



File No. **25314-D2**      11. County: **KE**      Basin: **ARKANSAS RIVER**      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 gpm      Quantity af      Rate gpm      Quantity af      Overlap PD Files

**DEL 27882**  
**ENT      NE SW SW      22      26S      36W      1314      4439      995      270      995      270      NONE**

13. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

15. 5YR Allocation:      Allocation Type \_\_\_\_\_      Start Year \_\_\_\_\_      5 YR Amount \_\_\_\_\_      Amount Unit \_\_\_\_\_      Base Acres \_\_\_\_\_      Comment \_\_\_\_\_

16. Place of Use  
 CHK  
 MOD  
 DEL  
 ENT PUSE      S      T      R      ID

	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
	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				
<b>CHK 3635</b>																				

Base Acres:      Year:      Minimum Reasonable Quantity:  
 Comments: **OWNERSHIP CHANGE W/ TRUSTEE DEED INCLUDED**

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 24, 2022

QUALITY HAY LLC  
1707 ROAD 45  
LAKIN, KS 67860

RE: Filed Office Application for Change  
Water Right, File No. 25314-D2

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.

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 "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

**CERTIFICATE OF SERVICE**

On this 24<sup>th</sup> day of June, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 25,314-D2 dated 24<sup>th</sup> day of June, 2022 was mailed postage prepaid, first class, US mail to the following:

QUALITY HAY LLC  
1707 ROAD 45  
LAKIN, KS 67860

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**  
 APR 05 2022  
 9:00 Am  
 Garden City Field Office  
 Division of Water Resources

File No. 25314-D2

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: QUALITY HAY / DARIN SMITH  
1707 ROAD 45 LAKIN KS 67860

Phone Number: (    )                      Email address: qualityhayllc@gmail.com

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 – NEW OWNERSHIP

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 TR # \_\_\_\_\_ Receipt Date 4/5/22 Check # 40458

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the SW Quarter  
 of Section 22, Township 26 South, Range 36 (W),  
 in KEARNY County, Kansas, 1320 feet North 3960 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 SW Quarter of the SW Quarter  
 of Section 22, Township 26 South, Range 36 W,  
 in KEARNY County, Kansas, 1314 feet North 4439 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) Drilling of new well

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

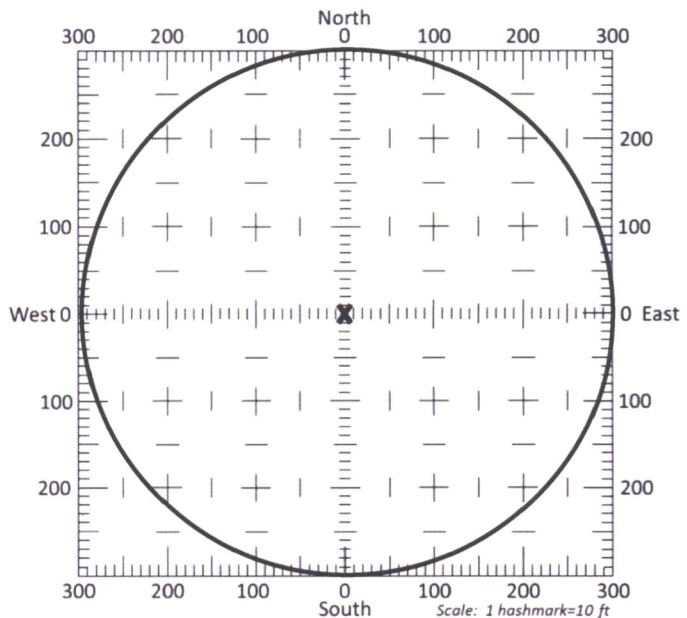
9. The change(s) (was)(will be) completed by?  
Down Drilling

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
Use it for domestic  
 (b) When will this be done? Now

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AT/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).

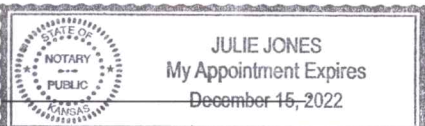
**I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.**

Dated at Warden City, Kansas, this 5<sup>th</sup> day of April, 2022.

<u>Quality Hay LLC by Jim I had</u>	
(Owner)	(Spouse)
<u>Darin T Smith</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }  
 County of Linney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5<sup>th</sup> day of April, 2022.

My Commission Expires  Julie Jones  
 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

**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. 25314-D2

1. A change application was received on April 5, 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 McCulloch  
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: June 24, 2022

State of Kansas )

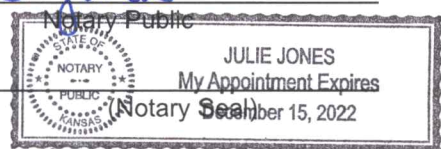
County of Stinson ) SS

Acknowledged before me on June 24, 2022

by Austin McCulloch

Signature: Julie Jones

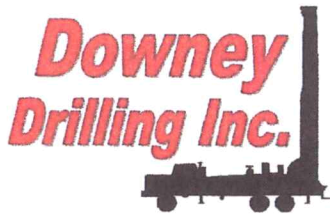
My commission expires: \_\_\_\_\_





# WELL LOG

DATE: 3/25/2022



CUSTOMER NAME: QUALITY HAY, DARRIN SMITH TH#1

LEGAL: SW 22-26S-36W

COUNTY: KEARNY CO, KS

GPS: 37.768558

-101.250357

LOGGER:

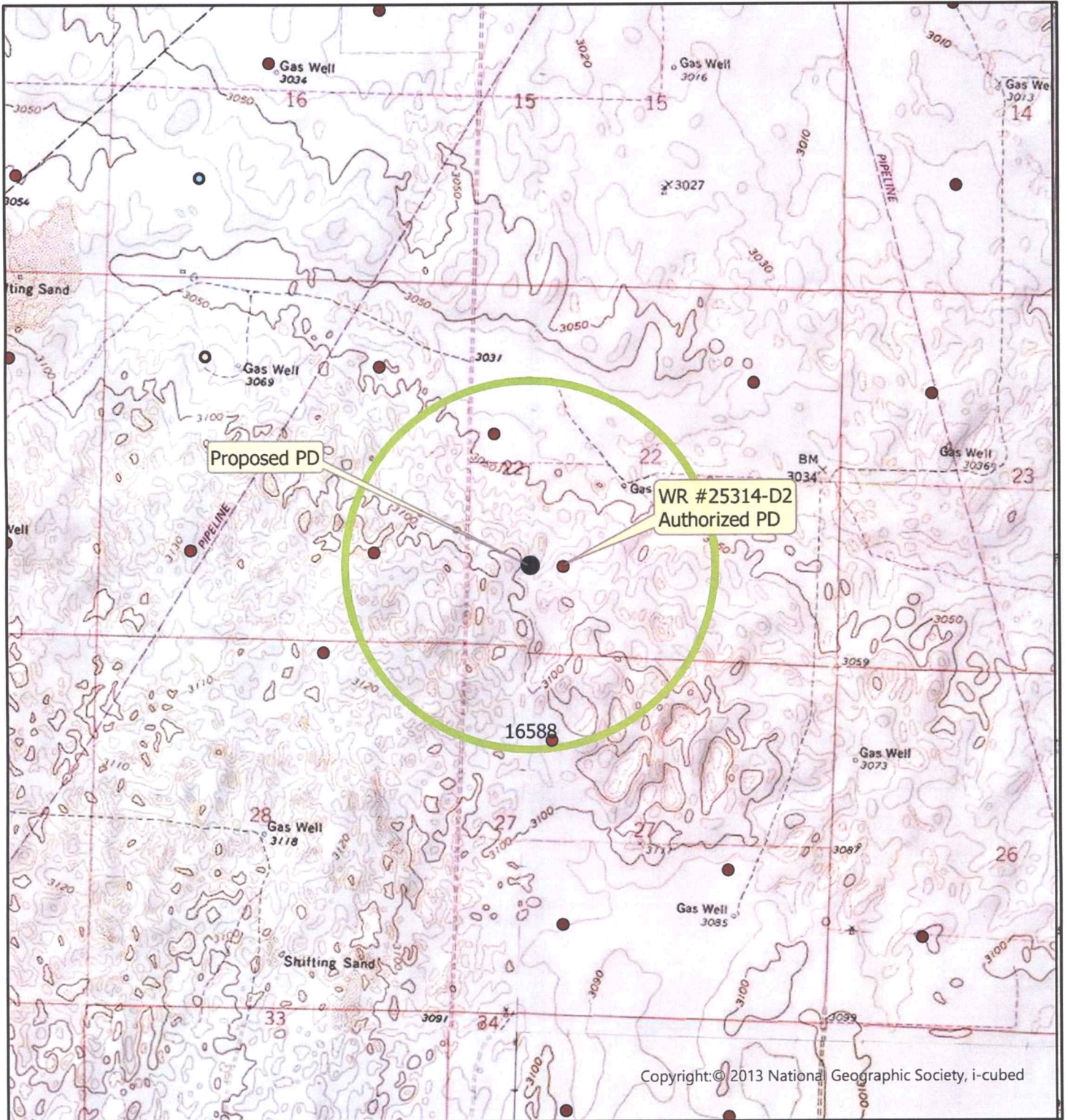
DRILLER: DIEGO VALLE

WO:

21-1675

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	3	SURFACE SAND	SOFT		FAST		SMOOTH
	3	19	BROWN SILTY CLAY W/ FINE SAND	SOFT	BROWN	FAST		SMOOTH
	19	70	FINE SAND	SOFT		FAST		VIBRATION SMOOTH & VIBRATION
	70	99	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		VIBRATION SMOOTH & VIBRATION
	99	135	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST SEMI- SLOW		FAST CHATTER
X	135	165	LARGE ROCKS W/ FINE-MED-LARGE GRAVEL	HARD				CHATTER SMOOTH & VIBRATION
	165	170	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		CHATTER
	170	210	FINE-MED-LARGE GRAVEL	STIFF		FAST		CHATTER
	210	215	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH
	215	246	FINE-MED-LARGE GRAVEL	STIFF		FAST		CHATTER
	246	251	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH
	251	350	FINE-MED-LARGE GRAVEL	STIFF		FAST		CHATTER
	350	355	FINE-MED-COARSE SAND W/ FINE GRAVEL & LIMEROCK	STIFF	WHITE	FAST		FAST CHATTER
	355	370	WHITE SANDY CLAY W/ LIMEROCK	FIRM	WHITE	FAST		SMOOTH & CHOPPY SMOOTH & VIBRATION
	370	375	YELLOW CLAY W/ YELLOW SOAPSTONE	SOFT	YELLOW GRAY & RED	FAST		SMOOTH
	375	380	GRAY & RED CLAY	SOFT	BROWN & YELLOW GRAY & YELLOW	FAST		SMOOTH
	380	385	BROWN ROCK W/ SANDSTONE & FINE SAND			FAST		FAST CHATTER
	385	393	GRAY RED & YELLOW CLAY	SOFT	GRAY & YELLOW	FAST		SMOOTH
	393	402	BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
	402	448	GRAY CLAY	SOFT	GRAY GRAY & WHITE	FAST		SMOOTH VIBRATION & CHOPPY
	448	445	SOAPSTONE W/ GRAY CLAY & SOME SANDSTONE	FIRM	BROWN & YELLOW BROWN & WHITE	FAST		FAST CHATTER & VIBRATION
	445	470	SANDSTONE W/ BROWN ROCK, YELLOW SOAPSTONE & FINE SAND	STIFF		FAST		FAST CHATTER & VIBRATION
	470	565	FINE SAND W/ BROWN ROCK, SANDSTONE & LIMEROCK	STIFF SEMI- HARD		FAST		FAST CHATTER SMOOTH & SLIGHT CHATTER @ TIMES
	565	600	SHALE W/ TRACE OF IRON PYRITE		BLUE	SLOW		
			QUIKGEL - 18					
			WATER LOADS - 7400 GALLONS					
			SODA AHS - 3					
			EZ MUD - 1					
			BRAN - 1					
			QUICK TROLL - 1 BAG					
			EZ MUD GOLD - 1/2 A BAG					
			HOLE PLUG - 2					
			CASING SEAL - 1					

# CHANGE IN POINT OF DIVERSION 25314-D2



Township 26 South Range 36 West  
KE County



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



POINT OF DIVERSION



After Recording, Return To:  
Doering, Grisell & Cunningham, P.A.  
124 Grant Avenue  
Garden City, Kansas 67846

RECEIVED  
MAY 18 2022

Garden City Field Office  
Division of Water Resources

Entered in Transfer Record in my Office this

16<sup>th</sup> day of May A.D. 2022

Jana Jenkinson  
County Clerk



INDEXED  
RECEPTION ✓  
COMPUTER ✓  
DIRECT ✓  
INDIRECT ✓  
NUMERICAL ✓  
ORIG. COMP ✓

STATE OF KANSAS }  
KEARNY COUNTY } ss

This instrument was filed for record on the  
16<sup>th</sup> day of May A.D. 2022 at  
11:45 o'clock A.M., and duly recorded in  
Book 310 of record, at Page 136

Melissa Genitzen  
REGISTER OF DEEDS

By \_\_\_\_\_ Deputy

Rec. Fee \$ 21.00

RECORDING INFORMATION

**TRUSTEE'S DEED**  
**(As to Irrigation Water Rights Only)**

DAVID JON GUGELMEYER, AS TRUSTEE OF THE DAVID JON GUGELMEYER TRUST, DATED  
DECEMBER 14, 1989, Grantor

CONVEYS TO

QUALITY HAY, LLC, a Kansas limited liability company, Grantee

All of Grantor's interest in the IRRIGATION WATER RIGHTS ONLY appurtenant to the following described  
real estate, including all rights to divert water for irrigation purposes with respect to Water Right File No.  
25,314-D2, specifically excepting and excluding from this conveyance all rights to divert water for livestock use  
within the meaning of K.S.A. 82a-701(c), in the County of KEARNY and the State of KANSAS, to-wit:

WR  
25314-D2

Southwest Quarter (SW¼) of Section Twenty-two (22), Township Twenty-six (26) South,  
Range Thirty-six (36) West of the 6<sup>th</sup> P.M., Kearny County, Kansas

FOR THE SUM of Ten Dollars (\$10.00) and other valuable consideration.

The undersigned hereby certifies that he is the duly appointed, qualified and acting Trustee of the David  
Jon Gugelmeyer Trust, dated December 14, 1989, which agreement is in full force and effect, and the  
undersigned has full power and authority to convey Grantor's interest in the property, and has made this  
conveyance pursuant to the power and authority granted to the Trustee in said agreement.

DAVID JON GUGELMEYER TRUST,  
DATED DECEMBER 14, 1989

Date: 5/11/22

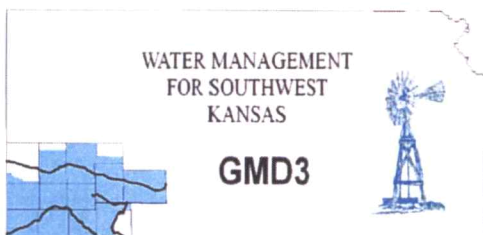
By: David Jon Gugelmeyer  
David Jon Gugelmeyer, Trustee

STATE OF KANSAS )  
 ) ss.  
COUNTY OF FINNEY )

THIS INSTRUMENT was acknowledged before me, a Notary Public, on May 11, 2022,  
by David Jon Gugelmeyer, as Trustee of the David Jon Gugelmeyer Trust, dated December 14, 1989.



Michael C. Doering  
Notary Public  
My Appointment Expires: 6-18-2025



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 23, 2022

RECEIVED

JUN 23 2022

Garden City Field Office  
Division of Water Resources

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. 25314 D2

Dear Austin:

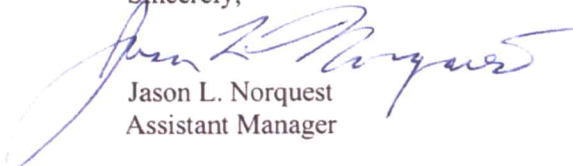
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

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 management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (3.5 ft with saturated thickness is between 150-200ft), 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 needed further evaluation. No critical wells found. We did not receive any comments from neighboring well owners. Therefore, GMD3 sees this move as meeting current area rules and would recommend approval. 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,

A handwritten signature in blue ink, appearing to read "Jason L. Norquest".

Jason L. Norquest  
Assistant Manager

## GMD3 Change Review

---

File No(s): 25314 D2.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Quality Hay/Darin Smith.

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	1320	3960	Sect 22-26-36
Proposed PD	1314	4439	
Difference	6	-479 w	
a2 + b2 = c2	36	229441	479.0376 foot move W

GPS for proposed PD: Lat: 37.768558 Long: -101.250357.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified:   .

Name Syracuse Dairy LLC (21597, 25310, 25312, 25314D1).

Address 751 SE CR 36.

Zip Syracuse, KS 67878.

Email: [frank@syracusedairy.com](mailto:frank@syracusedairy.com)

Phone: 785-820-6093.

Name LV Farms (28833).

Address PO Box C.

Zip Lakin, KS 67860.

Email: [fletmch@pld.com](mailto:fletmch@pld.com)

Phone: 620-355-6932.

Domestic well(s) notified:   .

Name Darin T Smith (SW 15-26-36).

Address 404 Road T.

Zip Lakin, KS 67860.

Name Jerad Gugelmeyer (SE 28-26-36).

Address PO Box 1092.

Zip Lakin, KS 67860.

Base Acres:   .

Perfected Acres:   .

Irr. Return-Flow   %

**Kearny County.**

## GMD3 Change Review

---

**Authorized 270AF @ 995gpm**

**No water used for a couple of decades.**

**Current well drilled to 360'.**

**Proposed well to around 600'.**

Is a waiver needed: Move is less than half mile. Minimum spacing appears to be met.

Analysis shows possible effects within guidelines, no critical wells.

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

A handwritten signature in blue ink, appearing to be 'JR', is located in the lower right quadrant of the page.

## Evaluation of proposed move for Water Right No. 25314 D2

Proposed: Move water right no. 25314 D2 ID1 to a new well location, a distance of 479 ft to the northwest.



Wells within 1 mile: 25310 ID1, 25310 ID3, 25310 ID4, 28833 ID3, 28833 ID5, 25312, 25314 ID4, 21597 ID1, 21597 ID5, a domestic well in section 15-26-36, a domestic well in section 21-26-36, a domestic well in section 22-26-36, and a domestic well in section 28-26-36.

The saturated thickness at the proposed well location is estimated to be 154 ft, based upon the driller's log and an observation well in section 21-26-36. For saturated thickness between 150 ft and 200 ft, the drawdown allowance is 3.5 ft.

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

$S = 0.2329$ ,  $T = 17,184 \text{ ft}^2/\text{day}$ ,  $t_{p\text{proposed}} = 61.4 \text{ days}$ ,  $Q_{\text{proposed}} = 995 \text{ gpm}$

These drawdowns were calculated as follows:

25310 ID1:	Net drawdown = <b>1.0 ft</b>
25310 ID3:	Net drawdown = <b>0.8 ft</b>
25310 ID4:	Net drawdown = <b>1.5 ft</b>
28833 ID3:	Net drawdown = <b>0.9 ft</b>
28833 ID5:	Net drawdown = <b>1.7 ft</b>

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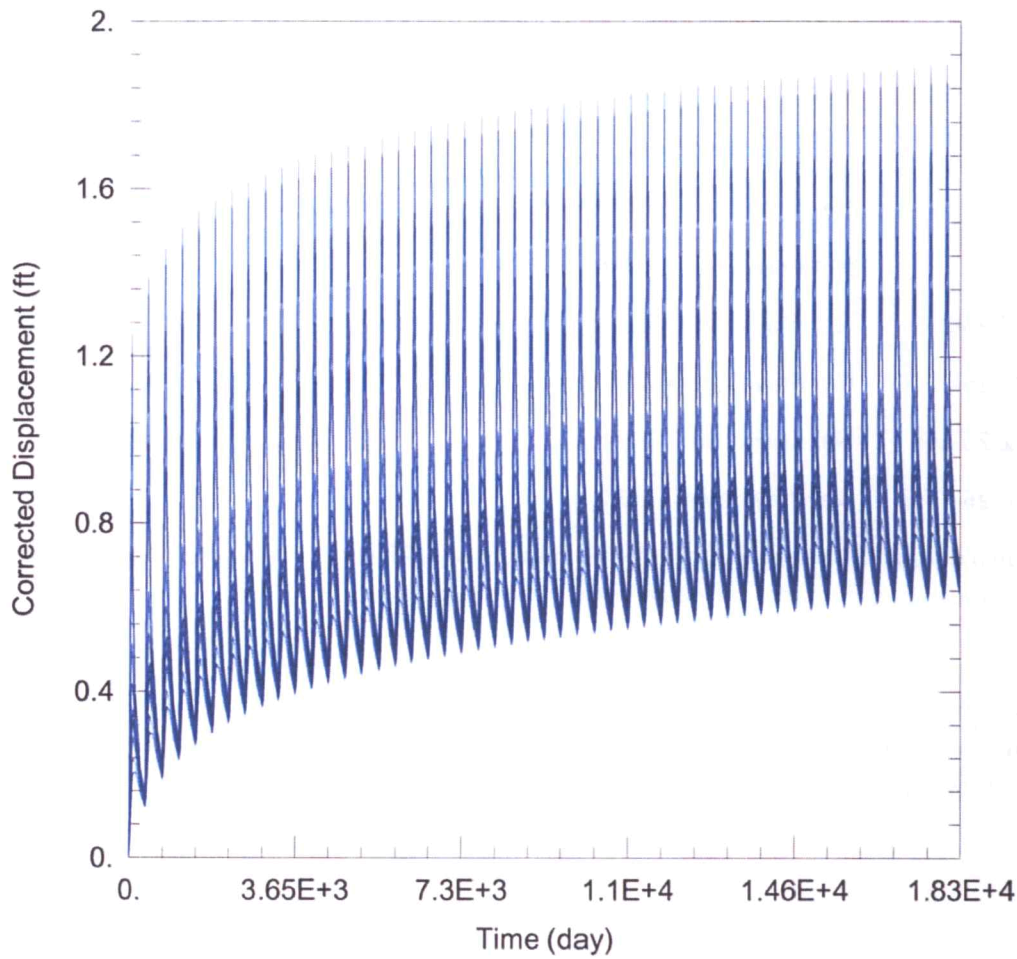
25312:	Net drawdown = <b>1.1 ft</b>
25314 ID4:	Net drawdown = <b>1.4 ft</b>
21597 ID1:	Net drawdown = <b>0.8 ft</b>
21597 ID5:	Net drawdown = <b>0.8 ft</b>
Domestic 15-26-36:	Net drawdown = <b>0.9 ft</b>
Domestic 21-26-36:	Net drawdown = <b>1.9 ft</b>
Domestic 22-26-36:	Net drawdown = <b>0.9 ft</b>
Domestic 28-26-36:	Net drawdown = <b>1.0 ft</b>

Net drawdown does not exceed the drawdown allowance of 3.5 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\25314\_D2\25314.aqt  
 Date: 06/20/22 Time: 15:17:22

PROJECT INFORMATION

Company: GMD 3  
 Project: 25314 D2  
 Location: Kearny County

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
25314	-130342	325672	□	-130342	325672
			□ 25310 ID1I	-132566	328458
			□ 25310 ID3	-135210	325747
			□ 25310 ID4	-132579	325785
			□ 28833 ID3	-127191	328367
			□ 28833 ID5	-130894	327536
			□ 25312	-133269	324335
			□ 25314 ID4	-129962	323147
			□ 21597 ID1	-129743	320491
			□ 21597 ID5	-127397	321343
			□ Domestic 15-26-36	-130912	330064
			□ Domestic 21-26-36	-131582	326831
			□ Domestic 22-26-36	-128925	329414
			□ Domestic 28-26-36	-132274	322235

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

1314 Feet N and 4439 Feet W of the Southeast Corner of Section 22 Twp 26S Rng 36W

Located at: 101.250349 West Longitude and 37.768550 North Latitude

Both SURFACE WATER and GROUNDWATER

*1650' or 11'*

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	
A__ AF	21597	00	IRR	NK	G	5094	NE	NW	SE	2245	1545	27	26	36W	5	260.00	260.00	
Same AF						5197	--	--	NC	SW	1320	3690	27	26	36W	1	249.00	249.00
A__ AF	25310	00	IRR	NK	G	2251	--	--	NC	SE	1320	1320	21	26	36W	4	270.00	270.00
Same AF						3629	--	--	NC	NE	3960	1320	21	26	36W	1	270.00	270.00
Same AF						4876	--	--	NC	SW	1320	3960	21	26	36W	3	270.00	270.00
A__ AF	25312	00	IRR	NK	G	3219	--	NE	NW	NE	5078	1968	28	26	36W	7	270.00	270.00
A__ AF	25314	D1	IRR	NK	G	2550	--	NE	SW	NW	3950	3997	27	26	36W	4	270.00	270.00
A__ AF	25314	D2	IRR	NK	G*	477	--	--	--	--	1320	3960	22	26	36W	1	270.00	270.00
A__ AF	28833	00	IRR	NK	G	1970	--	SW	SW	NW	3193	5032	22	26	36W	5	264.00	264.00
Same AF						4147	--	--	NC	NE	3980	1320	22	26	36W	3	245.00	245.00

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) =	2638.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2638.00	.00

*Spacing Application  
m 57*

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:

1314 Feet North and 4439 Feet West of the Southeast Corner of Section 22 Twp 26S Rng 36W

Located at: 101.250349 West Longitude and 37.768550 North Latitude

Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
>	SYRACUSE DAIRY LLC		
>	EAST FARM		
>	751 SE CR 36		
>	SYRACUSE KS 67878		
-----			
>	SYRACUSE DAIRY LLC		
>	EAST FARM		
>	751 SE CR 36		
>	SYRACUSE KS 67878		
-----			
>	SYRACUSE DAIRY LLC		
>	EAST FARM		
>	751 SE CR 36		

*21597*

*25310*

*25312*

> SYRACUSE KS 67878

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> SYRACUSE DAIRY LLC  
> SYRACUSE DAIRY & TIMELINE DAIRY  
> 751 SE CR 36  
> SYRACUSE KS 67878

*25314D1*

-----  
> DAVID JON GUGELMEYER TRUST  
>  
> PO BOX 1092  
> LAKIN KS 67860

*25314D2 -*

*Application*

-----  
> LV FARMS  
>  
> PO BOX C  
> LAKIN KS 67860

*28833*

-----

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

June 3, 2022

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

Re: Request for Recommendation,  
File No. 25314-D2

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Darin Smith 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:

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

May 19, 2022

LV FARMS  
PO BOX C  
LAKIN, KS 67860

RE: Application for Change  
Water Right, File No. 25314-D2

Dear Sir or Madam:

This is to advise you that Darin Smith has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the NE $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, Township 26 South, Range 36 West, Kearny County.

You can find the complete applications posted by water right file number as referenced above at: [www.Agriculture.ks.gov/DWRNotices](http://www.Agriculture.ks.gov/DWRNotices)

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

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

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED

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

May 19, 2022

SYRACUSE DAIRY LLC  
Attn: SYRACUSE DAIRY & TIMELINE DAIRY  
751 SE CR 36  
SYRACUSE, KS 67878-7822

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Sincerely,

  
Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED