

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

|  |                        |  |   |   |
|--|------------------------|--|---|---|
| 1. File Number:<br><b>16589</b>  | 2. Status Change Date: | 3. Change Num:<br><b>C1</b>              | 4. Field Office:<br><b>4</b>  | 5. GMD:<br><b>3</b>                           |
| 6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return   |                        |  |   | 7. Filing Date of Change:<br><b>3/14/2022</b> |
| 8a. Applicant(s)<br>New to system <input type="checkbox"/><br><br><b>DAVID KRAUSE<br/>PO BOX 252<br/>PLAINS, KS 67869-0252</b>   |                        | Person ID <b>52313</b><br>Add Seq# _____ | 8c. Landowner(s)<br>New to system <input type="checkbox"/><br><br>Person ID _____<br>Add Seq# _____         |   |
| 8b. Landowner(s)<br>New to system <input type="checkbox"/><br><br><b>MERLE G KRAUSE<br/>PO BOX 619<br/>PLAINS, KS 67869-0619</b>   |                        | Person ID <b>9870</b><br>Add Seq# _____  | 8d. WUC<br>New to system <input type="checkbox"/><br><br><b>8a</b><br><br>Person ID _____<br>Add Seq# _____ |   |
| 9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/2022</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>3/1/2023</b>  |                        |  |   |   |
| <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> H & E Letter<br><input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____ |                        |  |   |   |
| 10. Use Made of Water    From: _____    To: _____  |                        |  |   |   |
| Date Prepared: <b>4/4/2022</b> By: <b>AM</b><br>Date Entered: _____    By: _____   |                        |  |   |   |

File No. **16589**      11. County: **ME**      Basin: **CROOKED CREEK**      Stream:      Formation Code: **211**      Special Use:

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

**DEL 16144**

**ENT NE SE SE 33 31S 30W 1101 526 1730 525 1730 525 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<br>CHK<br>MOD<br>DEL<br>ENT | PUSE | S | T | R | ID | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Total | Owner | Chg? | Overlap Files |
|--|------|---|---|---|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|-------|------|---------------|
|  |      |   |   |   |    | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |       |      |               |
| <b>CHK 31549</b>                             |      |   |   |   |    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |       |      |               |
|  |      |   |   |   |    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |       |      |               |
|  |      |   |   |   |    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |       |      |               |
|  |      |   |   |   |    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |       |      |               |
|  |      |   |   |   |    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |       |      |               |
|  |      |   |   |   |    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |       |      |               |

Base Acres:      Year:      Minimum Reasonable Quantity:

Comments:

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



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

Mike Beam, Secretary

Laura Kelly, Governor

April 4, 2022

DAVID KRAUSE  
PO BOX 252  
PLAINS, KS 67869-0252

RE: Filed Office Application for Change  
Water Right, File No. 16589

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,

A handwritten signature in blue ink, appearing to read "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

**CERTIFICATE OF SERVICE**

On this 4<sup>th</sup> day of April, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 16,589 dated 4<sup>th</sup> day of April, 2022 was mailed postage prepaid, first class, US mail to the following:

DAVID KRAUSE  
PO BOX 252  
PLAINS, KS 67869-0252

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.

File No. 16589

**RECEIVED**  
 3:30 pm  
 MAR 14 2022

Garden City Field Office  
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:                       Groundwater                       Surface water

2. Name and address of Applicant: David Krause Box 252 Plains, KS 67869  
Phyllis Krause Box 619 Plains, KS 67869

Phone Number: (    )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: DAVID KRAUSE

PO BOX 252 PLAINS KS 67869 - 0252

Phone Number: (620) 621-1996                      Email address: dkkrause@sbcglobal.net

3. The presently authorized place of use is:

Owner of Land ---- NAME: Merle Krause Trust

ADDRESS: Box 619 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 |             |
| <u>33</u> | <u>31</u> | <u>30</u> |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |
|           |           |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |
|           |           |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |

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 3-14-22 Check # 15874

**RECEIVED**  
 MAR 14 2022

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ CE Quarter of the \_\_\_\_\_ SW Quarter  
 of Section \_\_\_\_\_ 33 \_\_\_\_\_, Township \_\_\_\_\_ 31 \_\_\_\_\_ South, Range \_\_\_\_\_ 30 \_\_\_\_\_ W,  
 in Meade \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 1350 \_\_\_\_\_ feet North \_\_\_\_\_ 2750 \_\_\_\_\_ 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 \_\_\_\_\_ NE Quarter of the \_\_\_\_\_ SE Quarter of the \_\_\_\_\_ SE Quarter  
 of Section \_\_\_\_\_ 33 \_\_\_\_\_, Township \_\_\_\_\_ 31 \_\_\_\_\_ South, Range \_\_\_\_\_ 30 \_\_\_\_\_ W,  
 in Meade \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 1101 \_\_\_\_\_ feet North \_\_\_\_\_ 526 \_\_\_\_\_ 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 \_\_\_\_\_

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) The original well  
is declining in yield

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

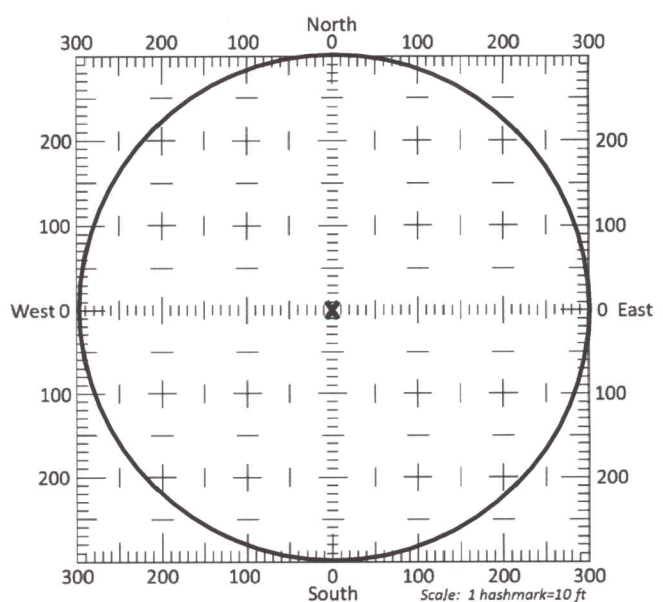
9. The change(s) (was)(will be) completed by?  
June 1, 2022

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
plug it  
 (b) When will this be done? 12-31-2022

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by HH / GCFO

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

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Garden City Field Office  
 Division of Water Resources

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.**

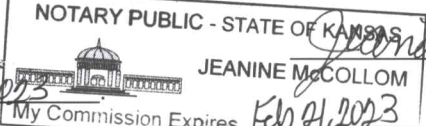
Dated at \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

|                           |                |
|---------------------------|----------------|
| Phyllis A. Krause Trustee |                |
| (Owner)                   | (Spouse)       |
| Phyllis A. Krause Trustee |                |
| (Please Print)            | (Please Print) |
| David Krause Trustee      |                |
| (Owner)                   | (Spouse)       |
| David Krause Trustee      |                |
| (Please Print)            | (Please Print) |
|                           |                |
| (Owner)                   | (Spouse)       |
|                           |                |
| (Please Print)            | (Please Print) |

State of Kansas }  
 County of Seward } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10<sup>th</sup> day of March, 2022.

My Commission Expires Feb 21, 2023

NOTARY PUBLIC - STATE OF KANSAS  
  
 JEANINE McCOLLOM  
 My Commission Expires Feb 21, 2023

Jeanine McCollom  
Notary Public

**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

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MAR 14 2022

**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. 16589.

1. A change application was received on March 14, 2022 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, 2022**, 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, 2022**, or within any authorized extension of time. By March 1, 2023 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: Austin McColloch  
Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: April 4, 2022

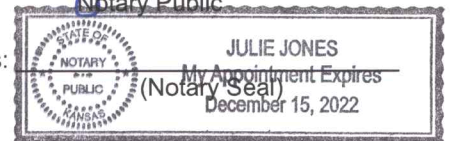
State of Kansas )  
) SS

County of Winney )

Acknowledged before me on April 4, 2022  
by Austin McColloch

Signature: Julie Jones  
Notary Public

My commission expires: \_\_\_\_\_  
(Notary Seal)



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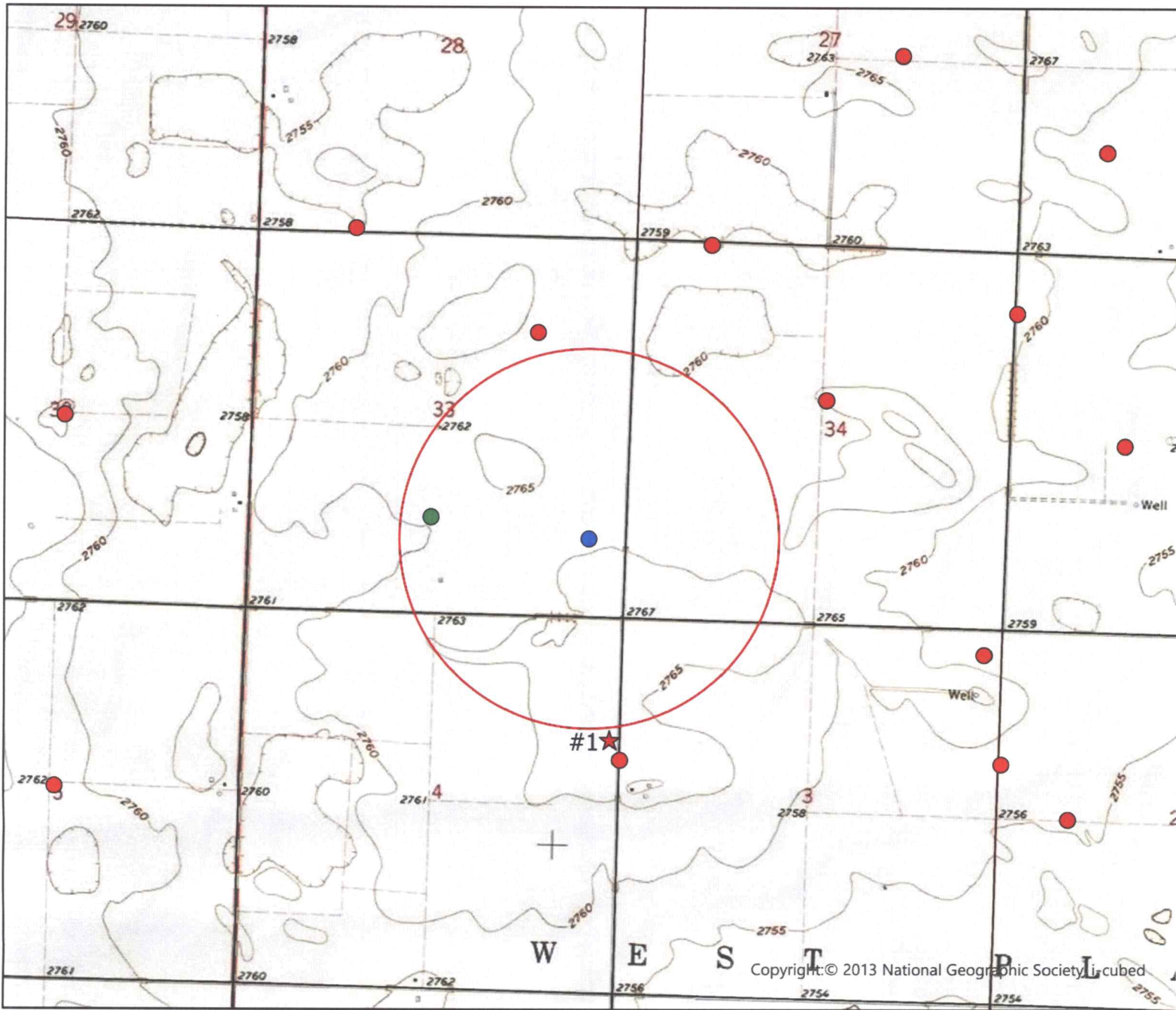
MAR 14 2022

Garden City Field Office  
Division of Water Resources



# CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 16589

Section 33 Township 31 South Range 30 West Meade County



- Authorized Point of Diversion
- Proposed Point of Diversion
- ★ Domestic Wells within 1/2 mile
- Permitted Wells within 1/2 mile
- 1/2 Mile Buffer

List of owner name and addresses within 1/2 mile:  
 #1 Domestic Well  
 Lloyd Harris



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MAR 14 2022

Garden City Field Office  
 Division of Water Resources

All wells of any kind within 1/2 mile of the proposed point of diversion have been plotted.

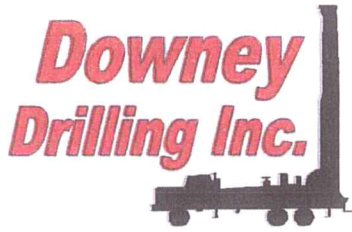
(Signature)

Date

Date: 3/9/22 HH/GCFO

# WELL LOG

DATE: 2/25/2022



CUSTOMER NAME: DAVID KRAUSE TH#2

LEGAL: SW 33-31-30W

COUNTY: PLAINS CO, KS

GPS: 37.303446

-100.582469

LOGGER:

DRILLER: DIEGO VALLE

WO: 21-417

| TW | FROM | TO  | TYPE   | HARDNESS      | COLOR             | SPEED | PULL DOWN  | OTHER / DRILLING ACTION        |
|----|------|-----|--|---------------|-------------------|-------|------------|--------------------------------|
|    | 0    | 5   | TOPSOIL  | SOFT          | DARK BROWN        | SLOW  |            | SMOOTH                         |
|    | 5    | 9   | BROWN SILTY CLAY                                     | SOFT          | BROWN TAN & WHITE | SLOW  |            | SMOOTH                         |
|    | 9    | 36  | SANDY CLAY W/ CALICHE                                | FIRM          |                   | SLOW  |            | SMOOTH & CHOPPY                |
|    | 36   | 77  | SANDY CLAY   | SOFT          | TAN               | FAST  |            | SMOOTH                         |
|    | 77   | 90  | FINE-MED-COARSE SAND                                 | FIRM          |                   | FAST  |            | FAST CHATTER                   |
|    | 90   | 99  | SANDY CLAY   | SOFT          | TAN               | FAST  |            | SMOOTH                         |
|    | 99   | 118 | FINE-MED-COARSE SAND                                 | FIRM          |                   | FAST  |            | FAST CHATTER                   |
|    | 118  | 119 | HARD SPOT  | HARD          |                   | SLOW  | X, 800 PSI | CHATTER                        |
|    | 119  | 123 | FINE-MED-COARSE SAND                                 | FIRM          |                   | FAST  |            | FAST CHATTER                   |
|    | 123  | 137 | BROWN CLAY   | LITTLE STICKY | BROWN             | FAST  |            | SMOOTH                         |
|    | 137  | 146 | FINE-MED-COARSE SAND                                 | FIRM          |                   | FAST  |            | FAST CHATTER                   |
|    | 146  | 155 | BROWN CLAY   | SOFT          |                   | FAST  |            | SMOOTH                         |
|    | 155  | 164 | FINE-MED-COARSE SAND                                 | FIRM          |                   | FAST  |            | FAST CHATTER                   |
|    | 164  | 165 | HARD SPOT  | HARD          |                   | SLOW  | X          | CHATTER                        |
|    | 165  | 167 | FINE-MED SAND  | FIRM          |                   | FAST  |            | VIBRATION                      |
|    | 167  | 181 | BROWN CLAY   | SOFT          | BROWN             | FAST  |            | SMOOTH                         |
|    | 181  | 192 | FINE-MED-COARSE SAND                                 | FIRM          |                   | FAST  |            | FAST CHATTER                   |
|    | 192  | 230 | BROWN STICKY CLAY W/ FINE-MED SAND LAYERS            | STICKY        | BROWN             | FAST  |            | SMOOTH & VIBRATION             |
|    | 230  | 274 | FINE-MED-COARSE SAND                                 | FIRM          |                   | FAST  |            | FAST CHATTER                   |
|    | 274  | 280 | BROWN CLAY   | SOFT          | BROWN             | FAST  |            | SMOOTH                         |
|    | 280  | 300 | FINE-MED-COARSE SAND W/ BROWN CLAY LAYERS            | FIRM          | BROWN             | FAST  |            | FAST CHATTER & SMOOTH AT TIMES |
|    | 300  | 376 | FINE-MED-COARSE SAND W/ LIMEROCK                     | FIRM          | WHITE TAN & WHITE | FAST  |            | FAST CHATTER                   |
|    | 376  | 430 | FINE-MED-COARSE SAND W/ SANDY CLAY LAYERS & LIMEROCK | FIRM          |                   | FAST  |            | FAST CHATTER                   |
|    | 430  | 495 | BROWN CLAY W/ FINE-MED SAND LAYERS                   | FIRM          | BROWN             | FAST  |            | SMOOTH & VIBRATION             |
|    | 495  | 509 | BROWN CLAY   | SOFT          | BROWN             | FAST  |            | SMOOTH                         |
|    | 509  | 515 | BROWN ROCK W/ SANDSTONE                              | STIFF         | BROWN             | FAST  |            | FAST CHATTER                   |
|    | 515  | 530 | RED BED  | SOFT          | RED               | SLOW  |            | SMOOTH                         |
|    |      |     | QUIKGEL - 9  |               |                   |       |            |                                |
|    |      |     | WATER LOADS - 3200 GAL H2O                           |               |                   |       |            |                                |
|    |      |     | SODA ASH - 1/4                                       |               |                   |       |            |                                |
|    |      |     | EZ MUD GOLD - 1/2 A BAG                              |               |                   |       |            |                                |
|    |      |     | QUICK TROLL - 1/2 A BAG                              |               |                   |       |            |                                |
|    |      |     | BRAN - 1/2 BAG                                       |               |                   |       |            |                                |
|    |      |     | HOLE PLUG - 2  |               |                   |       |            |                                |
|    |      |     | CASING SEAL - 1                                      |               |                   |       |            |                                |

**ACCEPTANCE OF TRUSTEE**

COMES NOW DAVID KRAUSE, and hereby consents to serve in the capacity of Trustee of the Revocable Inter Vivos Trust of MERLE G. KRAUSE, dated December 15, 2010.

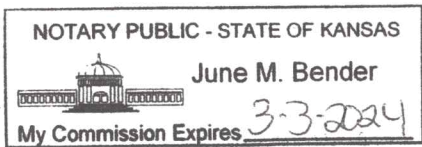
Dated this 16<sup>th</sup> day of November 2020.

David Krause  
DAVID KRAUSE

STATE OF Kansas COUNTY OF Meade, SS:

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of Nov., 2020, by, DAVID KRAUSE.

June M Bender  
NOTARY PUBLIC



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MAR 14 2022

Garden City Field Office  
Division of Water Resources

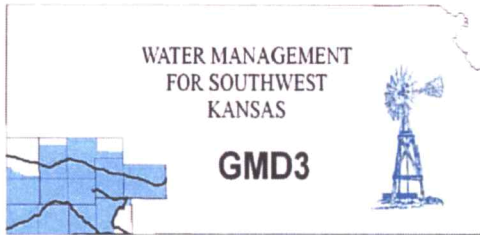
A. McColloch *AM*  
4/4/2022

**This analysis of change in point of diversion, File No. 16,589**

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. 16,589 approximately 2,220 feet east. The 2068 projected saturated thickness (163.7 feet) from the GMD No. 3 groundwater model and transmissivity (2,859 ft<sup>2</sup>/day) from well logs were used. The specific storage was assumed to be 10<sup>-5</sup>, which results in a storage coefficient of 0.001637. Pumping the proposed rate and quantity at the new location was compared to pumping the ten-year average use (207 acre-feet) at the last reported rate (600 gallons per minute). Drawdowns were evaluated at the point of diversion authorized by File No. 12,297. With these assumptions, the drawdown at File No. 12,297 increases by 25 feet, or 15.3% of the projected future saturated thickness (Table 1).

**Table 1:** Theis analysis of drawdown at File No. 12,297; T = 2859 ft<sup>2</sup>/day; S = 0.001637

| Scenario | Distance (Feet) | Quantity (Acre-Feet) | Rate (GPM) | Drawdown (Feet) | Drawdown (%ST) |
|----------|-----------------|----------------------|------------|-----------------|----------------|
| Proposed | 2954            | 525                  | 1730       | 39.4            | 24.1%          |
| Current  | 2962            | 207                  | 600        | 14.4            | 8.8%           |
|          |                 |                      | Net:       | 25              | 15.3%          |



**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 1, 2022

Austin 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. 16589

Dear Austin:

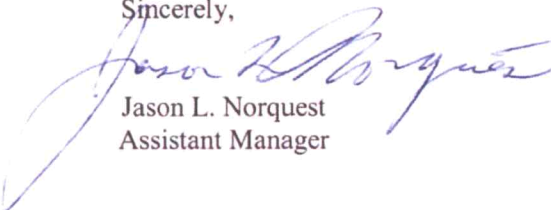
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

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 on the sections with saturated thickness greater than 200'), 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 several of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed further evaluation. There could be the potential for critical wells in the area. The effects could possibly be mitigated with limitations to the proposed well. We did not receive any comments from neighbor notices. Therefore, GMD3 sees this move as meeting current rules and would recommend approval with if better information is determined to ensure that neighboring wells are not adversely affected. 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

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## GMD3 Change Review

---

File No(s): 16589. DWR office: GC.  
App filed to change: PD.  
Is Landowner(s) correct in WRIS: Merle Krause Trust % David Krause.  
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     | 1350      | 2750     | Sect 33-31-30 Meade Co |
| Proposed PD       | 1101      | 526      |                        |
| Difference        | 249 s     | 2224 e   |                        |
| $a^2 + b^2 = c^2$ | 62001     | 4946176  | 2237.896 foot move SE  |

GPS for proposed PD: Lat: 37.303446 Long: -100.582469.  
Is proposed PD stacking on existing WRs? No.  
Is Proposed PU overlapping existing WRs? No Change.  
Neighboring certified well(s) notified:   .  
Name Gerald Amerin (13517).  
Address 4072 K Rd.  
Zip Plains, KS 67869.  
Email: [gamerinfarms@gmail.com](mailto:gamerinfarms@gmail.com) Phone: 620-629-1833

Name John D Borth (22848).  
Address PO Box 754.  
Zip Meade, KS 67864.  
Email: [johnnyborth@gmail.com](mailto:johnnyborth@gmail.com) Phone: 620-629-1849

Domestic well(s) notified:   .  
Name Shawn & Kathy Jacobs (SE of 32).  
Address 12145 4 Road.  
Zip Plains, KS 67869.  
[Ks5jacobs@gmail.com](mailto:Ks5jacobs@gmail.com) 620-629-3528

Base Acres:   .  
Perfected Acres:   .  
Irr. Return-Flow   %  
**16589 authorized: 525AF @ 1730gpm.**  
**2020 GMD3 inspection showed 518gpm.**  
**600gpm reported on 2016 WUR.**  
**Recent reported water use (2012-2021): 206.7AF/year**

## GMD3 Change Review

---

**No log for current well.**

**Proposed well depth around 530'.**

Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears met. Analysis showed that there is a potential to have critical wells in the area.

Recommendation: After review of all available information, it appears that current area rules are met. We do have concerns on possible critical wells in the area. Would recommend varication before possible approval. We did not have any comments from neighbor notices.



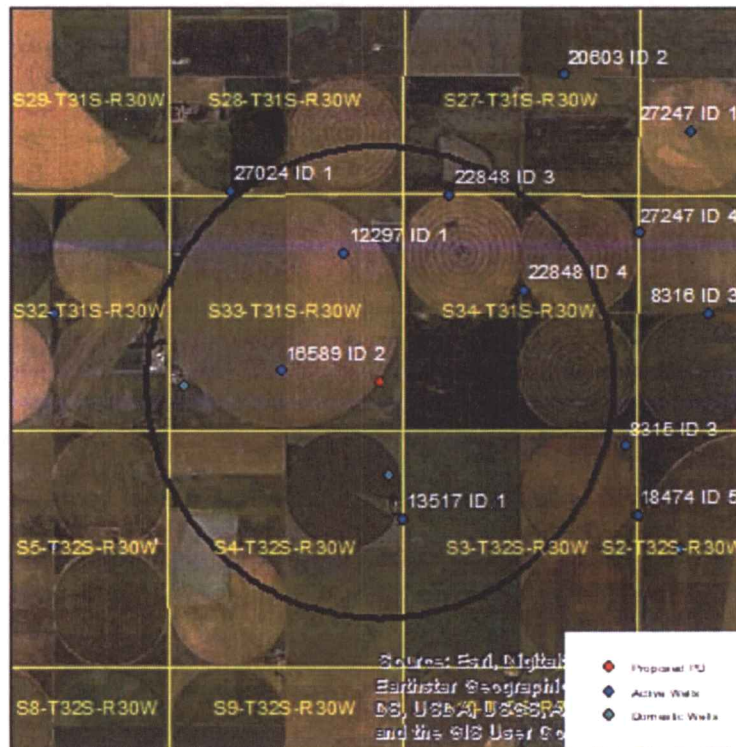
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Division of Water Resources

## Evaluation of proposed move for Water Right No. 16589

Proposed: Move water right no. 16589 to a new well location, 2,334 ft to the southeast.



Wells within 1 mile: 12297, 22848 ID3, 22848 ID4, 13517, a domestic well in section 33-31-30, and a domestic well in section 4-32-30.

The saturated thickness at the proposed well location is estimated to be 221 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:

$S = 0.2058$ ,  $T = 3260 \text{ ft}^2/\text{day}$  (estimated from driller's log),  $t_{p\text{current}} = 90 \text{ days}$ ,  $Q_{\text{current}} = 518 \text{ gpm}$ ,  
 $t_{p\text{proposed}} = 69 \text{ days}$ ,  $Q_{\text{proposed}} = 1730 \text{ gpm}$

Theis drawdowns were calculated as follows:

|            |   |
|------------|---|
| 12297:     | Drawdown from current location = 2.74 ft  |
|            | Drawdown from proposed location = 7.05 ft |
|            | Net drawdown = <b>4.3 ft</b>              |
| 22848 ID3: | Drawdown from current location = 1.88 ft  |
|            | Drawdown from proposed location = 5.47 ft |
|            | Net drawdown = <b>3.6 ft</b>              |



22848 ID4: Drawdown from current location = 1.82 ft  
Drawdown from proposed location = 6.00 ft  
Net drawdown = 4.2 ft

13517: Drawdown from current location = 2.17 ft  
Drawdown from proposed location = 4.67 ft  
Net drawdown = 4.7 ft

Domestic 33-31-30: Drawdown from current location = 3.33 ft  
Drawdown from proposed location = 5.50 ft  
Net drawdown = 2.2 ft

Domestic 4-32-30: Drawdown from current location = 2.55 ft  
Drawdown from proposed location = 8.93 ft  
Net drawdown = 6.4 ft

Net drawdown exceeds the drawdown allowance of 4.0 ft for water right numbers 12297, 22848 ID4, 13517, and the domestic well in section 4-32-30. Critical well analysis was conducted for those wells.

**Critical Well Evaluation:**

**12297:**

Water Column = 221 ft

DP = 4.3 ft (Net drawdown from the proposal indicated above)

DE = 40.3 ft (Water level decline from 2022 through 2047 based upon GMD3 model)

DD = 93.3 ft (S = 0.2058, T = 24,385 gpd/ft, Q = 931 gpm, tp = 85 days, efficiency = 70%)

DT = 137.9 ft

Economic Drawdown Constraint (EDC) =  $0.4 * 221 \text{ ft} = 88.4 \text{ ft}$

Physical Drawdown Constraint (PDC) =  $221 \text{ ft} - 60 \text{ ft} = 161 \text{ ft}$

Total drawdown of 137.9 ft is greater than the EDC, so this well is critical.

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Division of Water Resources

**22848 ID4:**

Water Column = 213 ft

DP = 4.2 ft (Net drawdown from the proposal indicated above)

DE = 27.2 ft (Water level decline from 2022 through 2047 based upon GMD3 model)

DD = 68.0 ft (S = 0.2058, T = 24,385 gpd/ft, Q = 670 gpm, tp = 102 days, efficiency = 70%)

DT = 99.4 ft

Economic Drawdown Constraint (EDC) =  $0.4 * 213 \text{ ft} = 85.2 \text{ ft}$

Physical Drawdown Constraint (PDC) =  $213 \text{ ft} - 60 \text{ ft} = 153 \text{ ft}$

Total drawdown of 99.4 ft is greater than the EDC, so this well is **critical**.

**13517:**

Water Column = 209 ft

DP = 4.7 ft (Net drawdown from the proposal indicated above)

DE = 39.3 ft (Water level decline from 2022 through 2047 based upon GMD3 model)

DD = 56.9 ft (S = 0.2058, T = 24,385 gpd/ft, Q = 569 gpm, tp = 82 days, efficiency = 70%)

DT = 100.9 ft

Economic Drawdown Constraint (EDC) =  $0.4 * 209 \text{ ft} = 83.6 \text{ ft}$

Physical Drawdown Constraint (PDC) =  $209 \text{ ft} - 60 \text{ ft} = 149 \text{ ft}$

Total drawdown of 100.9 ft is greater than the EDC, so this well is **critical**.

**Domestic 4-32-30:**

Water Column = 209 ft

DP = 6.4 ft (Net drawdown from the proposal indicated above)

DE = 39.3 ft (Water level decline from 2022 through 2047 based upon GMD3 model)

DT = 45.7 ft

Economic Drawdown Constraint (EDC) =  $0.4 * 209 \text{ ft} = 83.6 \text{ ft}$

Physical Drawdown Constraint (PDC) =  $209 \text{ ft} - 20 \text{ ft} = 189 \text{ ft}$

Total drawdown of 61.0 ft is less than the EDC and PDC, so this well is **not critical**.

**Conclusion:**

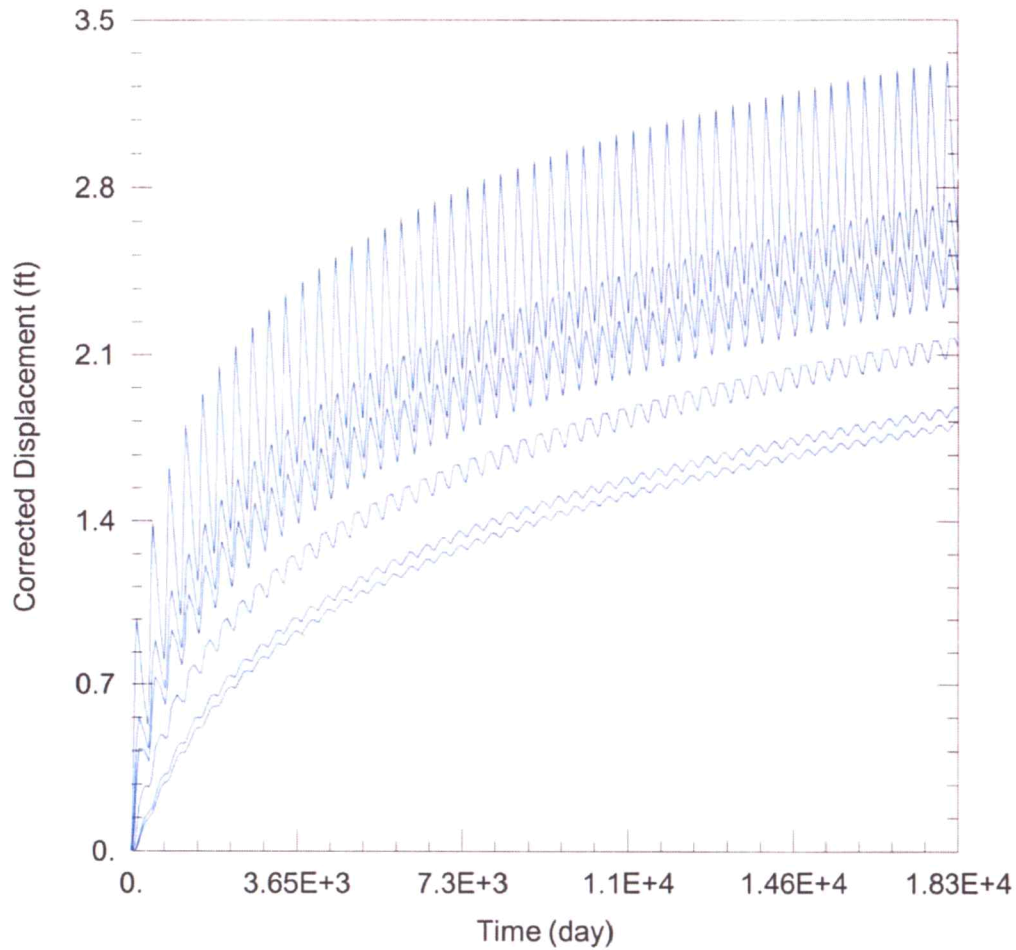
The proposed move is in an area with more than 200 ft saturated thickness, with observed pumping rates ranging between 500 gpm and 1000 gpm. Model data and estimates for transmissivity using the driller's log at the proposed location indicate that the well drawdown effects necessary to produce those rates are considerably larger than they would be in other areas with more transmissive soils. The GMD3 model shows that the estimated usable portion of the remaining aquifer, after accounting for drawdown effects, will deplete by more than 40% over the next 25 years at multiple neighboring well locations. It is likely that wells will become less productive as these depletions occur. GMD3 critical well guidelines identify a well-to-well effect of less than 4.0 ft in aquifers with more than 200 ft of thickness as "de minimis," meaning that they would likely be small enough to go unnoticed. If the proposed well is operated at its fully authorized rate and quantity, effects on some neighboring wells would exceed this standard.

The GMD3 guideline is not currently codified in rules and regulation, so this application does not require any waiver of rules. Any concerned neighbors can contact either GMD3 at (620) 275-7147, or the Division of Water Resources at (620) 276-2901 to have those concerns considered.

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Division of Water Resources



### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2022\_moves\16589\16589 Current.aqt  
 Date: 03/22/22 Time: 15:37:54

### PROJECT INFORMATION

Company: GMD 3  
 Project: 16589  
 Location: Meade County

### WELL DATA

#### Pumping Wells

| Well Name | X (ft) | Y (ft) |
|-----------|--------|--------|
| 16589     | 60891  | 156311 |

#### Observation Wells

| Well Name           | X (ft) | Y (ft) |
|---------------------|--------|--------|
| □                   | 60891  | 156311 |
| □ 12297             | 62310  | 158929 |
| □ 22848 ID3         | 64701  | 160223 |
| □ 22848 ID4         | 66364  | 158101 |
| □ 13517             | 63633  | 152986 |
| □ Domestic 33-31-30 | 58700  | 155959 |
| □ Domestic 4-32-30  | 63313  | 153978 |

### SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

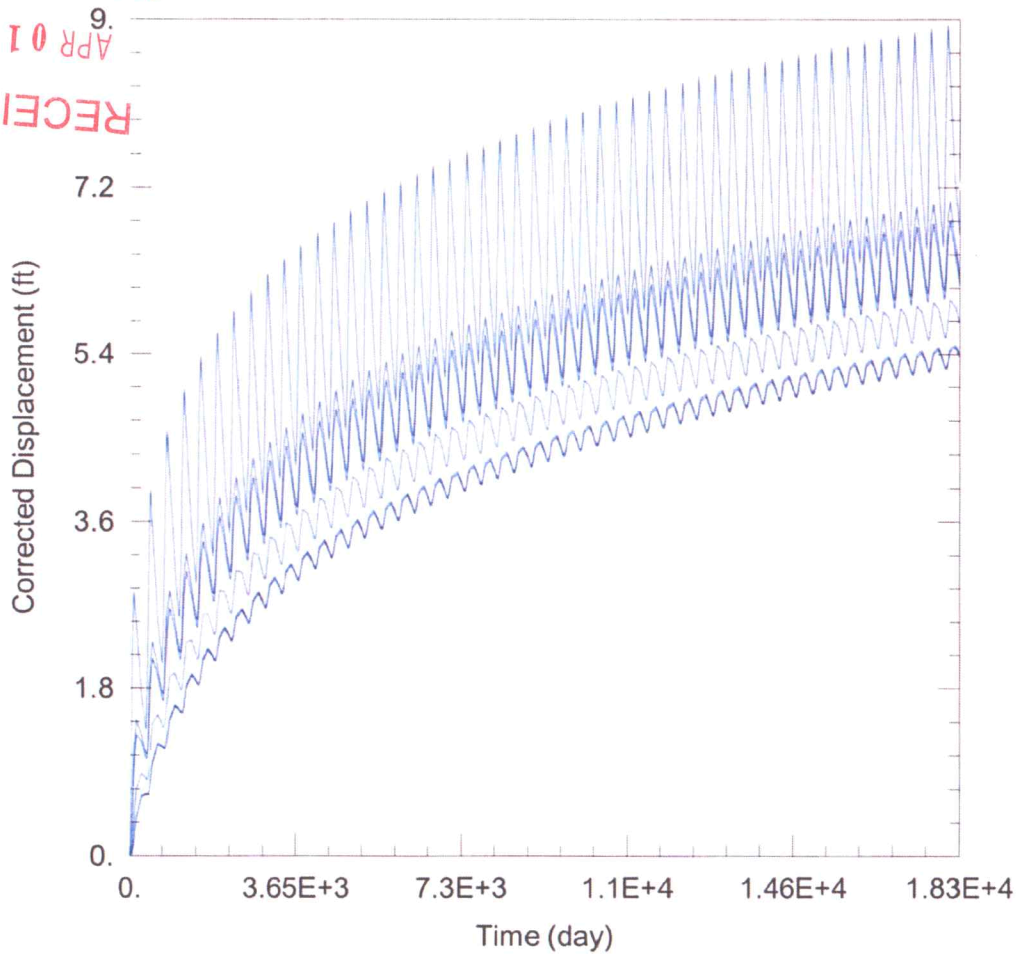
T = 3260. ft<sup>2</sup>/day

S = 0.2068

Kz/Kr = 1.

b = 221. ft

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WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2022\_moves\16589\16589 Proposed.aqt  
Date: 03/22/22 Time: 15:38:45

PROJECT INFORMATION

Company: GMD 3  
Project: 16589  
Location: Meade County

WELL DATA

Pumping Wells

| Well Name | X (ft) | Y (ft) |
|-----------|--------|--------|
| 16589     | 63111  | 156067 |

Observation Wells

| Well Name           | X (ft) | Y (ft) |
|---------------------|--------|--------|
| □                   | 63111  | 156067 |
| □ 12297             | 62310  | 158929 |
| □ 22848 ID3         | 64701  | 160223 |
| □ 22848 ID4         | 66364  | 158101 |
| □ 13517             | 63633  | 152986 |
| □ Domestic 33-31-30 | 58700  | 155959 |
| □ Domestic 4-32-30  | 63313  | 153978 |

SOLUTION

Aquifer Model: Unconfined

Solution Method: Theis

T = 3260. ft<sup>2</sup>/day

S = 0.2068

Kz/Kr = 1.

b = 221. ft

Water Rights and Points of Diversion Within 1 mile of point defined as:

1101 Feet N and 526 Feet W of the Southeast Corner of Section 33 Twp 31S Rng 30W  
 Located at: 100.582470 West Longitude and 37.303446 North Latitude  
 Both SURFACE WATER and GROUNDWATER

*2300' on a 1/1*

| File Number | Use      | ST  | SR | Dist (ft) | Q4   | Q3 | Q2 | Q1 | FeetN | FeetW | Sec   | Twp  | Rng | ID  | Batt | Auth_Quan | Add_Quan |        |        |
|-------------|----------|-----|----|-----------|------|----|----|----|-------|-------|-------|------|-----|-----|------|-----------|----------|--------|--------|
| A__<br>AF   | 12297 00 | IRR | NK | G         | 2971 | /  | -- | NC | NE    | 3960  | 1320  | 33   | 31  | 30W | 1    |           | 522.00   | 522.00 |        |
| A__<br>AF   | 13517 00 | IRR | NK | G         | 3125 | /  | -- | CE | SE    | NE    | ----- | 4    | 32  | 30W | 1    |           | 360.00   | 360.00 |        |
| A__<br>AF   | 16589 00 | IRR | NK | G*        | 2233 | /  | -- | CE | SW    | 1350  | 2750  | 33   | 31  | 30W | 2    |           | 525.00   | 525.00 |        |
| A__<br>AF   | 22848 00 | IRR | NK | G         | 3833 | /  | -- | SW | SW    | NE    | 3147  | 2548 | 34  | 31  | 30W  | 4         |          | 354.00 | 354.00 |
| Same<br>AF  |          |     |    |           | 4443 | /  | -- | NE | NW    | NW    | 5262  | 4202 | 34  | 31  | 30W  | 3         |          | 354.00 | 354.00 |

| 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) =    | 2115.00 | .00     |
| Total Vested Amount (AF) =       | .00     | .00     |
| TOTAL AMOUNT (AF) =              | 2115.00 | .00     |

*Minimum Spacing  
Appears 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:

1101 Feet North and 526 Feet West of the Southeast Corner of Section 33 Twp 31S Rng 30W

Located at: 100.582470 West Longitude and 37.303446 North Latitude  
Both SURFACE WATER and GROUNDWATER  
WATER USE CORRESPONDENTS:

=====

File Number      Use ST SR

> DAVID KRAUSE

>

> PO BOX 252

> PLAINS KS 67869

>-----

> GERALD AMERIN

>

> 4072 K RD

> PLAINS KS 67869

>-----

> DAVID KRAUSE

>

> PO BOX 252

> PLAINS KS 67869

>-----

> JOHN D BORTH

>

> PO BOX 754

> MEADE KS 67864

>-----

=====

12297 - Application

13517

16589 - Application

22848

Garden City Field Office  
Division of Water Resources

APR 01 2022

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



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

March 15, 2022

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

Re: Request for Recommendation,  
File No. 16589

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by David Krause 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,

A handwritten signature in blue ink that reads "Austin McColloch".

Austin McColloch  
Assistant Water Commissioner

Enclosure  
pc: