of May, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 9,283 dated 6th day of May, 2021 was mailed postage prepaid, first class, US mail to the following:

L & R LEGACY FARM LLC 2198 EAST ROAD 7 JOHNSON, KS 67855

Pc:

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.

						F	File No	9283	3			_					F	2:	EIVED 29 PM 25 2021
1.	Application	on is he	ereby r	nade f	or app						-			ne or b	oth):		Gar	den Ci	ty Field Offic
							lace o	f Use		\boxtimes	Point	of Dive	ersion				Divisio	on of V	Vater Resour
	under the	water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the co	ndition	s desc	ribed	below.		
	The sour	ce of su	upply i	S:		X 0	Pround	water			Surfac	ce wat	er						
	Name an 2198 EA							Y FAR	M LLC	>									
	Phone N	umber:							Email	addre	ss:								
								t: JOI	3 D NH	& CAR	OLYN	K SMI	TH						
	PO BOX																		
	Phone N								Email	addre	ss:		_						
	The pres																		
	Owner of																		
	(If there is																		
	(II there is	more u	lan one			lacii su	ppieme			neces	sary.)				I -				
-		_			<u> </u>		-				SW1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4				E¼		TOTAL ACRES		
Sec	. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
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	If this app Owner of	Land -	NA									ace of	use be	e chan	ged to	:			
	(If there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
				NE	Ξ1/4			NV	N¹/4			SV	V1/4			SI	E1⁄4		TOTAL
Sec	. Twp.	Range	NE1/4		SW1/4	SE1/4	NE1/4	NW1/4		SE1/4	NE1/4	NW1/4		SE1/4	NE1/4		SW1/4	SE1/4	ACRES
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5.	Presently authorized point of diversion:			
	One in the Quarter of the	NW	Quarter of the	SE Quarter
	of Section, Township			
	in Stanton County, Kansas, 2500 fe	et North255	60 feet West of South	east corner of section.
	Authorized Rate 970 GPM Authorized Quantity			
	(DWR use only: Computer ID No. 2 GPS			
	☐This point will not be changed ☐This point will be changed as	follows: No	change, point better describ	ped with GPS as follows:
	Proposed point of diversion: (Complete only if change is	requested or i	if existing point is bette	er described by GPS)
	One in the Quarter of the			
	of Section, Township	29	South, Range	39 (W),
	in <u>Stanton</u> County, Kansas, <u>2600</u> fe	et North476	6 feet West of South	east corner of section.
	Proposed Rate970 GPM Proposed Quantity	483 AF F	Proposed well depth (feet)	
	This point is: Additional Well Geo Center List other	water rights that	at will use this point <u>1240</u>	7
3. [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 fe	et North	feet West of South	east corner of section.
	Authorized Rate Authorized Quantity (DWR use only: Computer ID No GPS		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 c	hange, point better describ	ed with GPS as follows:
	Proposed point of diversion: (Complete only if change is	requested or i	if existing point is bette	er described by GPS)
	One in the Quarter of the of Section, Township		Quarter of the	Quarter
	of Section, Township		South, Range	(E/W),
	in County, Kansas, fe			
	Proposed Rate Proposed Quantity			
L	This point is: Additional Well Geo Center List other	water rights tha	at will use this point	
7	The sharper have a desired for the fellowing research			
1.	The changes herein are desired for the following reasons? (please be specific) MOVE WATER RIGHTS TO		North	
	TO FILE NO. 12407 WELL AND HAVE TOTAL	300 2		00 200 300
	AUTHORITY. ONLY ONE WELL TO PUMP TOTAL	E	.ll <u>‡</u> l	''''
В.	If a well, is the test hole log attached? Yes No	E	_ _ = -	
٥.	That well, is the test hole log attached: The Tes	200 - -	+ 1 + 1 = 1 -	- - - 200
9.	The change(s) (was)(will be) completed by?	<u>-</u>	= -	
	2021	100	+ + = -	<u> </u>
		Ē.	<u> </u>	
10.	If the point of diversion is a well:	=	E	
	(a) What are you going to do with the old well?	West 0	rþandinnþuntur ä ndinn	
	CAP	E .	- -	
	(b) When will this be done?	100	+ + = -	+ + − 100
	(b) Willett Will tills be dolle?	Ē		=
11	Groundwater Management District recommendation attached?	200	+ + = -	+ + = 200
r f.	Yes No		Ξ.	
	_ ~ ~ ~ ~ ~ ~	E		
12.	Assisted by Alex Torrance	300 2	200 100 0 10	00 200 300
13a	. If the proposed point of diversion will be relocated more than 300		South	Scale: 1 hashmark=10 ft

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

feet but within 2,640 feet of the existing point of diversion, attach 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.)

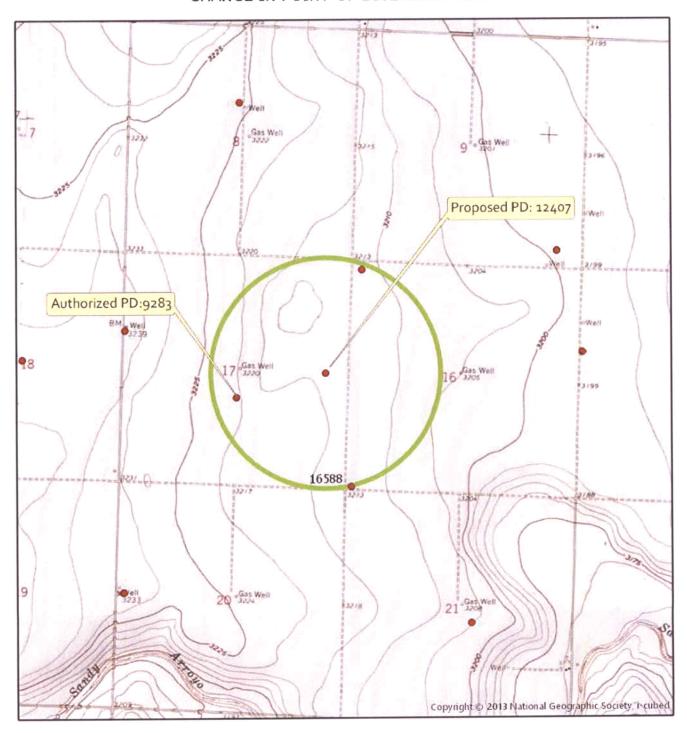
14. If the proposed groundwater point of diversion is 300 or lewer feet fro	im the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently authors applied Yes ☐ No (If no, all owners must sign this applied)	
 (b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this appl 	•
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this applic	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards to the water right(s) to which this appropriate in this application are true, correct and complete.	zed agent of the owner(s) to make this application on olication pertains. I further verify that the statements
Dated at 1910 Empris + Gordon Civil Kansas this	17th day of Jahrenson 2021
Dated at 1910 Emaryst Garden City, Kansas, this.	uay 01 3 20011 1 2001 1
RITA KAE GAREY	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Service SS	
of NOTARY PUBLIC - State of MICHELLE UND	Kansas
My Commission Expires 5/18/3 My Appt. Expires: 5/18	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	
FEE SCHEDU	<u>LE</u>
Each application to change the place of use or the point of diversion unde	
forth in the schedule below: Make checks payable to: Kansas Departme	
 (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	

14. If the proposed groundwater point of diversion is 300 or fewer feet from	n the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently autho Yes No (If no, all owners must sign this application)	
 (b) Will the ownership interest of any owner of the currently authorized 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 subs ☐ Yes ☐ No (If no, all owners must sign this application)	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirma age and the owner, the spouse of the owner, or a duly authoriz their behalf, in regards to the water right(s) to which this application are true, correct and complete.	red agent of the owner(s) to make this application on lication pertains. I further verify that the statements
Dated at Holenson Kansas this	19th Lay of Feb , 2021.
Dated at, Kansas, this _	
Linda Nicholas	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Strufm SS	12 14
of hereby certify that the foregoing application was signed in modern of DAVID C. BLACK Notary Public - State of Kansas My Appt. Expires 6-2/-2/	y presence and sworn to before me this day
My Commission Expires	Notary Públic
<u>ONLY COMPLETE APPLICATIONS WILL BE PROCESSED</u> . To be complete, all or accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	the applicable portions of the application form must be completed with ropriate owners' must be affixed to the application and notarized; and
FEE SCHEDUL	<u>E</u>
Each application to change the place of use or the point of diversion under	
forth in the schedule below: Make checks payable to: Kansas Department (1) Application to change a point of diversion 300 feet or less	
(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

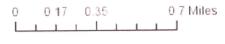
This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 9283 A change application was received on February 25, 202\ 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 The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable 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. Applicable Not Applicable 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. M 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. ☐ 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. 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 résult 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): Austin Division of Water Resources - Kansas Department of Agriculture 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 Date of Issuance: 07 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 Signature: Notary Public JULIE JONES " NOTARY My Appointment Expires My commission expires: (Notary Sean

CHANGE IN POINT OF DIVERSION 9283



Township 29 South Range 39 West ST County

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





Created By : AT/GCFO

Theis analysis of change in point of diversion, File No. 9,283

A Theis analysis was used to evaluate the potential impacts of a change in point of diversion. The application proposes moving the point of diversion authorized by File No. 9,283 approximately 2,130 feet east. The 2066 projected saturated thickness (108.5 feet) and from the GMD No. 3 groundwater model was used. Transmissivity (6,592 ft²/day) was obtained from well logs in the local area. The specific storage was assumed to be 10⁻⁵, which results in a storage coefficient of 0.00108.7. Pumping the proposed rate and quantity at the new location was compared to pumping the ten-year average use (221 acre-feet) at the last reported rate (300 gallons per minute). Drawdowns were evaluated at the point of diversion authorized by File No. 18,288. With these assumptions, the drawdown at File No. 18,288 increases by 10.6 feet, or 9.8% of the projected future saturated thickness (Table 1).

Table 1: Theis analysis of drawdown at File No. 18,288; $T = 6,592 \text{ ft}^2/\text{day}$; S = 0.00108.7

	Distance	Quantity	·	Drawdown	Drawdown
Scenario	(Feet)	(Acre-Feet)	Rate (GPM)	(Feet)	(%ST)
Proposed	2507	483	970	15.3	14.1%
Current	4109	221	300	4.7	4.4%
		***************************************	Net:	10.6	9.8%



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

April 7, 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. 9283

Dear Austin:

We have completed a review of the application for the above referenced water right. The proposed change in point of diversion to stack the authority on the well under File No. 12407 is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (3.0 ft in cases where saturated thickness is between 125-150 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 two of the neighboring wells exceeded the net effect above the maximum allowable threshold. Further analysis shows that the wells would not be critical with limitations on the change. Our office received one response from neighboring well. Our discussion focused mainly on determining the amount that the well could pump with this change and understanding the analysis/report. His main concern was the thought of almost doubling the amount of water the proposed well would be allowed to pump. We discussed how limiting the well would mitigate the effects on his well. They did not provide any written comment for or against the proposal.

Our original analysis was performed at a proposed rate of 916gpm, which was close to how the well was being run in the recent past. The operator stated he would like 1000gpm for the operation in order to run two pivots at proper pressures. We then run the analysis using 1000gpm and what the allocation would be. The operator then had discussions with the landlord. They felt they could easy operate within the proposed limitations. Therefore, GMD3 sees this move as reasonable and therefore recommend that the application be approved and limit the well to 897AF @ 1000gpm. 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).: 9283. DWR office: GC. App filed to change: PD. Is Landowner(s) correct in WRIS: <u>L&R Legacy Farm LLC</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) 02 being changed. ft. North ft. West Authorized PD 2500 2550 Sect 17-29-39 476 Proposed PD 2600 Difference 2074 e -100 n 4301476 2076.409 foot move NE a2 + b2 = c210000 GPS for proposed PD: Lat: Long:__. Is proposed PD stacking on existing WRs? 12407. Is Proposed PU overlapping existing WRs? No Change. Neighboring certified well(s) notified: No Change. Name Barber Farms Inc (5391). Address 223 N Pine Grove St. Wichita, KS 67212. Zip Phone: 316-619-6364. Email: tombarbertax@gmail.com. Name Bryce A & Rhonda F Wilkerson (18287) {Kilgore Family Farms}. Address PO Box 568. Johnson, KS 67855. Zip Email: brycewilkerson@hotmail.com. Phone: 620-353-8326. Name R&E Family Farms LP %Gary Floyd (18288). Address 6190 N Road G. Zip Johnson, KS 67855. Email: venture@pld.com. Phone: 620-492-6610. Gary Floyd. He wanted to make sure he understood the change being proposed and to make sure that the area rules were met. He spefically wanted to verify what amount would be allowed if this change was approved as presented, so we went over what the proposed allocation on that well would be. We also went over the analysis and what the results showed. He did not leave a comment for or against the move. Domestic well(s) notified: Found none in the area. Name Address Zip

GMD3 Change Review

Base Acres: __.
Perfected Acres: __.
Irr. Return-Flow ___%

9283 authorizes 483AF @ 970gpm

Reported Avg use (2011-2020): 220.8AF

Reported 300gpm in 2017

2018 GMD3 inspection showed 302gpm

12407 authorized 477AF @ 1335gpm

Reported Avg use (2011-2020): 466.6AF {3 of the years OP}

Reported 900gpm in 2017

2018 GMD3 inspection showed 916gpm.

Combined authority proposed is 960AF with the proposed stacking.

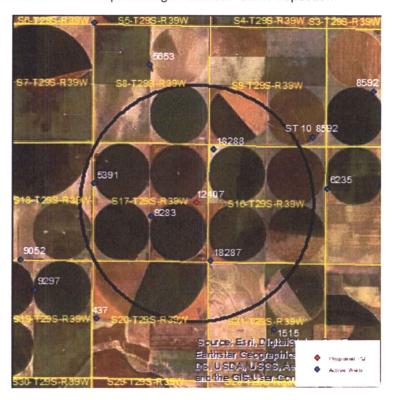
Is a waiver needed: Move appears less than half mile and minimum spacing met.

Analysis shows that there could be effects to neighboring wells that can be mitigated with limitations 910.8AF @ 916gpm. We were contacted by one of the neighbor notices,

Recommendation: After review of all available information, it appears current area rules are met. Effects on neighboring wells is mitigated if the proposed well is limited to 916gpm and 910.8AF. We then had a conversation with the operator what the analysis showed. He mentioned that he tries to run 2 pivots at 500gpm/each. The original analysis would not work so we reran it and 1000gpm, which would then limit him to 897AF to keep the neighboring effects within the guidelines. The operator took a couple of days to discuss it with the land owners, both agreed that our limitations were at rates and levels that they can operate in. Therefore staff recommends approval of the application with a limitation places on the authority to be 897AF @ 1000gpm.

Evaluation of proposed move for Water Right No. 9283

Proposed: Move water right no. 9283 to the well location currently authorized under water right number 12407. Total authorized rate and quantity at the proposed well location will be increased from 1335 gpm and 477 AF to 2,305 gpm and 1060 AF. This proposal was evaluated at a rate of 916 gpm because that is the rate the well was producing at its most recent inspection.



Wells within 1 mile: 5391, 18287, and 18288.

The saturated thickness at the proposed well location is estimated to be 145 ft, based upon the GMD3 model. For saturated thickness between 125 ft and 150 ft, the drawdown allowance is 3.0 ft.

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

S = 0.1694, T = 4402.8 ft²/day,

9283: tp_{current} = 167 days, Q_{current} = 302 gpm, tp_{proposed} = 0 days, Q_{proposed} = 0 gpm

12407: tp_{current} = 115 days, Q_{current} = 916 gpm, tp_{proposed} = 262 days, Q_{proposed} = 916 gpm

Theis drawdowns were calculated as follows:

5391: Drawdown from current location = 6.51 ft

Drawdown from proposed location = 8.99 ft

Net drawdown = 2.5 ft

18287:

Drawdown from current location = 7.94 ft

Drawdown from proposed location = 12.04 ft

Net drawdown = 4.1 ft

18288:

Drawdown from current location = 7.83 ft

Drawdown from proposed location = 12.38 ft

Net drawdown = 4.5 ft

Net drawdown exceeds the drawdown allowance of 3.0 ft for water right nos. 18287 and 18288. Critical well analysis is necessary on those wells.

Critical Well Evaluation:

18287:

Water Column = 141 ft

DP = 4.1 ft (Net drawdown from the proposal indicated above)

DE = 50.1 ft (Water level decline from 2021 through 2046 based upon GMD3 model)

DD = 57.3 ft (S = 0.1518, T = 34,280 gpd/ft, Q = 754 gpm, tp = 121 days, efficiency = 70%)

DT = 111.5 ft

Economic Drawdown Constraint (EDC) = 0.4 * 141 ft = 56.4 ft

Physical Drawdown Constraint (PDC) = 141 ft - 60 ft = 81 ft

Total drawdown of 111.5 ft is greater than the EDC and PDC, so this well is critical.

18288:

Water Column = 141 ft

DP = 4.5 ft (Net drawdown from the proposal indicated above)

DE = 50.1 ft (Water level decline from 2021 through 2046 based upon GMD3 model)

DD = 31.6 ft (S = 0.1518, T = 34,280 gpd/ft, Q = 402 gpm, tp = 205 days, efficiency = 70%)

DT = 86.2 ft

Economic Drawdown Constraint (EDC) = 0.4 * 141 ft = 56.4 ft

Physical Drawdown Constraint (PDC) = 141 ft - 60 ft = 81 ft

Total drawdown of 86.2 ft exceeds both the EDC and PDC, so this well is critical.

Conclusion:

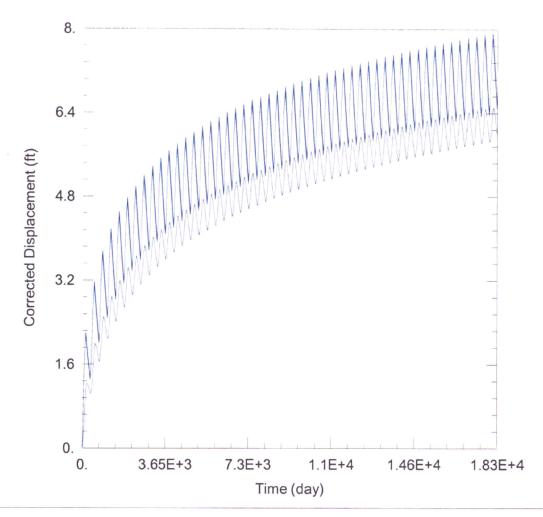
The proposed move is located in an area with a diminished water supply. Some local wells still have the ability to produce strong flow rates, but much of the lower portion of screened well intervals appears to be made up of soapstone and limestone. The expectation is that as the water table continues to lower, production from these wells will diminish. If the well currently authorized under water right number 12407 were to operate at its full authority, a noticeable effect would occur at nearby wells authorized under water right numbers 18287 and 18288. GMD3 staff recommends a combined rate limitation of 1000 gpm and a combined quantity limitation of 897 AF between water right numbers 9283 and 12407. This rate and quantity would produce the following net effects on neighboring critical wells:

18287:

Net Drawdown = 2.6 ft

18288:

Net Drawdown = 3.0 ft



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\9283\9283 Current.aqt

Date: 03/18/21 Time: 10:34:54

PROJECT INFORMATION

Company: GMD 3 Project: 9283

Location: Stanton County

Test Well: 9283

WELL DATA

F	Pumping Wells		Observation Wells					
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)			
	-234481	237474	a .	-234481	237474			
	-232428	238083		-232428	238083			
			5391	-237084	238950			
			□ 18287	-231778	235489			
			18288	-231648	240480			

SOLUTION

Aquifer Model: Unconfined

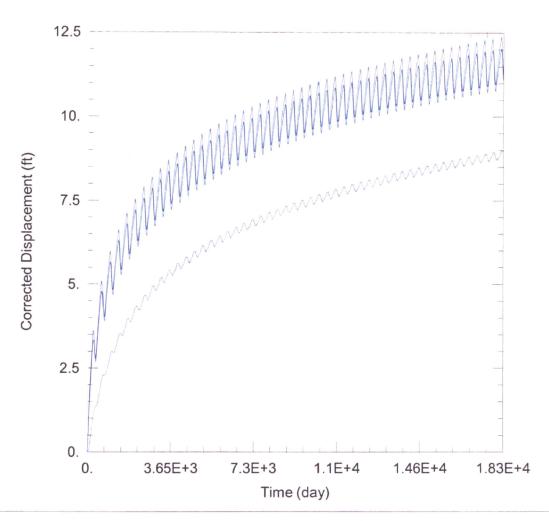
 $= 4402.8 \text{ ft}^2/\text{day}$

Kz/Kr = 1.

Solution Method: Theis

S = 0.1694

= 145. ft b



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021_Moves\9283\9283 Proposed.aqt

Date: 03/18/21 Time: 10:34:45

PROJECT INFORMATION

Company: GMD 3 Project: 9283

Location: Stanton County

Test Well: 9283

WELL DATA

F	Pumping Wells		Observation Wells				
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)		
12407	-232428	238083	0	-232428	238083		
	<u> </u>		□ 5391	-237084	238950		
			18287	-231778	235489		
			18288	-231648	240480		

SOLUTION

Aquifer Model: Unconfined

2

 $= 4402.8 \text{ ft}^2/\text{day}$

Kz/Kr = 1.

Т

Solution Method: Theis

S = 0.1694

b = 145. ft

Report Date: Tuesday, March 16 2021

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 12407 00 ************************** AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 12407 00 IRR Water Right and Points of Diversion Within 1.00 of a point defined as: 2600 Feet North and 476 Feet West of the Southeast Corner of Section 17 Twp 29S Rng 39W Both SURFACE WATER and GROUNDWATER 2300' or Ali File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth Quan Add Quan Unit 5391 00 IRR NK G 4836 -- NW SW NW 3476 5225 17 29 39W 6 640.00 640.00 AF 483.00 9283 00 IRR NK G* 2090 -- NW NW SE 2500 2550 17 29 39W 2 483.00 AF 1060 / 7 0 -- NE NE SE 2600 476 17 29 39W 5 477.00 477.00 12407 00 IRR NK G AF 2617 -- SW SW SW 18287 00 IRR NK G 100 5150 16 29 39W 1 640.00 640.00 AF 2547 -- NW NW NW 5100 5100 16 29 39W 2 18288 00 IRR NK G 613.00 613.00 AF Total Net Quantities Authorized: Direct Storage Space - Appear Total Requested Amount (AF) = .00 .00 .00 Total Permitted Amount (AF) = .00 Total Inspected Amount (AF) = .00 M 57 .00 Total Pro Cert Amount (AF) = 2853.00 .00 Total Certified Amount (AF) = Total Vested Amount (AF) = .00 .00 TOTAL AMOUNT (AF) = 2853.00.00 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 Right and Points of Diversion Within 1.00 of a point defined as: 2600 Feet North and 476 Feet West of the Southeast Corner of Section 17 Twp 29S Rng 39W Both SURFACE WATER and GROUNDWATER WATER USE CORRESPONDENTS: _____ File Number Use ST SR > BARBER FARMS INC > 223 N PINE GROVE ST > WICHITA KS 67212 > JOHN D & CAROLYN K SMITH > PO BOX 526 > JOHNSON KS 67855 >-----> JOHN D & CAROLYN K SMITH > PO BOX 526 > JOHNSON KS 67855 >-----BRYCE A & RHONDA F WILKERSON 267 > PO BOX 568 > JOHNSON KS 67855 R & E FAMILY FARMS LP > GARY FLOYD

> 6190 N ROAD G

3			

> JOHNSON KS 67855

 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 15, 2021

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

Change Application, File No. 9283

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by L & R Legacy Farm LLC 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:

Kansas

Department of Agriculture

Division of Water Resources

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

Mike Beam, Secretary

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

Phone: 620-276-2901

Laura Kelly, Governor

February 26, 2021

KILGORE FAMILY PARTNERSHIP LTD Attn: LEON KILGORE PO BOX 351 JOHNSON, KS 67855-0351

RE: Water Right, File No. 9283

Dear Sir or Madam:

This is to advise you that L & R Legacy Farms LLC 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 NE¼NE¼SE¼ of Section 17, Township 29 South, Range 39 West, Stanton County. Please note this is an **existing** well.

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

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

February 26, 2021

R & E FAMILY FARMS LP Attn: GARY FLOYD 6190 N ROAD G JOHNSON, KS 67855-8861

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Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM:

enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3