

File No. **19135** 11. County: HS Basin: CROOKED CREEK Stream: Formation Code: 211/331 Special Use:

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

DEL 36362
 ENT LOT 5 (SWNW) 6 29 31W 2873 5137 1800 367 1800 367 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 CHK MOD DEL 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						
CHK 38598																									8a	Y	none

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

November 22, 2022

JERRY & DEBRA ENSZ
1199 ROAD RR
SUBLETTE, KS 67877

RE: Field Office Application for Change
Water Right, File No. 19135

Dear Sir:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in 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,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
Enclosures
pc: GMD3

CERTIFICATE OF SERVICE

On this 22nd day of November 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 19,135 dated 22nd day of November 2022 was mailed postage prepaid, first class, US mail to the following:

JERRY & DEBRA ENSZ
1199 ROAD RR
SUBLETTE, KS 67877

pc: GMD3

A handwritten signature in blue ink, reading "Julie Jones", is written over a horizontal line.

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. 19135

RECEIVED
 2:02 pm
 OCT 31 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: JERRY ENSZ

~~445 AVENAL LANE, GRAND JUNCTION, CO 81507~~ 1199 RD RR, Sublette KS 67877

Phone Number: ~~(970)640-8724~~

Email address: _____

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone 620 640 0966

Phone Number: () _____

Email address: _____

3. The presently authorized place of use is:

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			

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 10-31-22 Check # 2250

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the NW Quarter of the LOT 4 (NWNW) Quarter of Section 06, Township 29 South, Range 31 W, in HS County, Kansas, 5190 feet North 4050 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well 553 (feet)
(DWR use only: Computer ID No. 1 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 LOTS (SW NW) Quarter of Section 06, Township 29 South, Range 31 W, in HS County, Kansas, 2873 feet North 5137 feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 718.
 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 _____ 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 _____ 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) _____

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

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

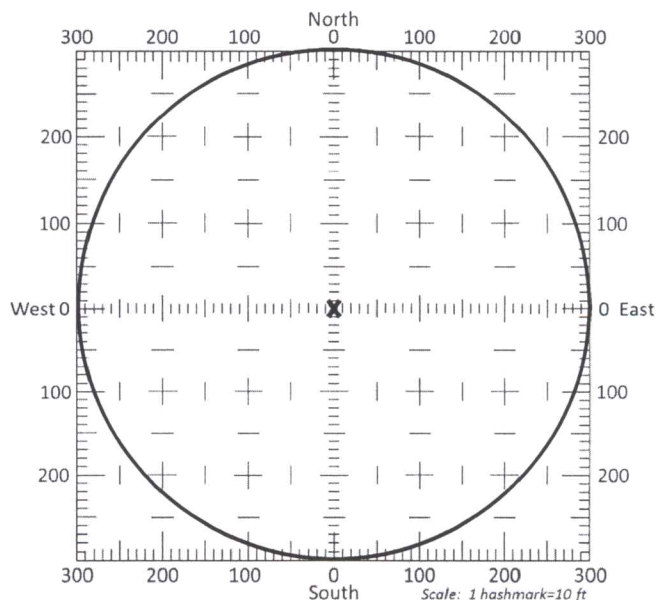
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by JG/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.)**

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 Sublette, Kansas, this 1 day of November, 20 22.

(Owner)	<u>Debra Ensz</u> (Spouse)
(Please Print)	<u>Debra Ensz</u> (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
 County of Haskell } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 1 day of November, 20 22.

My Commission Expires 7-1-2024.



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**

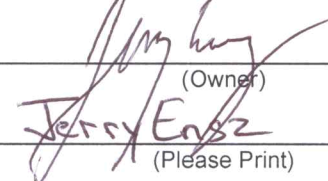
(1) Application to change a point of diversion 300 feet or less	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200

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?
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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.

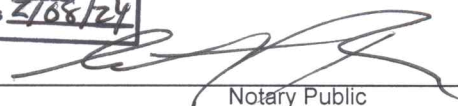
Dated at 10-31-2022, Kansas, this 31st day of Oct, 2022.

 (Owner)	(Spouse)
<u>Jerry Ensz</u> (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
 County of Finnex } SS

I hereby certify that the foregoing application was signed SCOTT A. BRADSHAW in my presence and sworn to before me this 31 day of October, 2022.




 Notary Public

My Commission Expires 2/08/24

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. 19,135

1. A change application was received on October 31, 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 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, 2023**, 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, 2023**, or within any authorized extension of time. By March 1, 2024 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

 (Print Name): MICHAEL A. MEYER
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: November 22, 2022

State of Kansas)
) SS

County of Linney)

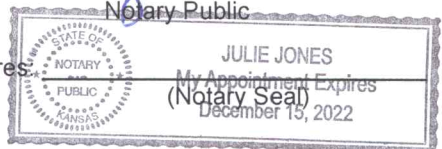
Acknowledged before me on November 22, 2022

by Michael A. Meyer

Signature: Julie Jones

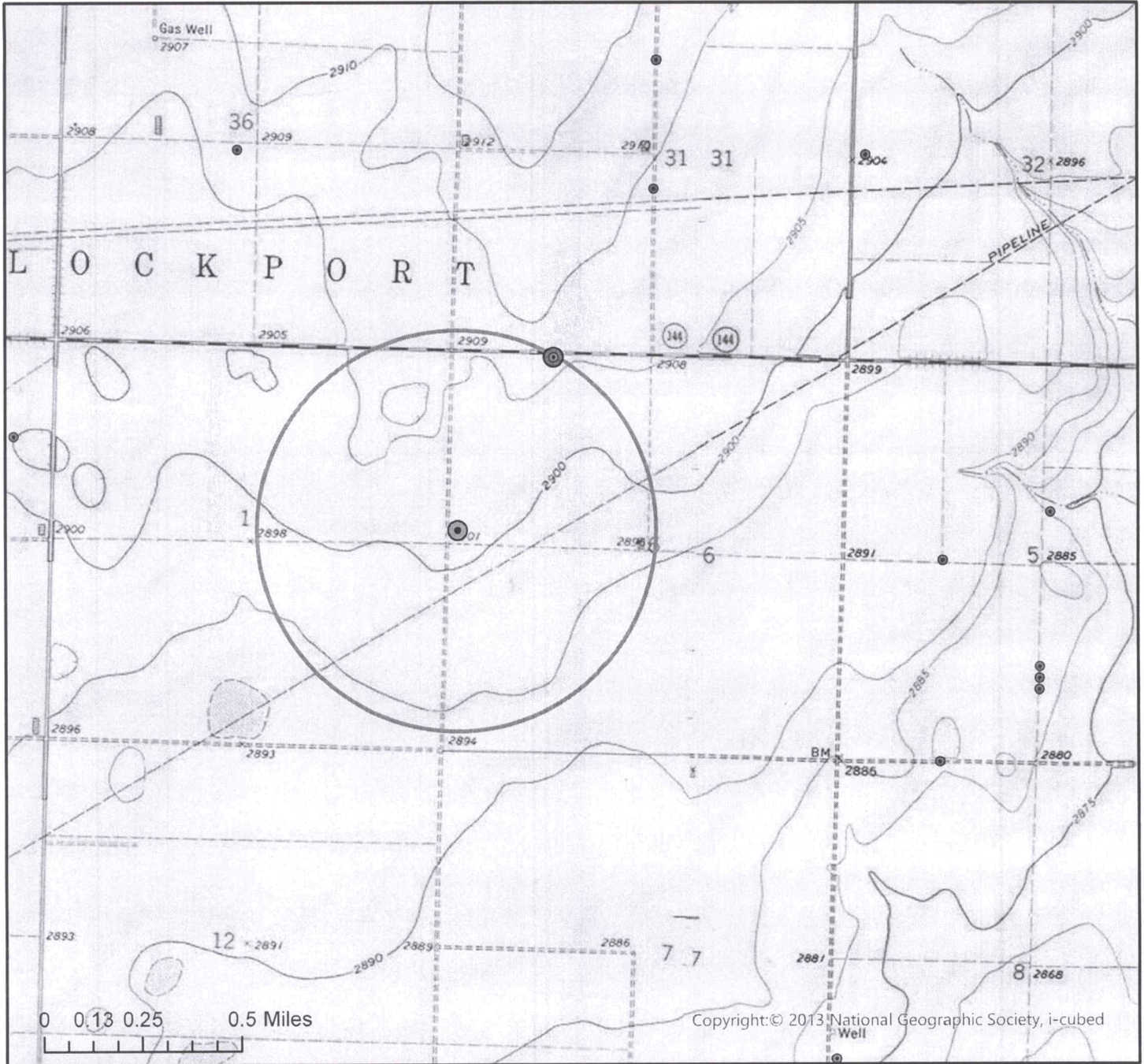
 Notary Public





My commission expires: _____
 My Appointment Expires
 (Notary Seal)
 December 13, 2022



P.D.
CHANGE IN PLACE OF DIVERSION WATER RIGHT, FILE NO. 19135

NW 1/4 of Section 6 Township 29 South Range 31 West Haskell County



	Authorized Point of Diversion
	Proposed Point of Diversion
	Domestic Well within 1/2 mile
	1/2 mile buffer

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



All wells of any kind within 1/2 mile of the requested place of use have been plotted.

(Signature)

Date

Date JG/GCFO
 1:24,000 Scale

JERRY ENSZ

NW 6-29S-31W HASKELL CO.

Legend

J ENSZ TH #2 ELEV=2910'
WR #19135 ELEV=2908'

J ENSZ TH #1 ELEV=2908'

J ENSZ TH #3 ELEV=2906'

Google Earth

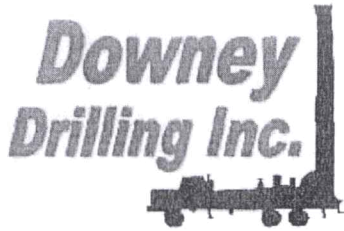


1000 ft

SS

SS





CUSTOMER NAME: JERRY ENSZ

TH#3

LEGAL: NW 6-29S-31W

COUNTY: HASKELL CO, KS

GPS: 37.555461

-100.761292

DRILLER: DIEGO V.

WO: 22-854

V	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	6	TOP SOIL	SOFT	DRK BROWN	FAST		SMOOTH
	6	11	BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
	11	21	SANDY CLAY W/ CALICHE	SOFT	WHITE	FAST		SMOOTH
	21	51	BROWN SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	51	55	TAN SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH
	55	71	FINE SAND	SOFT		FAST		VIBRATION
	71	79	BROWN SILTY CLAY W/ SANDY CLAY	SOFT	BROWN & TAN	FAST		SMOOTH
	79	92	FINE-MED-COARSE SAND W/ FINE-MED-COARSE GRAVEL	STIFF		FAST		FAST CHATTER
	92	116	FINE-MED-COARSE SAND W/ SANDY CLAY LAYERS	FIRM	BROWN	FAST		CHOPPY & SMOOTH
	116	126	FINE-MED SAND	SOFT		FAST		VIBRATION
	126	134	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	134	149	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	149	192	FINE-MED-COARSE GRAVEL	STIFF		FAST		FAST CHATTER
	192	199	FINE-MED-COARSE SAND W/ BROWN CLAY LEDGES	FIRM	BROWN	FAST		CHOPPY & SMOOTH
	199	211	FINE-MED SAND W/ CEMENTED SAND LEDGES	STIFF		FAST		FAST CHATTER
	211	234	FINE-MED-COARSE GRAVEL	STIFF		FAST		FAST CHATTER
	234	256	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	256	257	FINE-MED-COARSE SAND	FIRM		FAST		CHOPPY
	257	258	HARD SPOT	HARD		SLOW	X	CHATTER
	258	263	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	263	270	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	270	276	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	276	323	FINE-MED GRAVEL W/ FINE-MED-COARSE SAND	STIFF		FAST		FAST CHATTER
	323	335	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	335	337	WHITE CLAY	SOFT	WHITE	FAST		SMOOTH
	337	342	FINE-MED-COARSE SAND W/ LIME ROCK	FIRM	WHITE	FAST		FAST CHATTER
	342	351	FINE-MED-COARSE SAND W/ SANDY CLAY	FIRM	TAN	FAST		CHOPPY & SMOOTH
	351	369	FINE-MED-COARSE SAND W/ FINE GRAVEL & CEMENTED SAND	STIFF	BROWN	FAST		FAST CHATTER
	369	375	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	375	384	FINE-MED-COARSE SAND W/ FINE GRAVEL & CEMENTED SAND	STIFF	BROWN	FAST		FAST CHATTER
	384	391	FINE-MED-COARSE SAND W/ SANDY CLAY	FIRM	TAN	FAST		VIBRATION
	391	408	FINE-MED-COARSE GRAVEL W/ LIME ROCK	STIFF	WHITE	FAST		FAST CHATTER
	408	410	SANDY CLAY LEDGE	SOFT	BROWN	FAST		SMOOTH
	410	415	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	415	421	TAN SANDY CLAY	SOFT	TAN	FAST		SMOOTH

State of Kansas, Haskell County SS
This instrument was filed for Record on
7/20/2022 at 4:37:19 PM and recorded in
Book 255 Page 129 - 130
Fees: 38.00 202200585

Candy Huffine

Candy Huffine, Register of Deeds
ELECTRONICALLY RECORDED



KANSAS WARRANTY DEED
Joint Tenants

THIS DEED, made and entered into this 15 day of **July, 2022**, by and between **LBJ Farm LLC, a Kansas Limited Liability Company** as Grantor(s), and **Jerry L. Ensz and Debra D. Ensz**, as Grantee(s), whose mailing address is 1199 Road RR, Sublette Kansas 67877

WITNESSETH, that the Grantor(s), for and in consideration of the sum of One Dollar and other good and valuable consideration paid by the Grantee(s), the receipt and sufficiency of which is hereby acknowledged by Grantor(s), do/does by these presents **GRANT, BARGAIN AND SELL, CONVEY AND WARRANT** unto the Grantee(s), AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP, AND NOT AS TENANTS IN COMMON, the following described Real Estate, situated in the County of **Haskell** and State of Kansas, to-wit:

**The Northwest Quarter (NW/4) of Section Six (6), Township Twenty-nine (29) South,
Range Thirty-one (31) West of the 6th P.M., Haskell County, Kansas**

Subject to all easements, restrictions and reservations, if any, now of record.

TO HAVE TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the Grantee(s), and to the heirs and assigns of such Grantee(s) forever.

The Grantor(s) hereby covenanting that the Grantor(s), and the heirs, executors, administrators and assigns of the Grantor(s), shall and will **WARRANT AND DEFEND** the title to the premises unto the Grantee(s), and to the heirs and assigns of Grantee(s) forever, against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the current calendar year and thereafter, and special taxes becoming a lien after the date of this deed.

KANSAS WARRANTY DEED
Joint Tenants

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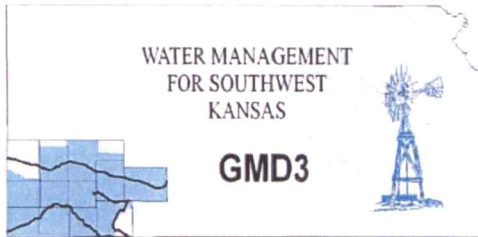
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**Southwest Kansas
Groundwater Management District No. 3**
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone
www.gmd3.org

November 21, 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. 19135

Dear Mike:

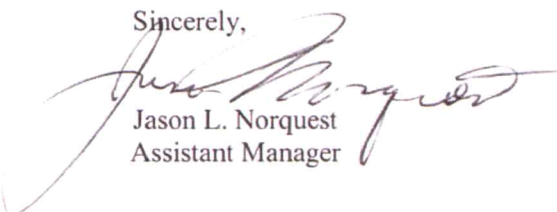
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

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 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 is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

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

NOV 21 2022

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 19135.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Jerry Ensz.

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) 01 being changed.

	ft. North	ft. West	
Authorized PD	5190	4050	Sect 6-29-31
Proposed PD	2873	5137	
Difference	2317 s	-1087 w	
a2 + b2 = c2	5368489	1181569	2559.308 foot move SW

GPS for proposed PD: Lat: 37.555461 Long: -100.761292.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name Kenneth & Shirley Nickel (3816) This is the well in SE 31-28-31, additional well approved in 2018, not quite a mile away.

Address 2352 110th RD.

Zip Copeland, KS 67837.

Email: ksnickel@ucom.net Phone: 620-260-7812.

Domestic well(s) notified: .

Name .

Address .

Zip .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Haskell county

Authorized 367AF @ 1800gpm

Average reported water use (2012-2021): 72.2AF/year

Reported 500gpm on 2014 WUR.

2018 GMD3 inspection calculated a rate of 271gpm.

Is a waiver needed: Proposed move is less than half mile. Minimum spacing to neighboring wells appears more than met. Analysis shows possible effects on the one well in the area to be well within the guidelines.

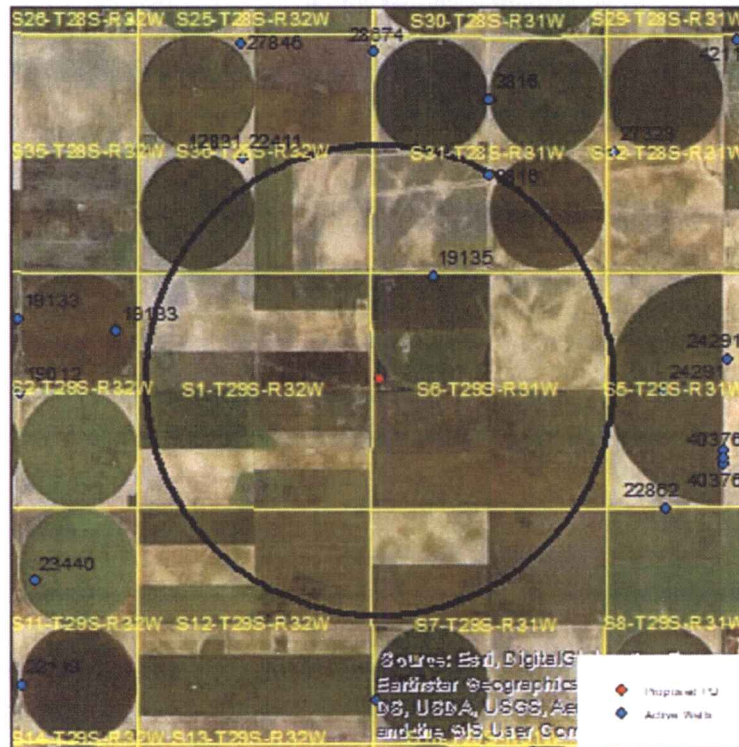
GMD3 Change Review

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

A handwritten signature in black ink, appearing to be the initials 'ja' or similar, located to the right of the recommendation text.

Evaluation of proposed move for Water Right No. 19135

Proposed: Move water right no. 19135 to a new well location, a distance of 2,628 ft to the southwest.



Wells within 1 mile: 3816.

The saturated thickness at the proposed well location is estimated to be 225 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:

$S = 0.2076$, $T = 9140 \text{ ft}^2/\text{day}$, $tp_{\text{current}} = 60 \text{ days}$ (based on average use and observed rate),
 $Q_{\text{current}} = 391 \text{ gpm}$ (based on 2018 field inspection), $tp_{\text{proposed}} = 46 \text{ days}$, $Q_{\text{proposed}} = 1800 \text{ gpm}$

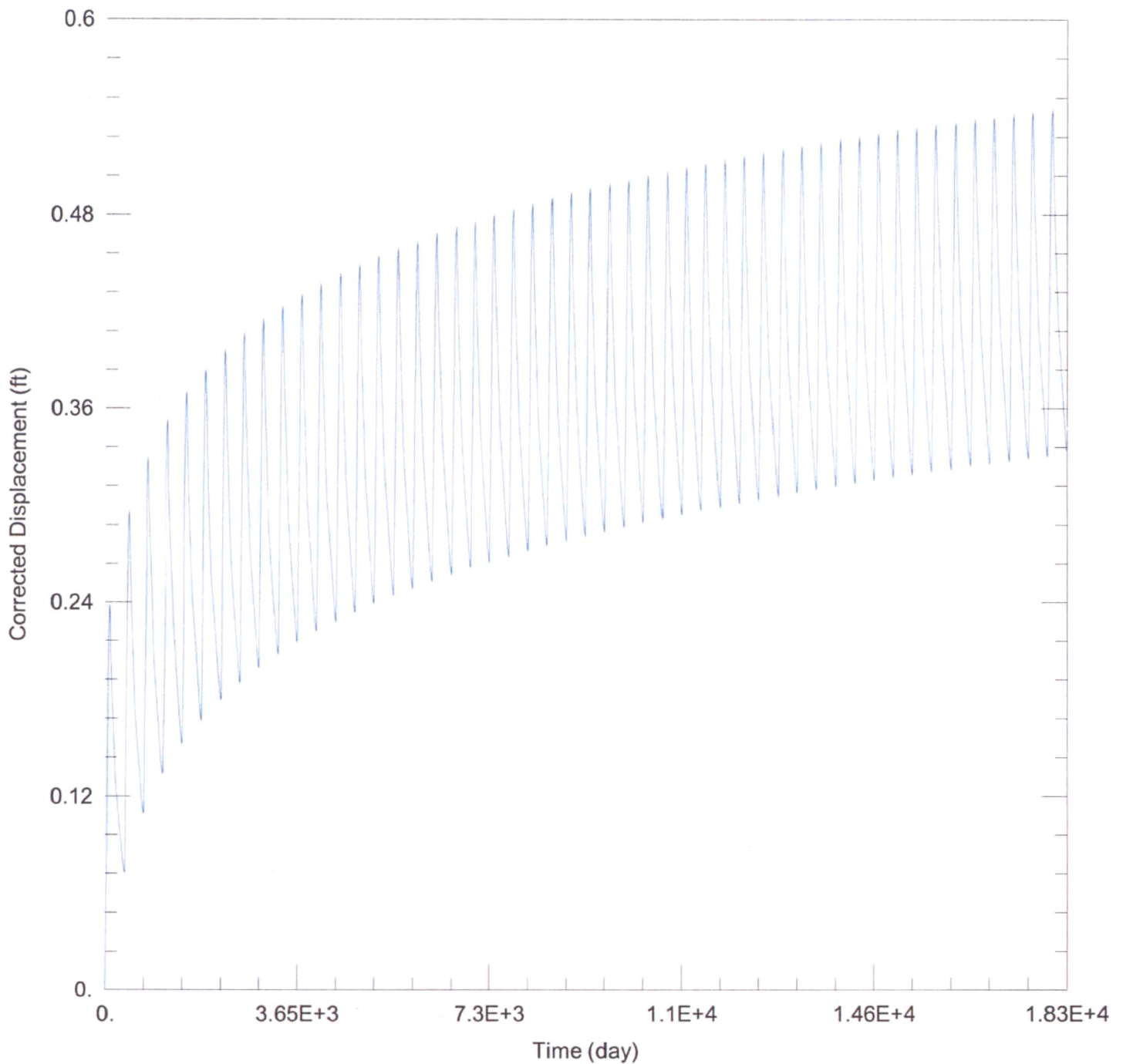
Theis drawdowns were calculated as follows:

3816: Drawdown from current location = 0.55 ft
 Drawdown from proposed location = 1.68 ft
 Net drawdown = **1.1 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.



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2022_moves\19135\19135 Current.aqt

Date: 11/04/22

Time: 14:55:36

PROJECT INFORMATION

Company: GMD 3

Project: 19135

Location: Haskell County

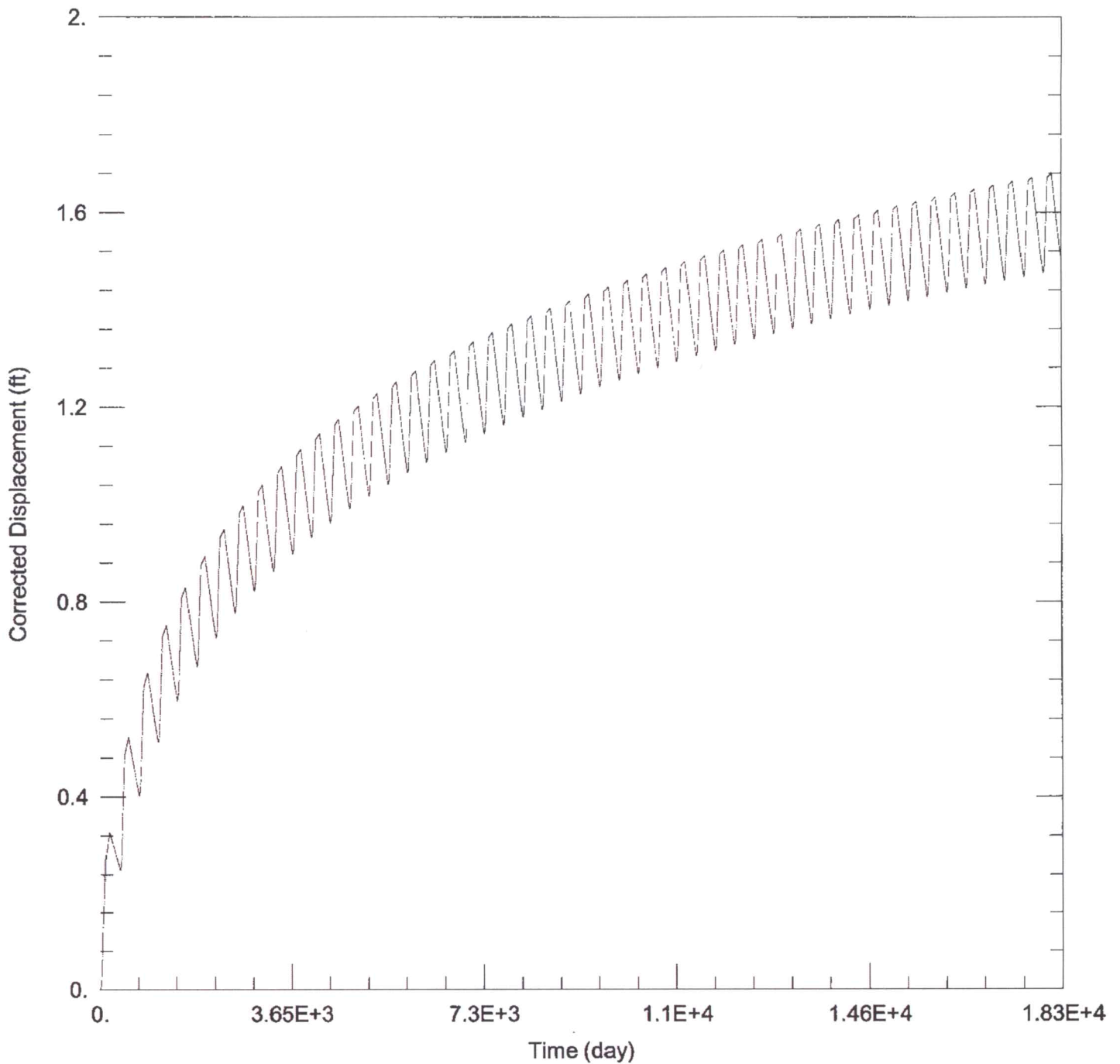
WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
19135	12274	250093

Observation Wells

Well Name	X (ft)	Y (ft)
□	12274	250093



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2022_moves\19135\19135 Proposed.aqt
 Date: 11/04/22 Time: 14:55:29

PROJECT INFORMATION

Company: GMD 3
 Project: 19135
 Location: Haskell County

WELL DATA

Pumping Wells

Observation Wells

Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
19135	11060	247762		11060	247762

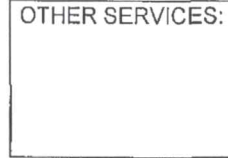


Century GEOPHYSICAL CORP.

JERRY ENSZ

COMPANY : DOWNEY DRILLING INC
WELL : JERRY ENS
LOCATION/FIELD : TH#3
COUNTY : HASKELL
LOCATION : NW
SECTION : 6

OTHER SERVICES:



TOWNSHIP : 29S RANGE : 31W

DATE : 10/18/22
DEPTH DRILLER : 732
LOG BOTTOM : 727.10
LOG TOP : 1.00

PERMANENT DATUM : GL

LOG MEASURED FROM: GL
DRL MEASURED FROM: GL

KB :
DF :
GL :

CASING DIAMETER : 10.
CASING TYPE :
CASING THICKNESS:

LOGGING UNIT : 1903
FIELD OFFICE : DDI
RECORDED BY : DIEGO

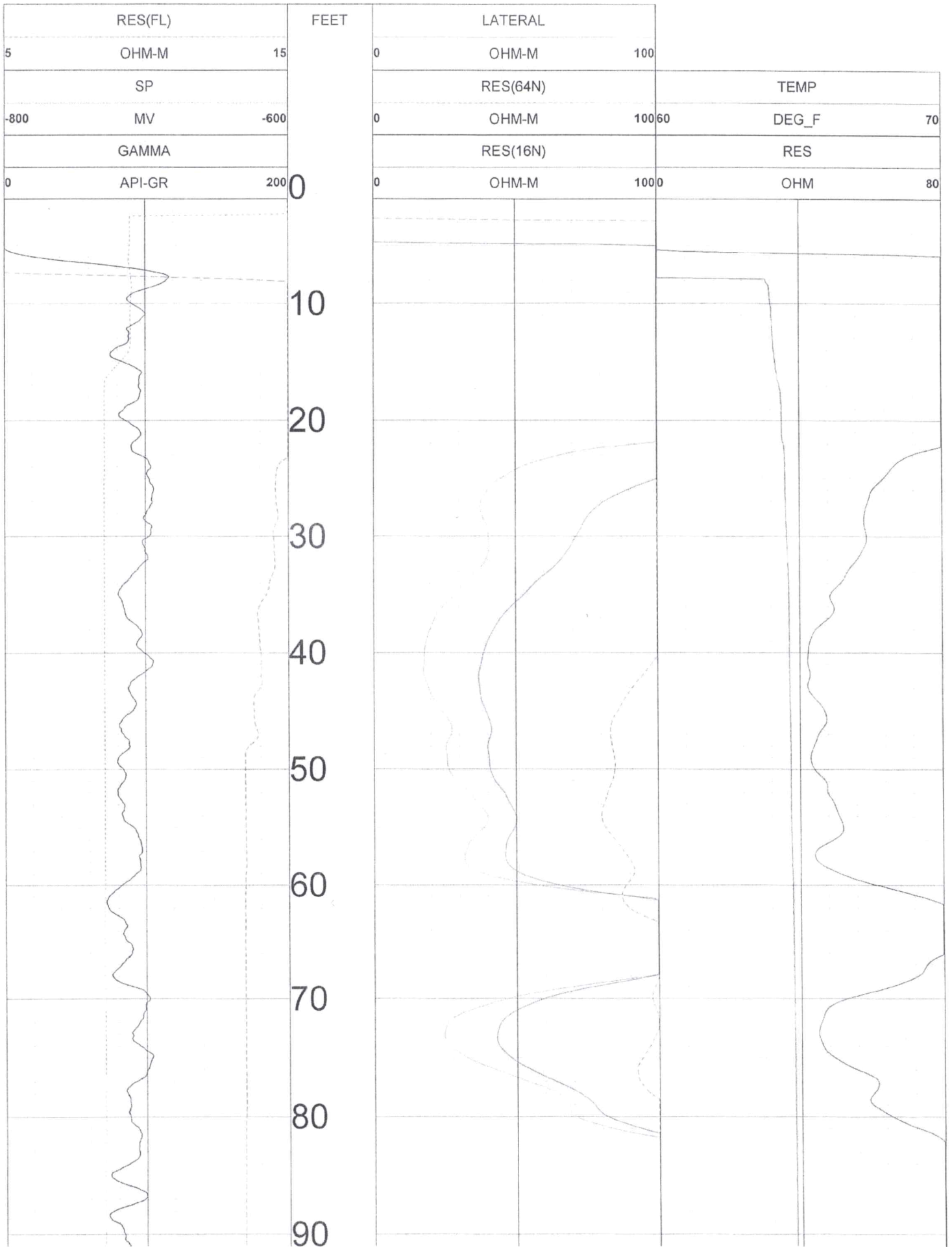
BIT SIZE : 6.25
MAGNETIC DECL. : 0
MATRIX DENSITY : 2.71
NEUTRON MATRIX : LIMESTON

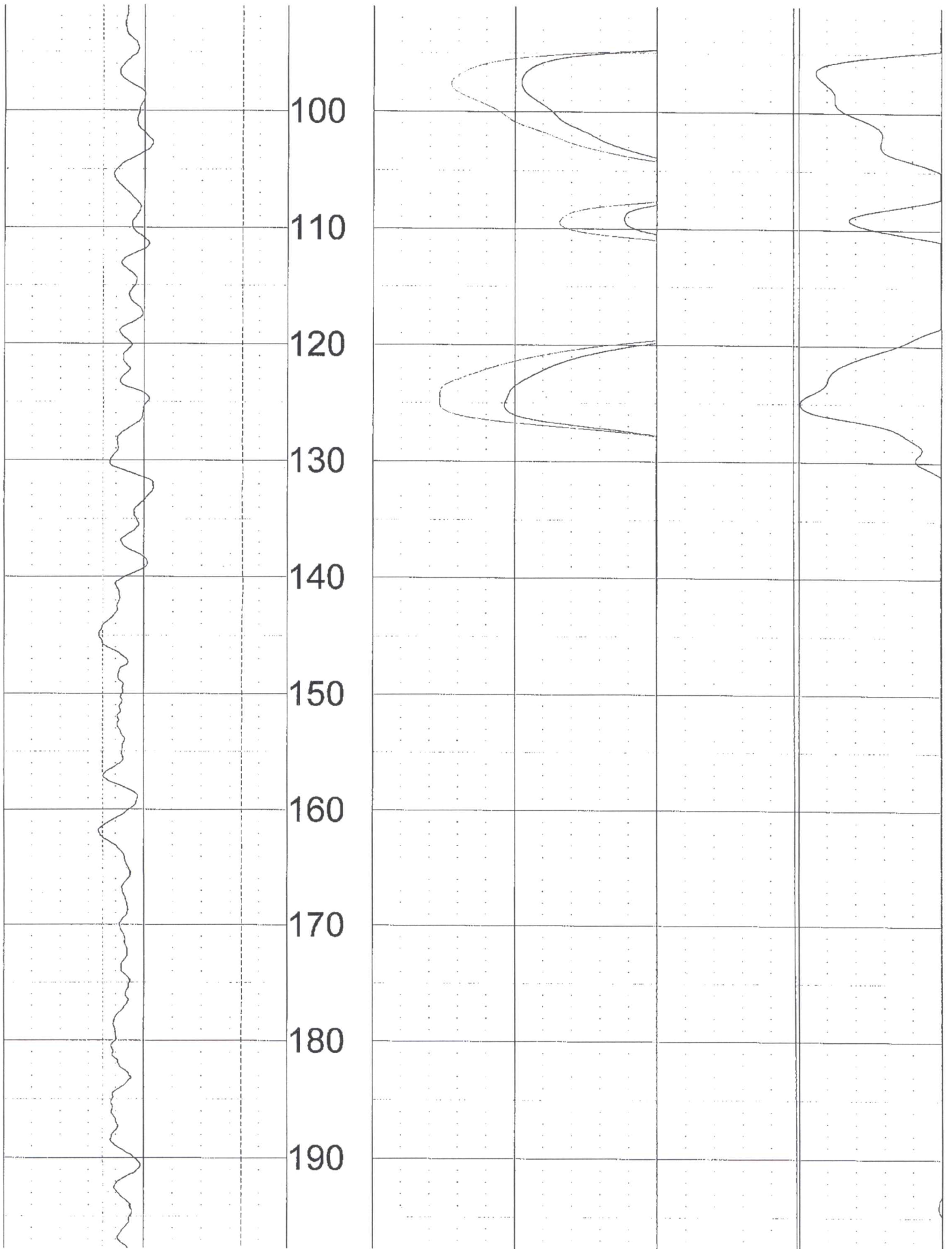
BOREHOLE FLUID : MUD
RM :
RM TEMPERATURE :
MATRIX DELTA T : 49

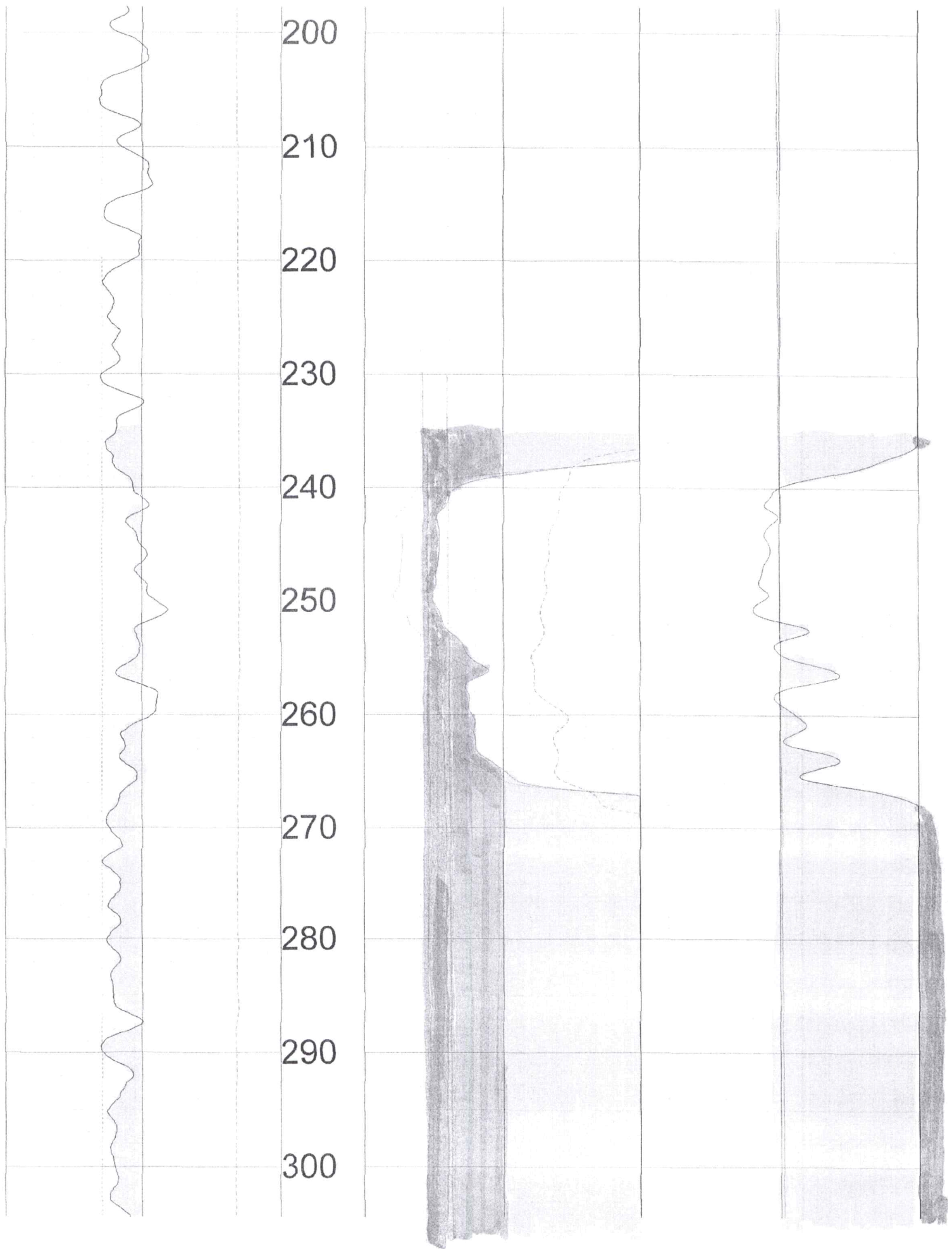
FILE : ORIGINAL
TYPE : 8144A
LGDATE: 10/18/22
LGTIME : 20:05:
THRESH: 99999

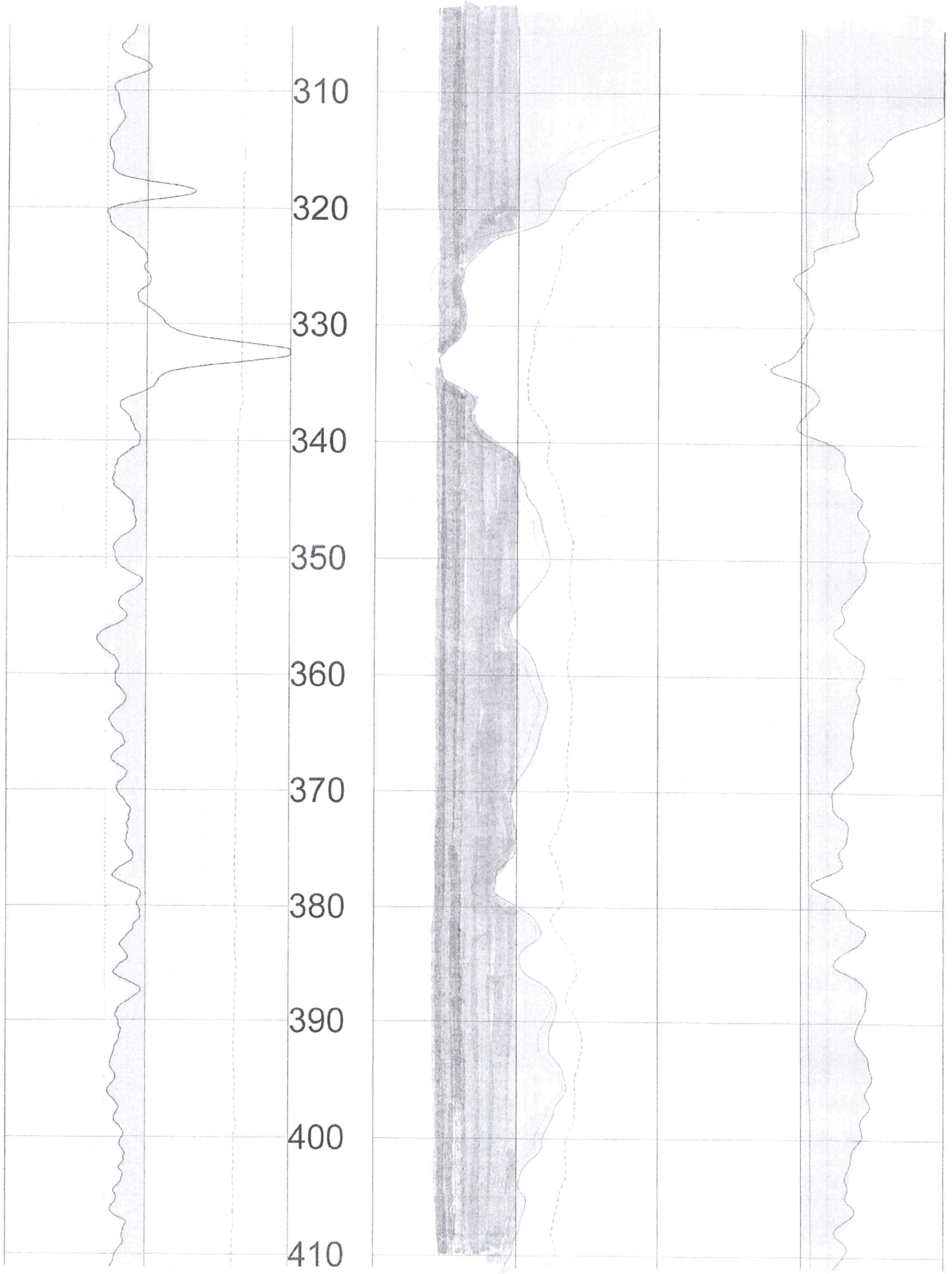
N 37.55546
W -100.76129

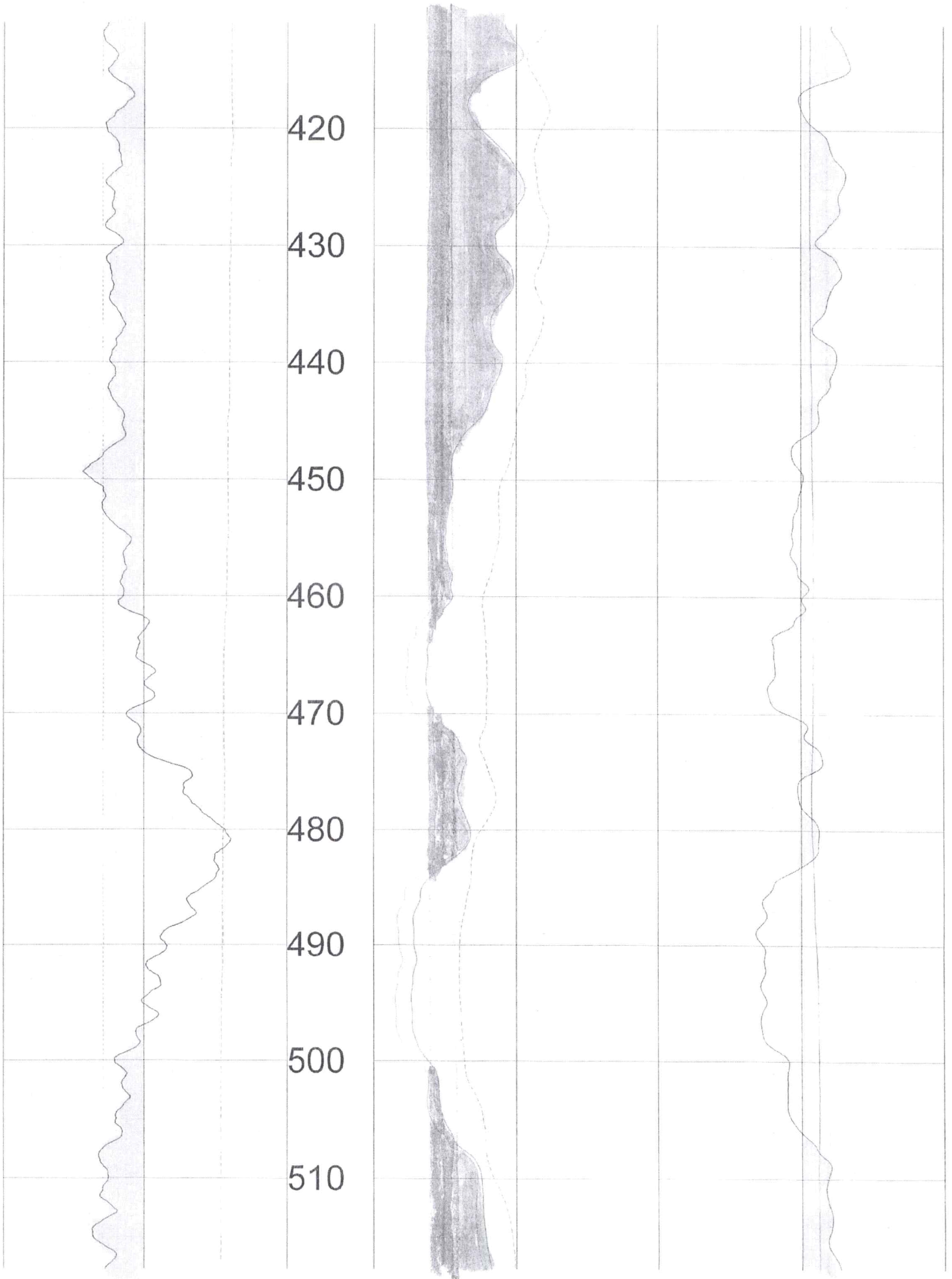
ALL SERVICES PROVIDED SUBJECT TO STANDARD TERMS AND CONDITIONS

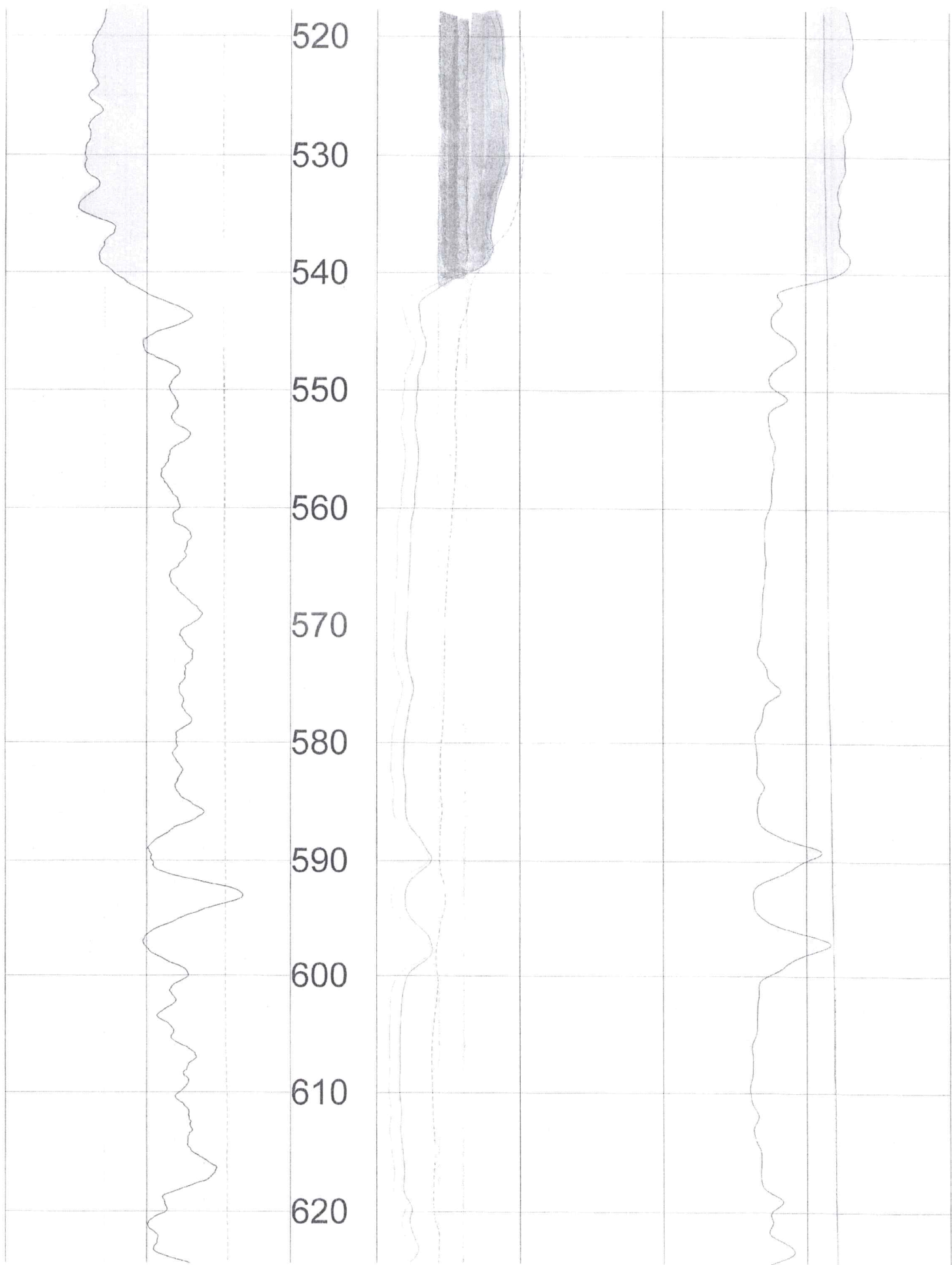


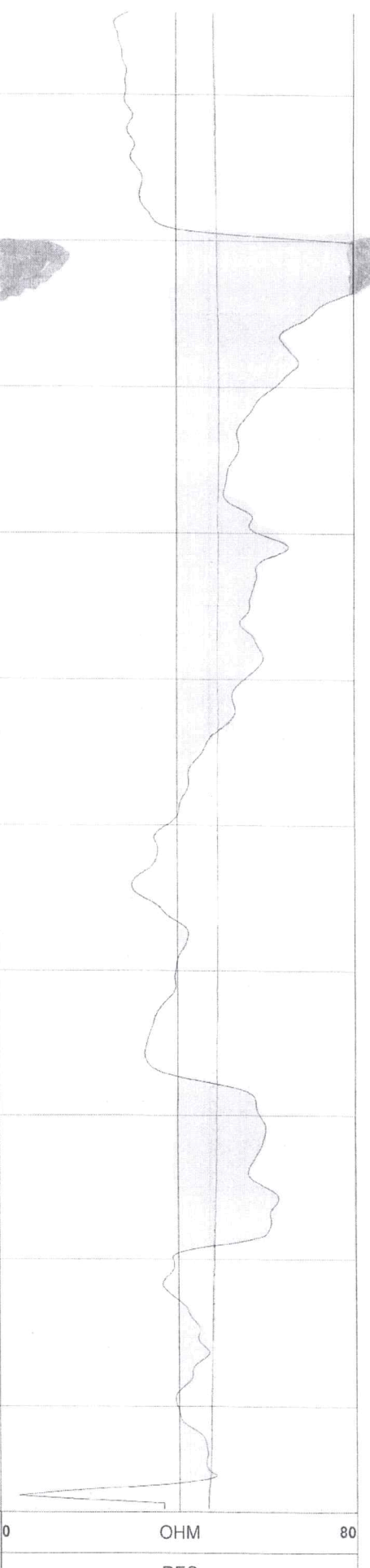
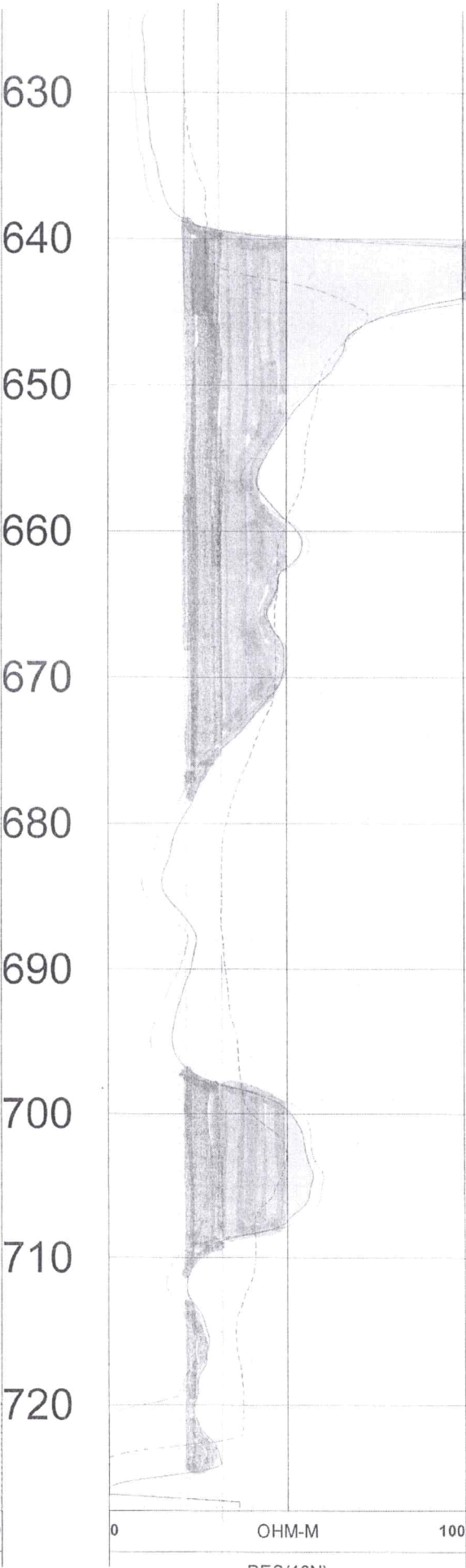
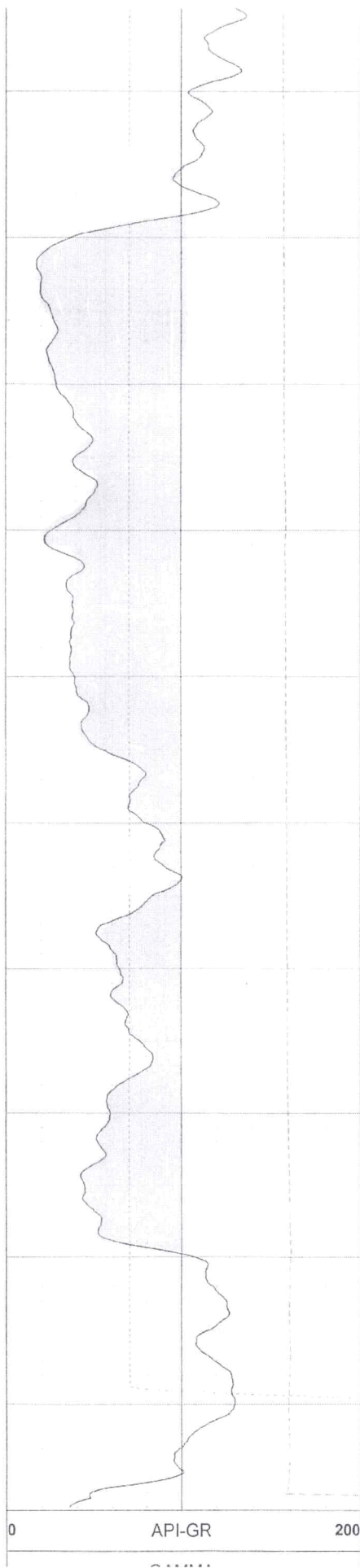












GAMMA			RES(16N)			RES		
-800	MV	-600	0	OHM-M	100/60	DEG_F	70	
SP			RES(64N)			TEMP		
5	OHM-M	15	0	OHM-M	100			
RES(FL)			LATERAL					
			FEET					

TOOL CALIBRATION JERRY ENSZ 10/18/22 20:05
TOOL 8144A TM VERSION 1
SERIAL NUMBER 365

	DATE	TIME	SENSOR	STANDARD	RESPONSE
1	Feb08,18	07:51:35	GAMMA	1.000 [API-GR]	4.000 [CPS]
	Feb08,18	07:51:35	GAMMA	340.000 [API-GR]	290.000 [CPS]
2	Jul12,17	13:24:17	RES(FL)	1.330 [OHM-M]	7595.000 [CPS]
	Jul12,17	13:24:17	RES(FL)	42.700 [OHM-M]	64820.000 [CPS]
3	Jan14,22	08:32:51	SP	0.000 [MV]	327768.000 [CPS]
	Jan14,22	08:32:51	SP	381.500 [MV]	164650.000 [CPS]
4	Jan14,22	08:33:01	RES(16N)	0.000 [OHM-M]	3453.000 [CPS]
	Jan14,22	08:33:01	RES(16N)	1951.500 [OHM-M]	448089.000 [CPS]
5	Jan14,22	08:33:10	RES(64N)	0.000 [OHM-M]	3163.000 [CPS]
	Jan14,22	08:33:10	RES(64N)	1994.000 [OHM-M]	449170.000 [CPS]
6	Jul12,17	13:17:49	TEMP	33.400 [DEG_F]	66910.000 [CPS]
	Jul12,17	13:17:49	TEMP	102.200 [DEG_F]	270930.000 [CPS]
7	Jan14,22	08:33:36	RES	0.000 [OHM]	21285.000 [CPS]
	Jan14,22	08:33:36	RES	944.000 [OHM]	190148.000 [CPS]

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

October 31, 2022

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

Re: Request for Recommendation
Water Right, File No 19135

Dear Mr. Norquest:

This is to advise you that the Jerry Ensz filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion.

We are delaying action on the change 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". The signature is fluid and cursive.

Michael A. Meyer
Water Commissioner

MAM
Enclosures