# Kansas Department of Agriculture Division of Water Resources

**CHANGE: P/D WORKSHEET** 

1. File Number: <b>9304</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ☐ Approved ☐ Der	nied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 8/30/2022
8a. Landowner, applicant, WUC New to system ☐  DIAMOND TAIL FARMS Attn: MONTY TEETER 901 N MCCALL RD ULYSSES, KS 67880	Person ID 64514 Add Seq#  LLC	Attn: D PO BO	stem □ S B LEIGHTY RE ENNIS B LEIGH	
8b. Landowner(s), New to system □  WARREN L & MELANIE 2157 S ROAD S ULYSSES, KS 67880-816		8d. WUC New to sys	stem □	Person IDAdd Seq#
9. Documents and Enclosure(s): ☑ D  ☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Requi	r Seal 🔲 Check Valve	⊠ N & P Form	 ☐ Water Tube ☐ D	Oriller Copy
			Date Prepared: <b>9/8/20</b> Date Entered:	<b>922</b> Ву: <b>МАМ</b> Ву:

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



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

Mike Beam, Secretary

Laura Kelly, Governor

September 8, 2022

DIAMOND TAIL FARMS LLC Attn: MONTY TEETER 901 N MCCALL RD ULYSSES, KS 67880

RE:

Field Office Application for Change

Water Right, File No. 9304

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:

Warren L & Melanie Goosen Dennis B Leighty Rev Trust GROUNDWATER MANAGEMENT DISTRICT NO. 3

#### CERTIFICATE OF SERVICE

On this 8<sup>th</sup> day of September 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 9,304 dated 9<sup>th</sup> day of September 2022 was mailed postage prepaid, first class, US mail to the following:

DIAMOND TAIL FARMS LLC Attn: MONTY TEETER 901 N MCCALL RD ULYSSES, KS 67880

Pc:

WARREN L & MELANIE F GOOSSEN 2157 S ROAD S ULYSSES, KS 67880-8161

DENNIS B LEIGHTY REV TRUST
Attn: DENNIS B LEIGHTY
PO BOX 445
ULYSSES, KS 67880

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.

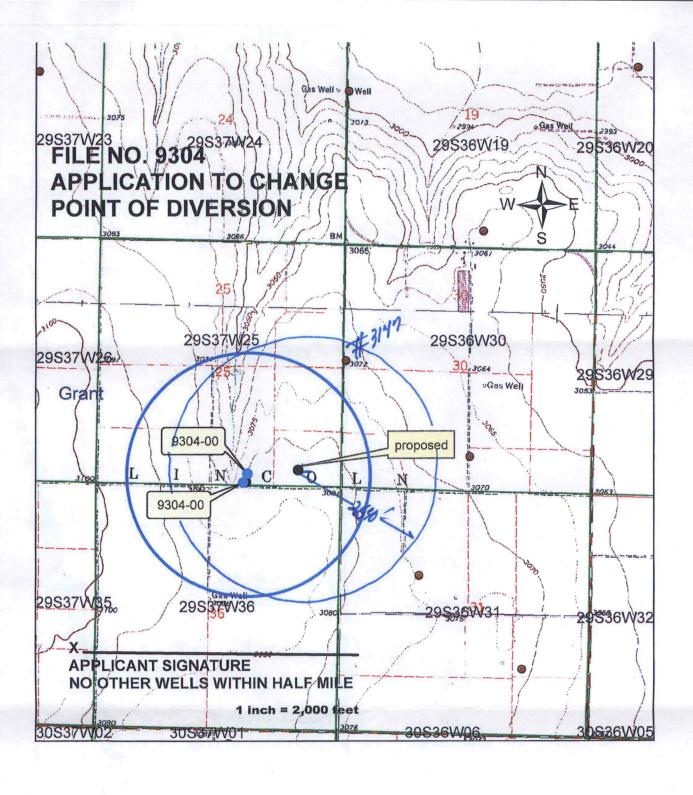
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	in GRANT	Co	unty, Kansas, <u>350</u>	_ feet North _	890 feet West of	Southeast corne	er of section.
	Proposed Rate	CHARLES THE THAT IS NOT THE	Proposed Quantity _	<del>- 177 -</del> a state	Proposed well depth	(feet) <u>58</u>	0
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	(b) When will this	be done?		E	\ <u>=</u>	10 A	/3
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14. If t	he proposed groundwater point of divers	sion is 300 or fewer feet from the	e existing point of diversion	, complete the following:
(a)	Does the undersigned represent all ow ☐ Yes ☐ No (If no, all or	vners of the currently authorize wners must sign this applicatio		in this application?
(b)	Will the ownership interest of any own affected if this application is approved ☐ Yes ☐ No (If yes, all of			n this application be adversely
(c)	If this application is not approved expe ☐ Yes ☐ No (If no, all or	editiously, will there be substan wners must sign this applicatio		olic health or safety?
or a cha	pplication proposes a surface water char ange in place of use, the application mu attach notarized statement authorizing re	st be signed by all owners of the	undwater change in point or ne currently authorized plac	f diversion greater than 300 fee e of use, or their duly authorize
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		PRODUCTION CONTRACTOR	Serrya McCaul	lux
My Con	nmission Expires 09.04, 2024		Notary	Public
accurate	OMPLETE APPLICATIONS WILL BE PROC information; maps, if necessary, must be inc	ESSED. To be complete, all of the cluded; signatures of all the approp	riate owners' must be affixed t	o the application and notarized; an
he appr	opriate fee must be paid.			
		FEE SCHEDULE		
	oplication to change the place of use or			nied by the application fee set
orth in	the schedule below: Make checks paya (1) Application to change a point of div			\$100
geologic objects on	(2) Application to change a point of div	version more than 300 feet		\$200
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	My Appointme			
2,2025	November			
11 - CR217 - 18 - 1	AND			
DIMP 1	121 (Revised 09/11/2019)	Page 3		File No. 9304

# SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro	by islanding 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 by island is supported by the conditions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and itations of File No.
1.	A change application was received on August 30, 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
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 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 Proof 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, 20 22, 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, 20_22, or within any authorized extension of time. By March 1, 20_23 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  \[ \text{Not Applicable} \]
9.	The completed well log shall be submitted with the required notice.   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.
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 <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> 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  APPLICATION APPROVED AND
you	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief
Agriled adri day revi File Lec	gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be divided within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 ys pursuant to K.S.A. 77-531. Any request for administrative iew must state a basis for review pursuant to K.S.A. 77-527. A any request with Kansas Department of Agriculture, any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS 302. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.  By:  Duly Authorized Designee of the Chief Engineer  (Print Name):  Division of Water Resources - Kansas Department of Agriculture  Date of Issuance:  State of Kansas  State of Kansas
	For Use by Register of Deeds  County of TENNEY
	Acknowledged before me on SSFTLO22
	by MELINAEL A. MEYER
	Signature:
	My commission expires:  My Appointment Expires  My Appointment Expires  My Appointment Expires  My Appointment Expires
	P 1 121 (Pavined 00/11/2010) Page 1





### Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

September 8, 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. 9304

Dear Mike:

We have completed a review of the application for the above referenced water right. The proposed changed 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 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

SEP 8 2022

Garden City Field Office Division of Water Resources

## **GMD3** Change Review

File No(s).: 9304 . DWR office: GC. App filed to change: PD. Is Landowner(s) correct in WRIS: <u>Diamond Tail Farms LLC</u>. If NO, is documentation included? Is Water Use Correspondent correct in WRIS? \_\_\_. If NO, is documentation included? Regulation(s) Reviewed: KAR 5-23-3 Point of diversion ID No(s) 01 being changed. ft. North ft. West **Authorized PD** 246 1986 Sect 25-29-37 350 890 Proposed PD Difference -104 n 1096 e a2 + b2 = c21201216 1100.923 foot move NE 10816 GPS for proposed PD: Lat: Long: . Is proposed PD stacking on existing WRs? NO. Is Proposed PU overlapping existing WRs? No change. Neighboring certified well(s) notified: \_\_. Name Triple K Farms % Lyle Koehn (3147, 45548). Address 13540 E Highway 160. Zip Satanta, KS 67860. Email: 3kfarm@gmail.com Phone: 620-353-3644. Name Warren L & Melanie F Goossen (16993, domestic). Address 2157 S Road S. Ulysses, KS 67880. Zip Email: wgoossen@pld.com Phone: 620-353-3488. Domestic well(s) notified: \_\_\_. Name Address Zip Base Acres: . Perfected Acres: \_\_\_. Irr. Return-Flow \_\_\_\_% **Grant County** 9304 ID02 authorized: 425AF @ 250gpm. This PD is NOT being changed. 9304 ID 01 authorized: 139.55AF @ 100gpm Over limitation of 1000AF/year w/4256 Well averaged (2015-2021) reported use = 20.1AF/year.

# **GMD3** Change Review

#### No good recent rate calculated.

Is a waiver needed: Move is less than half mile and improving spacing to 9304 ID02.

All other spacing to neighboring wells are met. Analysis shows minimal effects and NO critical wells in area.

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

Ja

Water Rights and Points of Diversion Within 1 mile of point defined as:
350 Feet N and 890 Feet W of the Southeast Corner of Section 25 Twp 29S Rng 37W
Located at: 101.310979 West Longitude and 37.490318 North Latitude
Both SUPPACE MATER and GROUNDWATER

	Number		Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID Ba	tt Auth_Quan	Add_Quan
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Total	Permitted	Amount	(AF)	=	.00	.00
Total	Inspected	Amount	(AF)	=	.00	.00
Total	Pro_Cert	Amount	(AF)	=	.00	.00
Total	Certified	Amount	(AF)	-	1323.00	.00
Total	Vested	Amount	(AF)	=	.00	.00
TOTAL	AMOUNT		(AF)	=	1323.00	.00

An \* after the source of supply indicates a pending application for change under the file number. An \* after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

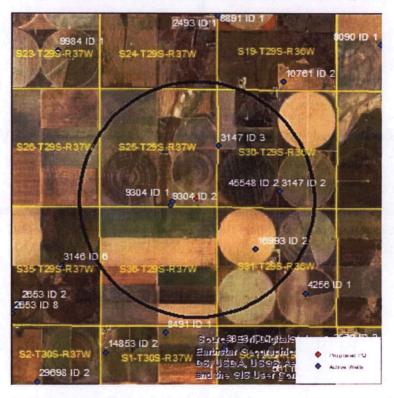
The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as:
350 Feet North and 890 Feet West of the Southeast Corner of Section 25 Twp 29S Rng 37W
Located at: 101.310979 West Longitude and 37.490318 North Latitude
Both SURFACE WATER and GROUNDWATER
WATER USE CORRESPONDENTS:

\_\_\_\_\_\_ File Number Use ST SR TRIPLE K FARMS Y LYLE KOEHN > 13540 E HIGHWAY 160 > SATANTA KS 67870 6304 Application Spacing in proved to Took of 1000' > DIAMOND TAIL FARMS LLC > MONTY TEETER > 901 N MCCALL RD > ULYSSES KS 67880 > WARREN L & MELANIE F GOOSSEN > 2157 S ROAD S > ULYSSES KS 67880 >-----TRIPLE K FARMS LYLE KOEHN 13540 E HIGHWAY 160 > SATANTA KS 67870

#### Evaluation of proposed move for Water Right No. 9304

Proposed: Move water right no. 9304 ID1 to a new well location, a distance of 1,107 ft to the northeast.



Wells within 1 mile: 9304 ID2, 3147, 3147 & 66261, and 16993.

The saturated thickness at the proposed well location is estimated to be 210 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 = 0.07937, T = 6974.4 ft<sup>2</sup>/day,  $tp_{current} = 120$  days (assumed),  $Q_{current} = 38$  gpm (based on average use and assumed 120 days of operation),  $tp_{proposed} = 316$  days,  $Q_{proposed} = 100$  gpm

Theis drawdowns were calculated as follows:

9304 ID2:

Drawdown from current location = 0.64 ft

Drawdown from proposed location = 1.57 ft

Net drawdown = 0.9 ft

3147:

Drawdown from current location = 0.20 ft

Drawdown from proposed location = 1.25 ft

Net drawdown = 1.0 ft

3147 & 66261:

Drawdown from current location = 0.16 ft

Drawdown from proposed location = 1.09 ft

Net drawdown = 0.9 ft

16993:

Drawdown from current location = 0.17 ft

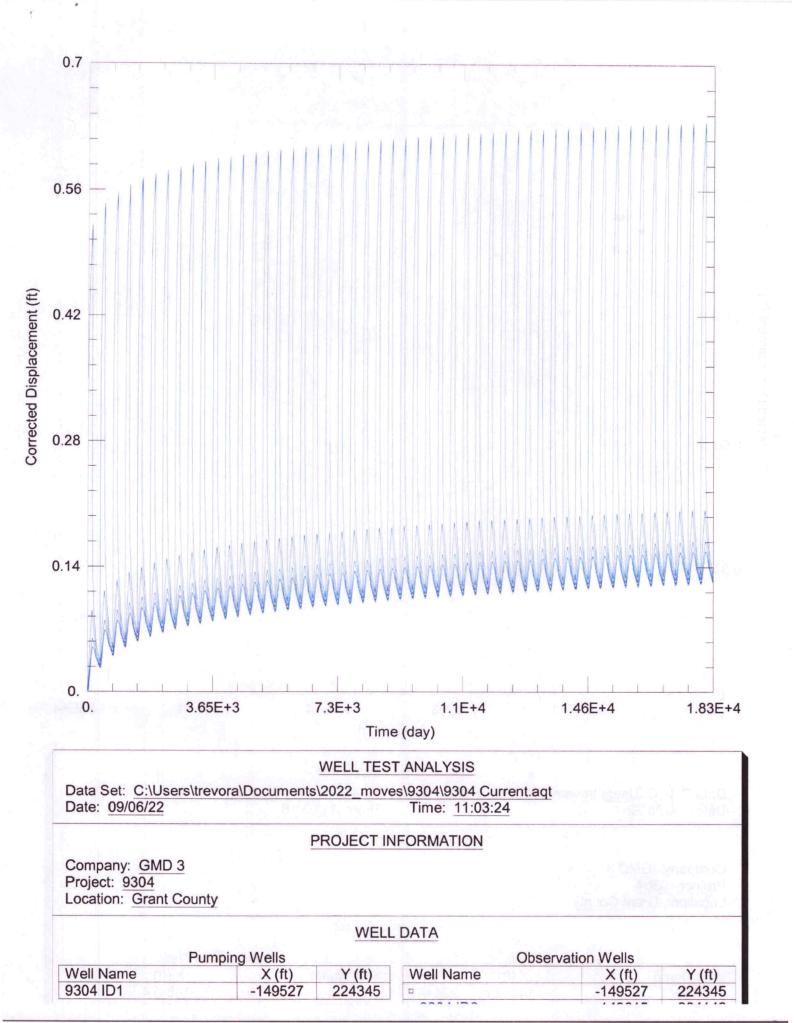
Drawdown from proposed location = 1.12 ft

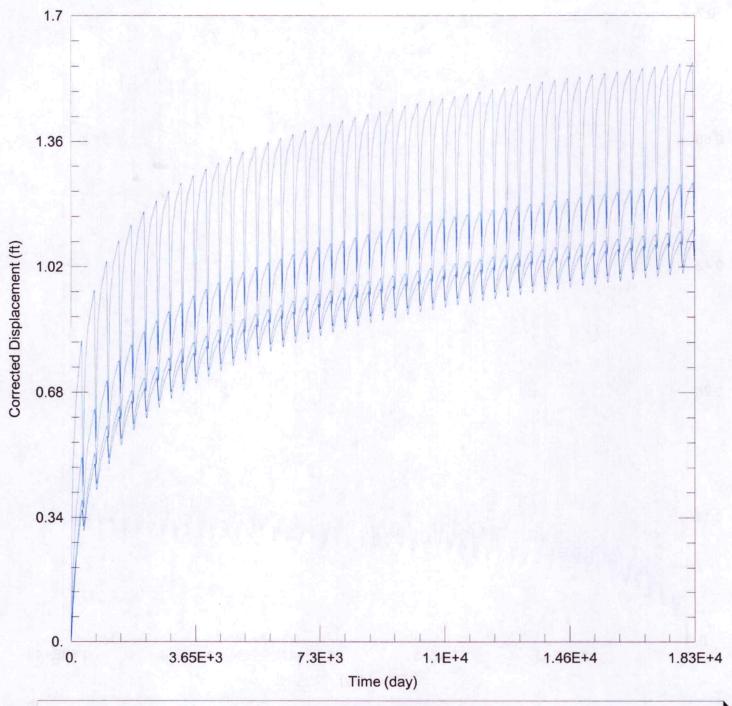
Net drawdown = 1.0 ft

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\9304\9304 Proposed.aqt Date: 09/06/22 Time: 11:03:18 PROJECT INFORMATION Company: GMD 3 Project: 9304 Location: Grant County WELL DATA

	Pumping Wells		Obs	servation Wells	
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
9304 ID1	-148424	224441	0	-148424	224441
		,			~~

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

August 30, 2022

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

Re: Request for Recommendation

Water Right, File No 9304

Dear Mr. Norquest:

This is to advise you that the Monte Teeter 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,

Michael A. Meyer Water Commissioner

MAM Enclosures 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

August 30, 2022

TRIPLE K FARMS Attn: LYLE KOEHN 13540 E HIGHWAY 160 SATANTA, KS 67870

Re:

Application for Change

Water Right, File No. 9304

Dear Sir:

This is to advise you that Monte Teeter has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at <a href="https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a>

You are notified of this proposed point of diversion (well) so that you may furnish this office with any comments or other information you may 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 to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file. Sincerely,

Sincerely,

Michael A. Meyer

Water Commissioner

MAM