

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

1. File Number: 18554	2. Status Change Date: <i>6-14-2022</i>	3. Change Num: C5	4. Field Office: 4	5. GMD: 3
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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: 6/01/2022
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8a. Landowner, applicant, WUC New to system <input type="checkbox"/> HERITAGE BEEF LLC 2600 FLYNN DR PARSONS, KS 67357	8c. Landowner(s) New to system <input type="checkbox"/>
Person ID <u>66512</u> Add Seq# _____	Person _____ Add Seq# _____

8b. Landowner(s), New to system <input type="checkbox"/> 	8d. WUC New to system <input type="checkbox"/>
Person ID _____ Add Seq# _____	Person ID _____ Add Seq# _____

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2022 N & P Date to Comply: 3/1/2023

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: **06/14/2022** By: **MAM**
 Date Entered: _____ By: _____

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm	Quantity mgy	Rate gpm	Quantity af	
DEL				49989												
ENT				SWSWSE	8	27S	32W		38	2420		695	34.87	695	34.87	NONE
CHK	79227			NCNE	8	27S	32W 08		4085	1340		695	65.17	695	65.17	NONE
CHK	32491			NCSW	8	27S	32W 06		1310	3885		1035	308.4 AF	1035	308.4 AF	NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/ 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										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK				9351																									
CHK				17668																									
CHK				18241																									

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

June 14, 2022

HERITAGE BEEF LLC
2600 FLYNN DR
PARSONS, KS 67357

RE: Field Office Application for Change
Water Right, File No. 18554

Dear Sir:

Enclosed is an order 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 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.

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: GROUNDWATER MANAGEMENT DISTRICT NO. 3

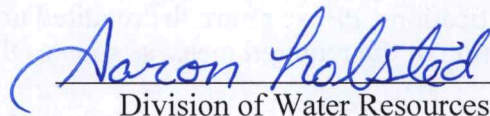
CERTIFICATE OF SERVICE

On this 14th day of June 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 18,554 dated 15th day of June 2022 was mailed postage prepaid, first class, US mail to the following:

HERITAGE BEEF LLC
2600 FLYNN DR
PARSONS, KS 67357

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.

RECEIVED
 9:30 am
 JUN 01 2022

File No. 18554

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: HERITAGE BEEF LLC

~~2600 FLYNN DR PARSONS KS 67357~~ 1506 ROAD 30 SURBUETTE, KS 67877

Phone Number: (620)-272-6277 Email address: _____

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: SAME AS ABOVE - NO CHANGE

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			

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 6-1-22 Check # 108534

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the SE Quarter of the SE Quarter
 of Section 8 , Township 27 South, Range 32 (W),
 in HASKELL County, Kansas, 1310 feet North 1040 feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well (feet)
(DWR use only: Computer ID No. 05 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 SW Quarter of the SW Quarter of the SE Quarter
 of Section 8 , Township 27 South, Range 32 (W),
 in HASKELL County, Kansas, 38 feet North 2420 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 NC Quarter of the NE Quarter
 of Section 8 , Township 27 South, Range 32 (W),
 in HASKELL County, Kansas, 4085 feet North 1340 feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well (feet)
(DWR use only: Computer ID No. 08 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 (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) LOSS OF PRODUCTION

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

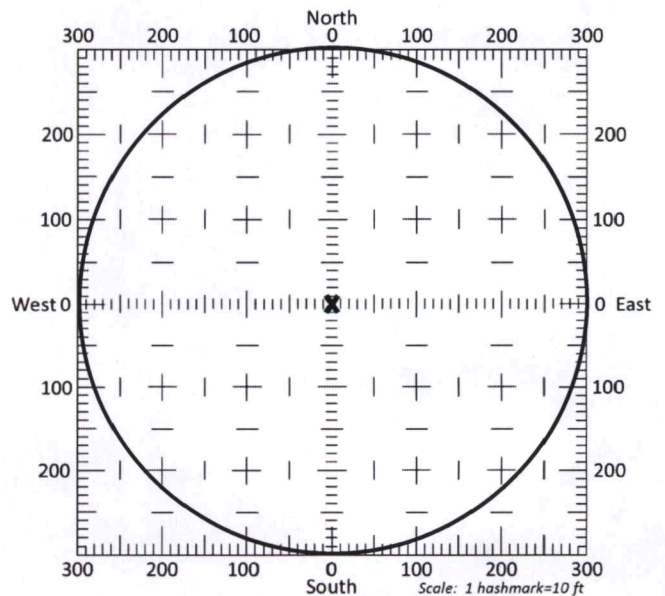
9. The change(s) (was)(will be) completed by?

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
PLUG / CAP
 (b) When will this be done?

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AM / 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.)**

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 18554

Presently authorized point of diversion:
One in the _____ Quarter of the _____ NC Quarter of the _____ SW Quarter
of Section 8, Township 27 South, Range 32 (W),
in HASKELL County, Kansas, 1310 feet North 3885 feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 06 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)
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 _____

~~**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)
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 _____~~

~~**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)
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 _____~~

~~**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)
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 _____~~

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 GARDEN CITY, Kansas, this 1ST day of JUNE, 2022.

<u>Heritage Beef Inc. C</u> (Owner)	<u>Galen W. Wright</u> (Spouse)
<u>Galen W. Wright</u> (Please Print)	 (Please Print)
 (Owner)	 (Spouse)
 (Please Print)	 (Please Print)
 (Owner)	 (Spouse)
 (Please Print)	 (Please Print)

State of Kansas }
 County of FINNEY } SS

NOTARY PUBLIC
 CATHERINE REINERT
 NOTARY PUBLIC
 STATE OF KANSAS
 My App. Exp. Sept. 14, 2022

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 1ST day of JUNE, 2022.

Catherine Reinert
 Notary Public

My Commission Expires 9/14/22.

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. 18554.

1. A change application was received on June 1, 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 300 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 _____ 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: 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: June 14, 2022

State of Kansas)

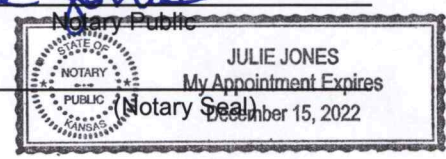
County of Stimney) SS

Acknowledged before me on June 14, 2022

by Michael A. Meyer

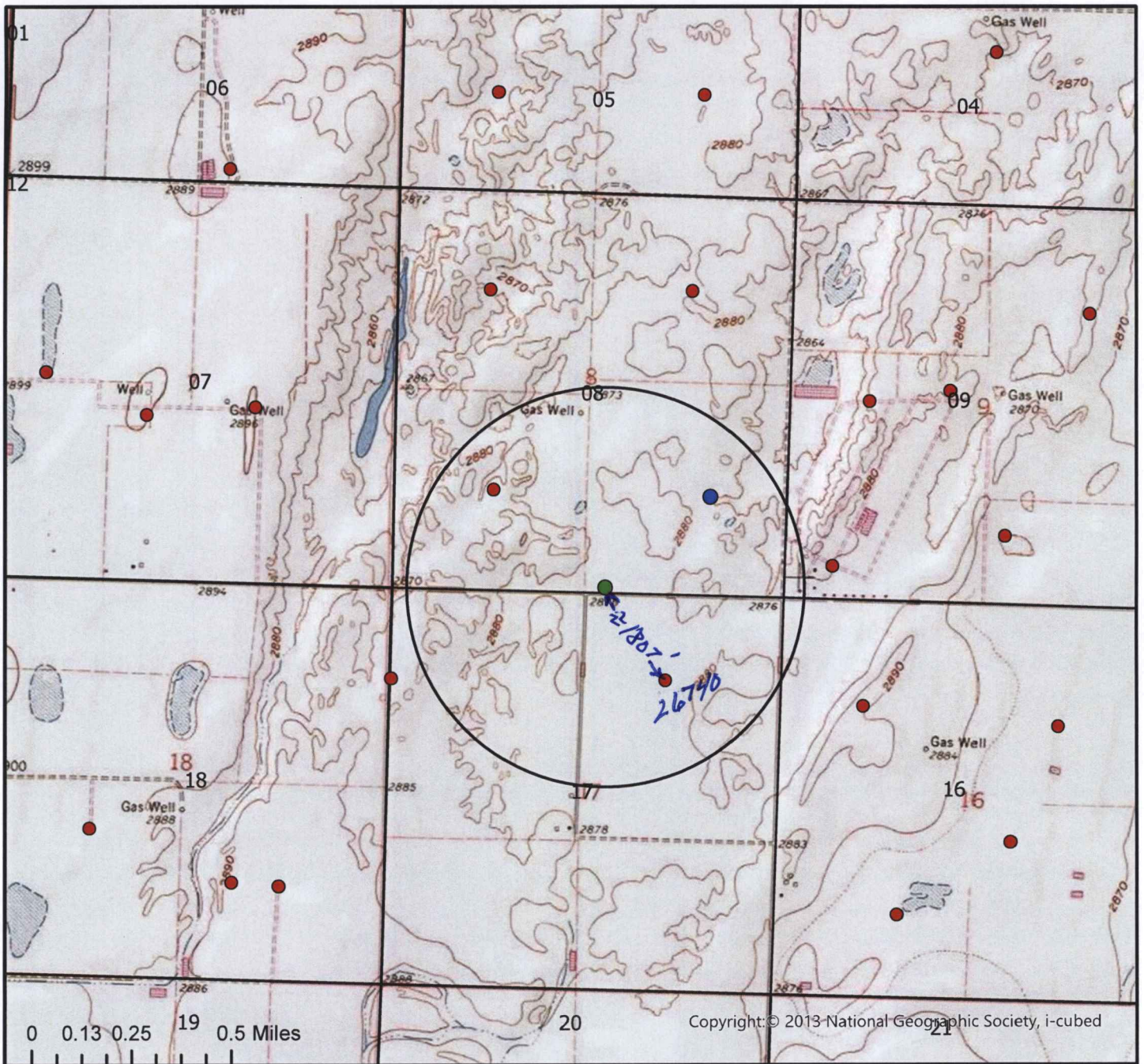
Signature: Julie Jones
Notary Public

My commission expires: _____
(Notary Seal)



CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 18554

SE 1/4 of Section 8 Township 27 South Range 32 West Haskell County



●	Authorized Point of Diversion
●	Proposed Point of Diversion
●	Permitted Water Right
★	Domestic Well within 1/2 mile
	1/2 mile buffer

List of owner name and addresses within 1/2 mile:

WR 18554 : OWNED BY APPLICANT

WR 26740: KLEYTEUBER & GILLEN INC
13060 S COUNTY RD 20 GARDEN CITY KS 67846



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

(Signature)

Date

AM/GCFO
1:24,000 Scale

Heritage Beef, LLC

Test Hole # 1 of 5-18-22,
SE 8-27-32 HS
File # 18554 SE

Legend

-  37.70780 N 100.84273 W
-  Heritage Beef

 37.70780 N 100.84273 W

30

Google Earth

Image Landsat / Copernicus



4000 ft

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



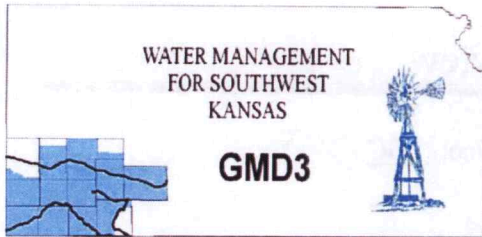
PO Box 639
Garden City, KS 67846
Fax: 620-277-0224

GALEN WRIANT MGR 620-272-6277

Customer Name: Heritage Beef, LLC WO#: 23593 Date: 5-18-22
Street Address: 1506 RUAN 30 Test #: 1 E LOG: _____
City, State: SUBLETTE, KS. Driller: Dale Guinn
County: Haskell Quarter: SE Section: 8 Township: 27 Range: 32
Location: _____ GPS: N37.70780 W100.84273
Rig #: 10002 Elevation: 2870' Static WL: _____ Estimated? 310 Feet

Proposed Well Depth 533
WELL LOCATION 18554 SE 5' Sample

%	Footage		To	Description of Strata
	From	Pay		
	0		2	Top Soil
	2		19	Brown Sandy Clay
	19		30	Sand Fine
	30		34	Brown Sandy Clay
	34		71	Sand Fine Med Course Small Gravel
	71		154	Sand Fine Med Course Small Med Gravel
	154		158	Brown Sandy Clay
	158		191	Sand Fine Med Course
	191		199	Brown & Blue Clay
	199		207	Blue Clay
	207		214	Sand Fine "Blue In Color"
	214		220	White Calich & Brown Clay
	220		233	Sand Fine Med Course
	233		253	Blue Clay
	253		289	Sand Fine Med Course w/Few Clay Stringers
30	289	30	340	Sand Fine Med Course Small Gravel
25	340	21	361	Sand Fine Med Course w/Couple Clay Layers
15	361	19	380	Sand Fine Med w/Some Tan Clay Layers
10	380	34	414	Sand Fine w/Few Clay Layers
20	414	7	421	Sand Fine Med w/Few Tan Rock
10	421	39	460	Sandstone & Brown Rock w/Few Sandstone Layers
5	460	27	487	Sandstone & Few Shale Layers
	487		494	Shale w/Few Sandstone Strips
5	494	34	528	Sandstone & Some Gray Soapstone
	528		543	Gray Soapstone & Few sandstone strips
	543		575	Shale
	575		600	Red Bed "Hard"
				Max Gel -5
				Grout -5
				Hole Plug -7
				Perms Plug -1
				4 3/4 Drag Blade -1



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

June 14, 2022

Mike 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. 18554

Dear Mike:

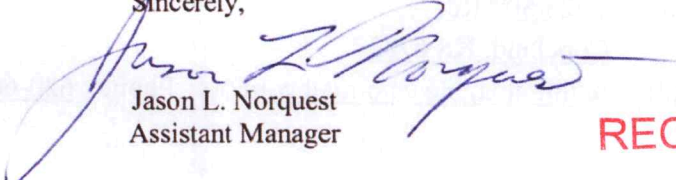
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

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 saturated thickness 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 no critical wells determined. We did not receive any comments from neighbor notices. Therefore, GMD3 sees this move as meeting current rules and would recommend approval of the applications. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,


Jason L. Norquest
Assistant Manager

RECEIVED

JUN 13 2022

Garden City Field Office
Division of Water Resources

Working Water Conservation Every Day Since 1976

GMD3 Change Review

File No(s): 18554. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Heritage Beef LLC.

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) 05 being changed.

	ft. North	ft. West	
Authorized PD	1310	1040	Sect 8-27-32
Proposed PD	28	2420	
Difference	1282 s	-1380 w	
$a^2 + b^2 = c^2$	1643524	1904400	1883.593 foot move SW

GPS for proposed PD: Lat: 37.70780 Long: -100.84273.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name Kleysteuber & Gillen Inc. (26740, 26741).

Address 13060 S County Rd 20.

Zip Garden City, KS 67846.

Email: . Phone: .

Written notice was received with the application that they have no issue with the change and do not object.

Name Milton Rogge (16929).

Address 1338 Road 30.

Zip Sublette, KS 67877.

Email: mrogge@wbsnet.org Phone: 620-276-7957.

Name Kenneth Cox (19854).

Address 450 US Hwy 83.

Zip Sublette, KS 67877.

Email: coxfarms1953@yahoo.com Phone: 620-272-1671.

Name Robert M & Connie Nightengale Trusts (27460).

Address 2225 50th Rd.

Zip Copeland, KS 67837.

Email: bmnightengale@hotmail.com Phone: 620-668-5437.

GMD3 Change Review

Domestic well(s) notified: Domestics in area owned by applicant.

Name ___.

Address ___.

Zip ___.

Base Acres: ___.

Perfected Acres: ___.

Irr. Return-Flow ___%

Haskell County

Requested to work as quick as possible since the feedlot needs water.

This is one of the STK wells that needs replaced.

Authorized 107AF (34.87mg) @ 695gpm for STK

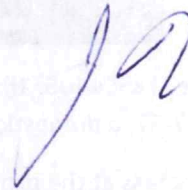
Avg reported use (2012-2021): 69.47AF/year

Current well depth around 400-425'.

Proposed well to 530' (Slightly deeper than other wells on section.

Is a waiver needed: Move is less than half mile. GPS verifies that minimum spacing is met. Analysis shows possible effects well within guidelines and no critical wells.

Recommendation: After review of all available information, it appears current area rules are met. Staff therefore recommends approval of the application.



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16929: Drawdown from current location = 0.35 ft
Drawdown from proposed location = 0.61 ft
Net drawdown = **0.3 ft**

19854: Drawdown from current location = 0.44 ft
Drawdown from proposed location = 0.71 ft
Net drawdown = **0.3 ft**

18568 ID7: Drawdown from current location = 0.55 ft
Drawdown from proposed location = 0.70 ft
Net drawdown = **0.2 ft**

33981: Drawdown from current location = 0.62 ft
Drawdown from proposed location = 0.92 ft
Net drawdown = **0.3 ft**

27460: Drawdown from current location = 0.39 ft
Drawdown from proposed location = 0.90 ft
Net drawdown = **0.5 ft**

26740: Drawdown from current location = 0.54 ft
Drawdown from proposed location = 1.89 ft
Net drawdown = **1.3 ft**

18107: Drawdown from current location = 0.47 ft
Drawdown from proposed location = 0.78 ft
Net drawdown = **0.3 ft**

Domestic 7-27-32: Drawdown from current location = 0.33 ft
Drawdown from proposed location = 0.61 ft
Net drawdown = **0.3 ft**

Domestic 17-27-32: Drawdown from current location = 0.43 ft
Drawdown from proposed location = 1.18 ft
Net drawdown = **0.7 ft**

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Division of Water Resources

Domestic 16-27-32: Drawdown from current location = 0.38 ft

Drawdown from proposed location = 0.67 ft

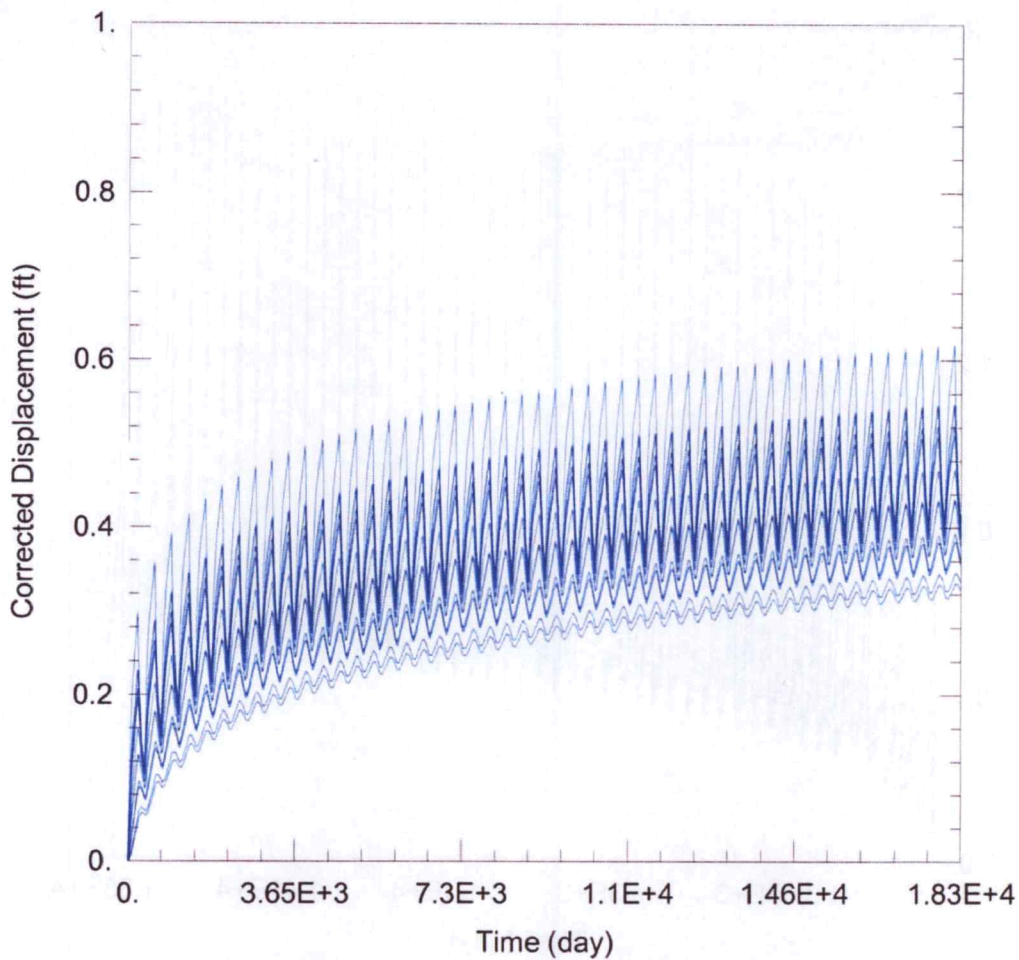
Net drawdown = 0.3 ft

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 appears unlikely to cause impairment. Any concerned neighbors should contact GMD3 at (620) 275-7147 or the Division of Water Resources at (620) 276-2901.

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Division of Water Resources
Colorado State Department of Natural Resources



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2022_moves\18554\18554 Current.aqt
 Date: 06/08/22 Time: 15:33:09

PROJECT INFORMATION

Company: GMD 3
 Project: 18554
 Location: Haskell County

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Garden City Field Office
 Division of Water Resources

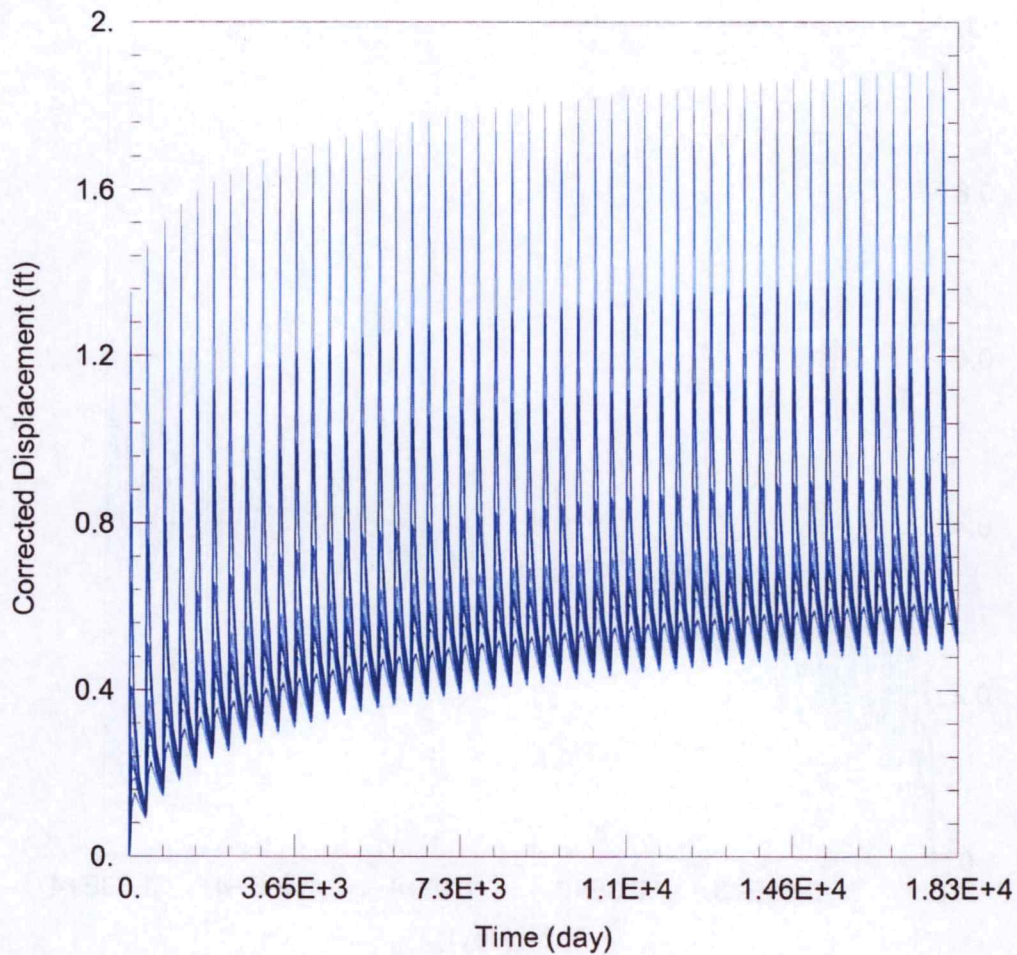
WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
18554 ID5	-11154	304478

Observation Wells

Well Name	X (ft)	Y (ft)
□	-11154	304478
□ 18554 ID6	-14046	304497
□ 18554 ID8	-11471	307202
□ 16929	-17257	305500
□ 19854	-14161	307148
□ 18568 ID7	-9070	305806
□ 33981	-9505	303607
□ 27460	-15350	301956
□ 26740	-11686	302028
□ 18107	-9048	301757
□ Domestic 7-27-32	-17690	303531
□ Domestic 17-27-32	-13060	300880
□ Domestic 16-27-32	-9790	299553



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2022_moves\18554\18554 Proposed.aqt
 Date: 06/08/22 Time: 15:33:03

PROJECT INFORMATION

Company: GMD 3
 Project: 18554
 Location: Haskell County

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
18554 ID5	-12522	303236

Observation Wells

Well Name	X (ft)	Y (ft)
□	-12522	303236
□ 18554 ID6	-14046	304497
□ 18554 ID8	-11471	307202
□ 16929	-17257	305500
□ 19854	-14161	307148
□ 18568 ID7	-9070	305806
□ 33981	-9505	303607
□ 27460	-15350	301956
□ 26740	-11686	302028
□ 18107	-9048	301757
□ Domestic 7-27-32	-17690	303531
□ Domestic 17-27-32	-13060	300880
□ Domestic 16-27-32	-9790	299553

6-6-22

Kansas Department of Agriculture

Division of Water Resources

4532 W. Jones, Suite B

Garden City, Kansas 67846

To whom it may concern:

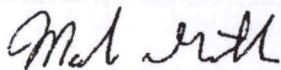
Dear Sirs,

We are aware of Heritage Beef, LLC wishing to move their supply water well located at 37.71118 N

And 100.83803 W to a new location located at 37.70778 N and 100.84273 W.

We have no objection to this procedure on this project.

Yours truly,



Kleysteuber and Gillen Farms

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Division of Water Resources

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

28 Feet N and 2420 Feet W of the Southeast Corner of Section 8 Twp 27S Rng 32W
 Located at: 100.842729 West Longitude and 37.707773 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					
A__ AF	16929	00	IRR	NK	G				5253	NC	N2	NW	SE	2300	1900	7	27	32W	2	2300	580.00	380.00
A__ AF	18107	00	IRR	NK	G				3754	--	NE	SW	NW	3910	4150	16	27	32W	5	1600	240.00	230.00
A__ AF	18554	00	STK	NK	G				1874	--	NW	SE	SE	1310	1040	8	27	32W	5		107.01	107.01
A__ AF	18554	00	IRR	NK	G				1947	--	--	NC	SW	1310	3885	8	27	32W	6	1600	308.40	308.40
A__ AF	18554	00	STK	NK	G				4196	--	--	NC	NE	4085	1340	8	27	32W	8	1000	200.00	200.00
A__ AF	18568	00	STK	NK	G				4311	--	NE	NW	SW	2628	4225	9	27	32W	7	1000	378.00	378.00
A__ AF	19854	00	IRR	NK	G				4221	--	--	NC	NW	3950	3950	8	27	32W	4	1600	265.00	265.00
A__ AF	26740	00	IRR	NK	G				1461	SE	NW	NE	SE	4131	1561	17	27	32W	4	1600	252.00	252.00
A__ AF	26741	00	IRR	NK	G				4142	--	NE	SW	SE	1302	1440	17	27	32W	3	1600	216.00	216.00
A__ AF	27460	00	IRR	NK	G				3100	--	SE	NE	NE	4059	30	18	27	32W	5	1600	260.00	260.00
A__ AF	33981	00	STK	NK	G				3300	--	SE	SW	SW	425	4404	9	27	32W	10	1400	357.99	357.99

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) =	2954.40	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2954.40	.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.

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 Both SURFACE WATER and GROUNDWATER
 WATER USE CORRESPONDENTS:

- > File Number Use ST SR
- > MILTON ROGGE
- > 1338 ROAD 30
- > SUBLETTE KS 67877
- > -----
- > HERITAGE BEEF LLC
- > 2600 FLYNN DR
- > PARSONS KS 67357
- > -----
- > HERITAGE BEEF LLC

16929

18107

18554 STK Application

GPS change from 17 to 18

>
> 2600 FLYNN DR
> PARSONS KS 67357

> HERITAGE BEEF LLC
>
> 2600 FLYNN DR 1805
> PARSONS KS 67357

> HERITAGE BEEF LLC
>
> 2600 FLYNN DR 1915
> PARSONS KS 67357

> KENNETH COX
>
> 450 US HWY 83 19854
> SUBLETTE KS 67877

> KLEYTEUBER & GILLEN INC
>
> 13060 S COUNTY RD 20 26746
> GARDEN CITY KS 67846

> KLEYTEUBER & GILLEN INC
>
> 13060 S COUNTY RD 20 26741
> GARDEN CITY KS 67846

> ROBERT M & CONNIE NIGHTENGALE TRUSTS
>
> 2225 50TH RD 27460
> COPELAND KS 67837

> HERITAGE BEEF LLC
>
> 2600 FLYNN DR 33981
> PARSONS KS 67357

=====

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Garden City Field Office
Division of Water Resources

INPUTS		
	Longitude	Latitude
Point 1	-100.839130	37.703880
Point 2	-100.842730	37.707800

Current 26740

Proposed 18554 ID5

Degrees Longitude per Foot 3.45639680E-06

Degrees Latitude per Foot 2.74623133E-06

Distance Between Points (ft) 1767

Compute Distance Between Points

Instructions

1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).
2. Click "Compute Distance Between Points" button.

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

June 7, 2022

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

Re: Request for Recommendation
Water Right, File No. 18554

Dear Mr. Norquest:

This is to advise you that Heritage Beef 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. The applications meet all rules and regulations.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

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

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures

6-6-22

Kansas Department of Agriculture

Division of Water Resources

4532 W. Jones, Suite B

Garden City, Kansas 67846

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