

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

1. File Number: 4241	2. Status Change Date: 1-19-2023	3. Change Num: C2	4. Field Office: 4	5. GMD: 3
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 1/18/2023
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8a. Landowner, applicant, WUC New to system <input type="checkbox"/> Person ID <u>57005</u> Add Seq# _____ FELAN FARMS INC Attn: LINDA R FELAN 4400 N BARNES AVE OKLAHOMA CITY, OK 73112-8818	8c. Landowner(s) New to system <input type="checkbox"/> Person _____ Add Seq# _____
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8b. Landowner(s), New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> Person ID <u>24623</u> Add Seq# _____ DAVID BRYANT PO BOX 87 COPELAND, KS 67837-0087
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2023 N & P Date to Comply: 3/1/2024

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **1/19/2023** By: **MAM**
 Date Entered: _____ By: _____

File No. 4241 11. County: SV Basin: CIMAROON RIVER Stream: Formation Code: 211/331 Special Use:

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm af gpm af Overlap PD Files

DEL 26999

ENT NWSWSW 28 31 36W 697 5137 2000 990 2000 990 11208

CHK 35167 *COMB QUANTITY & RATE

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
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK 3347																									
CHK 4323																									
CHK 22194																									

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

January 19, 2023

DAVID BRYANT
PO BOX 87
COPELAND, KS 67837-0087

RE: Field Office Application for Change
Water Right, File No. 4241 & 11208

Dear Sir:

Enclosed are orders 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 numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals 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 orders modify the original documents referred to above, they 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: FELAN FARMS INC

CERTIFICATE OF SERVICE

On this 19th day of January 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 4,241 and 11,208 dated 19th day of January 2023 was mailed postage prepaid, first class, US mail to the following:

DAVID BRYANT
PO BOX 87
COPELAND, KS 67837-0087

pc:

FELAN FARMS INC
Attn: LINDA R FELAN
4400 N BARNES AVE
OKLAHOMA CITY, OK 73112-8818

A handwritten signature in blue ink that reads "Aaron Holsted". The signature is written in a cursive style and is positioned above 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. 4241

RECEIVED
 4:00 pm
 JAN 18 2023

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

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: DAVID BRYANT

PO BOX 87, COPELAND, KS 67837-0087

Phone Number: (620) _____ Email address: _____

Name and address of Water Use Correspondent: Same

Phone Number: (_____) _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: FELAN FARMS INC, Attn: LINDA R FELAN

ADDRESS: 4400 N BARNES AVE, OKLAHOMA CITY, OK 73112-8818

(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 \$ 100.00 TR # _____ Receipt Date 1-18-23 Check # 24958

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the SW Quarter of the SW Quarter of Section 28, Township 31 South, Range 36 W, in SV County, Kansas, 886 feet North 5202 feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well _____ (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 NW Quarter of the SW Quarter of the SW Quarter of Section 28, Township 31 South, Range 36 W, in _____ County, Kansas, 697 feet North 5137 feet West of Southeast corner of section.
 Proposed Rate No change Proposed Quantity No change Proposed well depth (feet) 580
 This point is: Additional Well Geo Center List other water rights that will use this point 11208

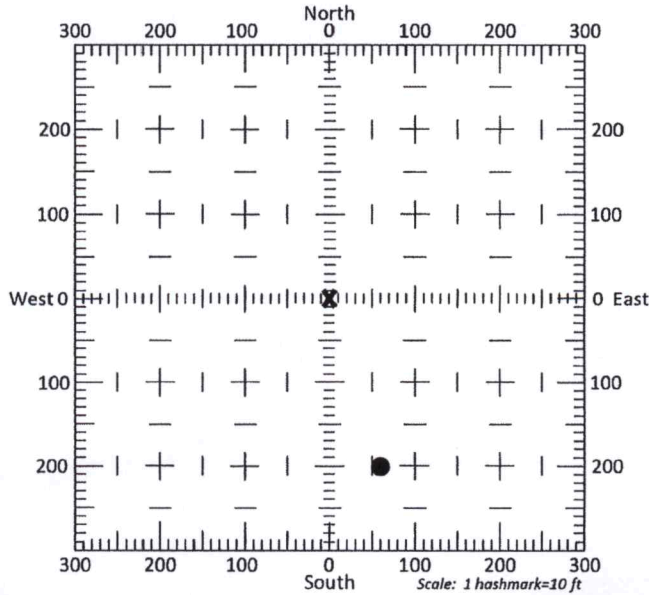
6. **Presently authorized point of diversion:**
 One in the SW Quarter of the SW Quarter of the NW Quarter of Section 33, Township 31 South, Range 36 W, in SV County, Kansas, 2696 feet North 5177 feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well _____ (feet)
 (DWR use only: Computer ID No. 2 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) _____

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 mdf/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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (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 17th day of JANUARY, 2023.

<p><u>David D Bryant</u> (Owner)</p> <p><u>DAVID D BRYANT</u> (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
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State of Kansas }
 County of Haskeu } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17th day of January, 2023.

My Commission Expires 9-22-2025.

Kayre Anne Watson
 Notary Public
 KAYRE ANNE WATSON
 Notary Public, State of Kansas

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. 4241.

1. A change application was received on January 18, 2023 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 300 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
 Duly Authorized Designee of the Chief Engineer
 (Print Name): MICHAEL A. MEYER
 Division of Water Resources - Kansas Department of Agriculture

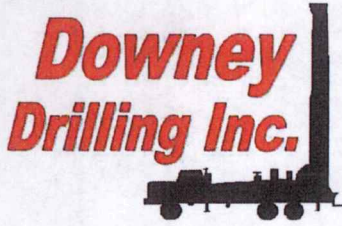
Date of Issuance: January 19, 2023
 State of Kansas)
) SS
 County of Stimney)

Acknowledged before me on January 19, 2023
 by Michael A. Meyer
 Signature: Julie Jones
 Notary Public

My commission expires: _____


WELL LOG

DATE: 1/12/2023



CUSTOMER NAME: BRYANT FARMS

LEGAL: SW 28-31S-36W

WR #4241 & #11208

COUNTY: STEVENS CO. KS

GPS: N 37.316925

W 101.248433

DRILLER: IVAN / CHRIS P.

WO: 22-1684

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	2		TOP SOIL	SOFT	DARK	SLOW		SMOOTH
2	80		SILTY CLAY / CLAY	FIRM	TAN	SLOW		SMOOTH
80	120		SILTY CLAY / SOME FINE-SAND	SOFTER	TAN	SLOW		SMOOTH
120	165		SILTY-SANDY CLAY / SOME FINE-SAND LAYERS	SOFT	TAN	FASTER		SMOOTH
165	177		SANDY CLAY / FINE-MED-COARSE SAND / SOME FINE-GRAVEL	SOFT	TAN/RED	FAST		VIBRATION
177	231		FINE-MED-COARSE SAND / FINE-MED GRAVEL / THIN CLAY LAYERS	SOFT	RED	FAST		VIBRATION
231	266		SILTY-SANDY CLAY	FIRM	TAN	SLOW		SMOOTH
266	304		SILTY-SANDY CLAY / THIN FINE-MED SAND LENSES	FIRM	TAN	SLOW		VIBRATION @ TIMES
304	344		FINE-MED-COARSE SAND / FINE-MED GRAVEL / THIN CLAY LAYERS	SOFT	RED	FAST		VIBRATION
344	380		FINE-MED-COARSE SAND / FINE-MED GRAVEL	SOFT	RED	FAST		CHATTER
380	400		FINE-MED-COARSE SAND / FINE-MED GRAVEL / SOME BROWN ROCK	SOFT	RED	FAST		CHATTER
400	423		FINE-MED-COARSE SAND / FINE-MED GRAVEL	SOFT	RED	FAST		CHATTER
423	438		CLAY / SOME FINE-SAND	SOFT	TAN	FAST		VIBRATION @ TIMES
438	480		FINE-MED SAND / THIN SILTY SANDY CLAY LENSES	SOFT	TAN	FAST		VIBRATION
480	556		FINE-MED-COARSE SAND / SOME FINE-MED GRAVEL	SOFT	RED	FAST		VIBRATION
556	580		RED BED	VERY FIRM	RED	VERY SLOW		SMOOTH
			5 - QUIK GEL					
			2 - LOADS OF WATER					
			2 - HOLE PLUG					
			1 - CASING SEAL					

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 JAN 17 2023
 Garden City Field Office
 Division of Water Resources

BRYANT FARMS

SW 28-31S-36W STEVENS CO.

Legend

Rd 18

WR #4241 & #11208 ELEV=3078'

BRYANT TH #1 ELEV=3077'

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JAN 17 2024
Garden City Field Office
Division of Water Resources

Rd Y

Rd Y

Google Earth

700 ft





Century GEOPHYSICAL CORP.

BRYANT FARMS

COMPANY : DOWNEY DRILLING INC
WELL : BRYANT FARM
LOCATION/FIELD : TH#1
COUNTY : STEVENS
LOCATION : SW
SECTION : 28

OTHER SERVICES:

TOWNSHIP : 31S RANGE : 36W

DATE : 01/12/23
DEPTH DRILLER : 580
LOG BOTTOM : 581.30
LOG TOP : 0.50

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 : WILL

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: 01/12/23
LGTIME : 15:10:
THRESH: 99999

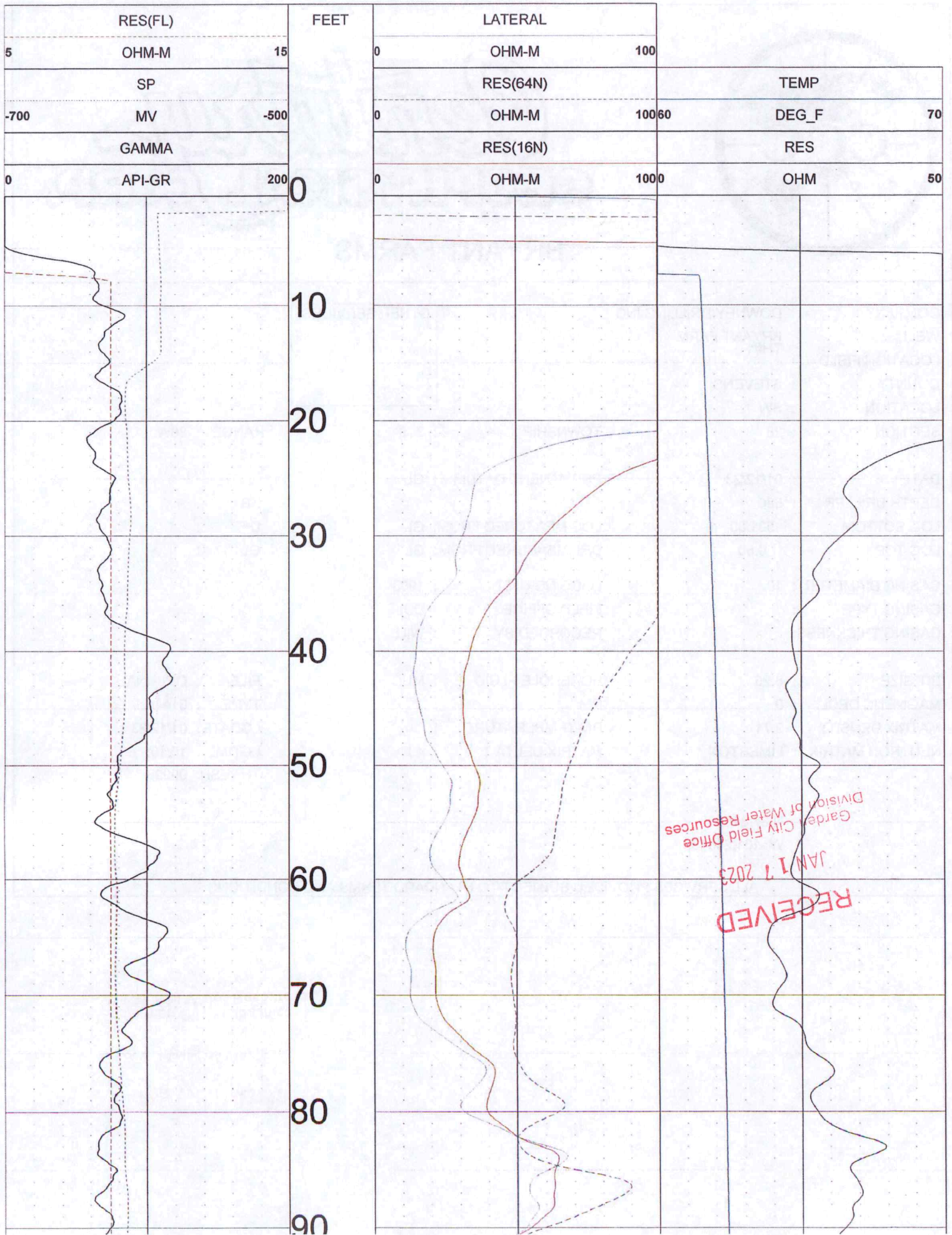
N 37.316925
W -101.248433

ALL SERVICES PROVIDED SUBJECT TO STANDARD TERMS AND CONDITIONS

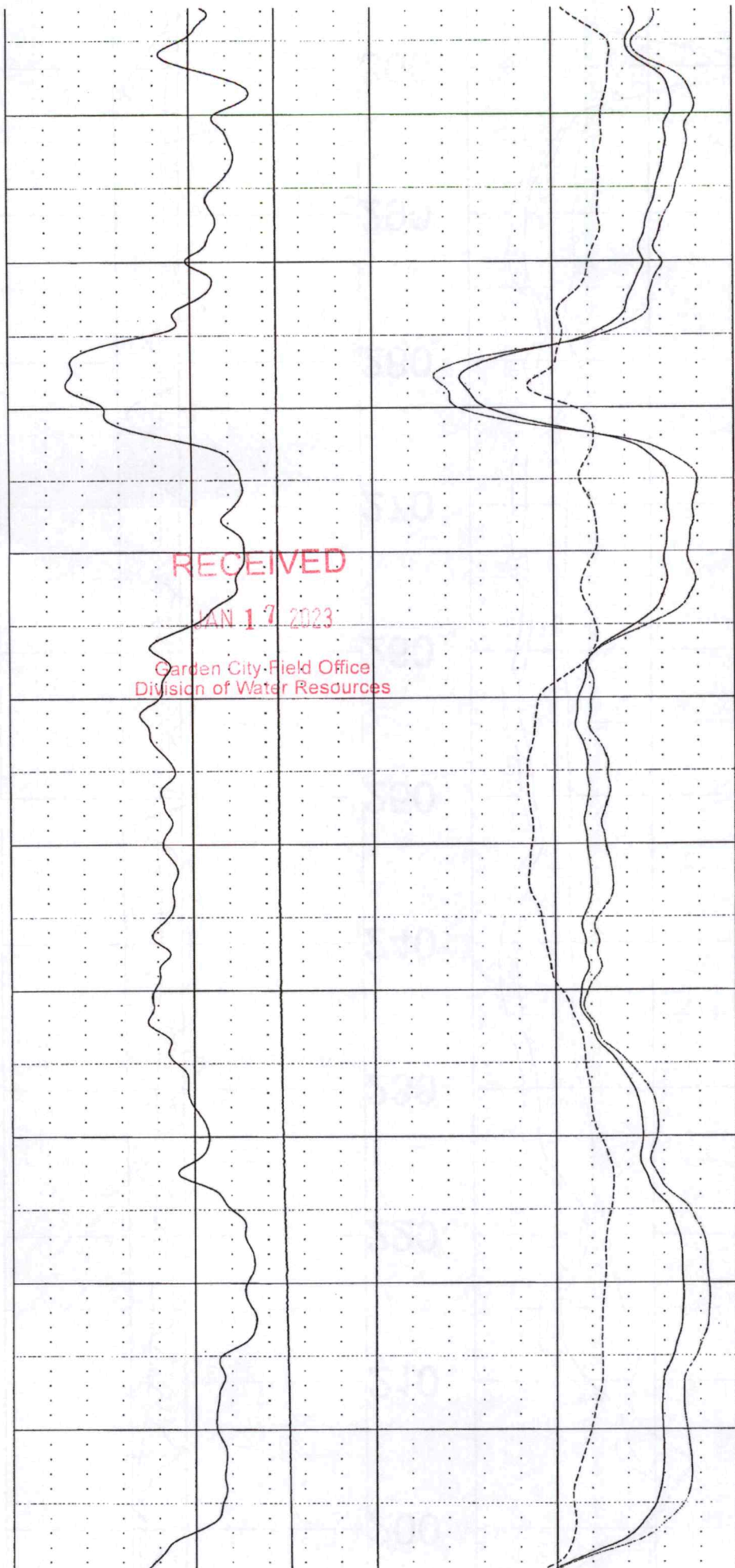
Garden City Field Office
Division of Water Resources

JAN 17 2023

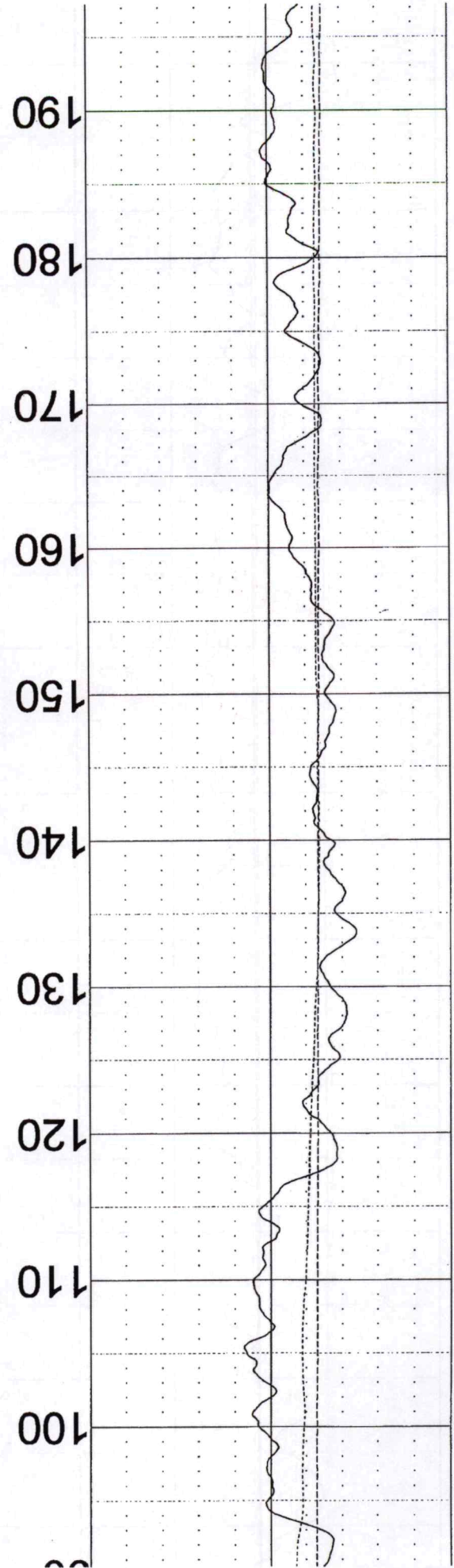
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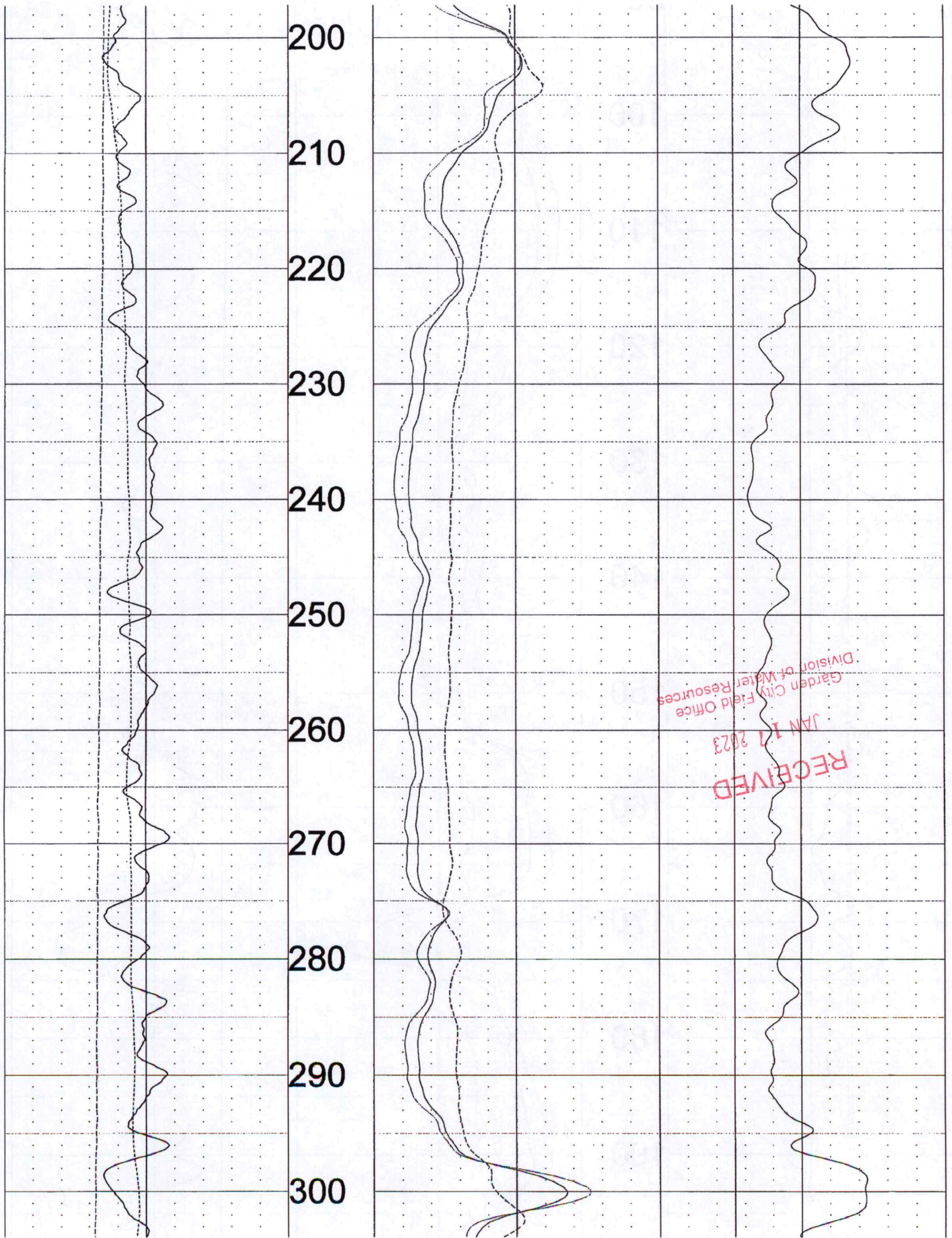


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 JAN 17 2023
 Gardena City Field Office
 Division of Water Resources



RECEIVED
JAN 17 2023
Garden City Field Office
Division of Water Resources





315'
Est. SWH

327'

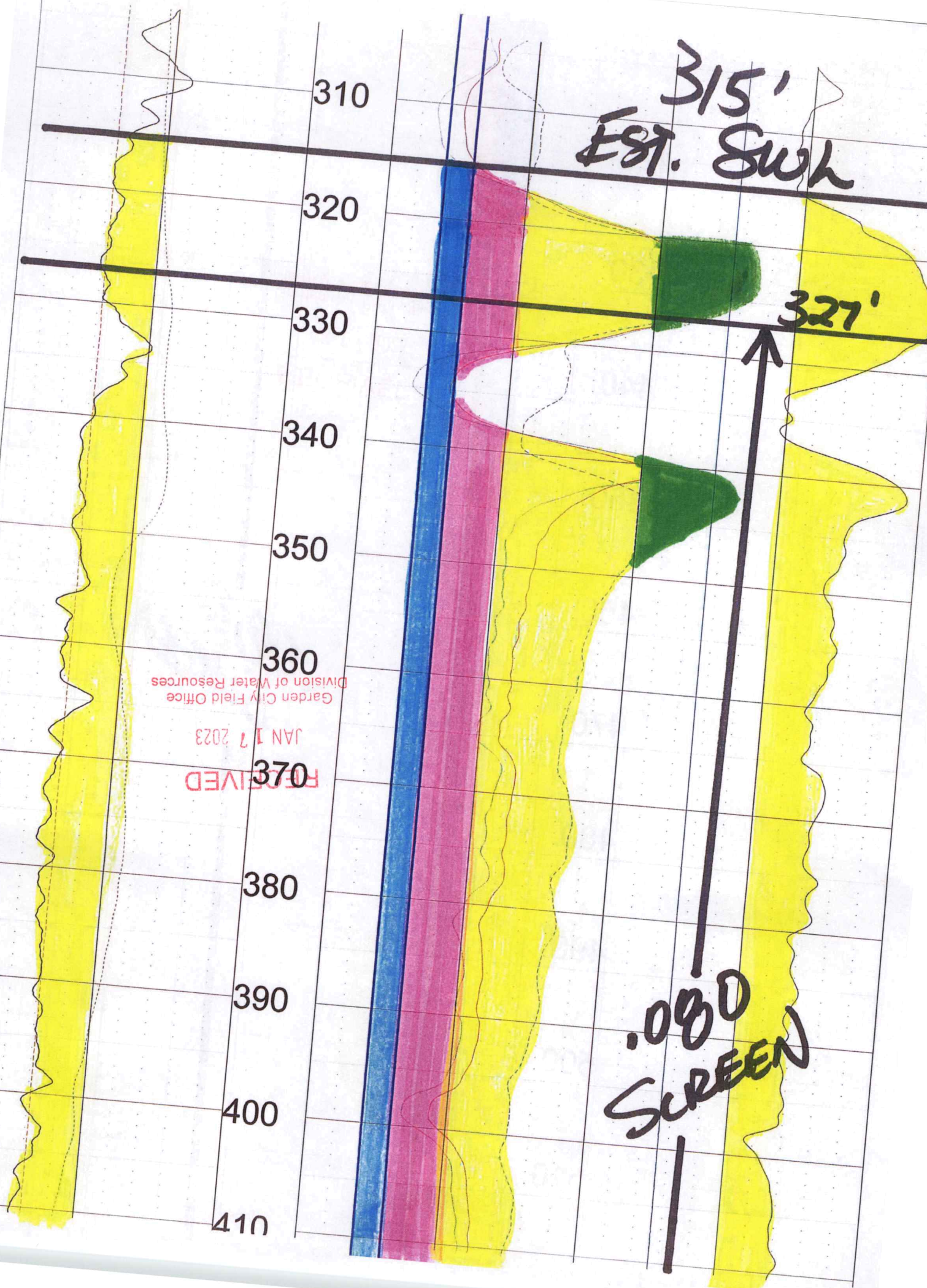
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JAN 17 2023

Garden City Field Office
Division of Water Resources

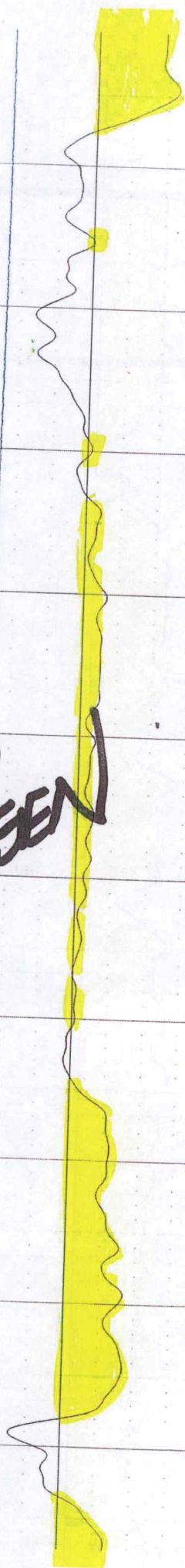
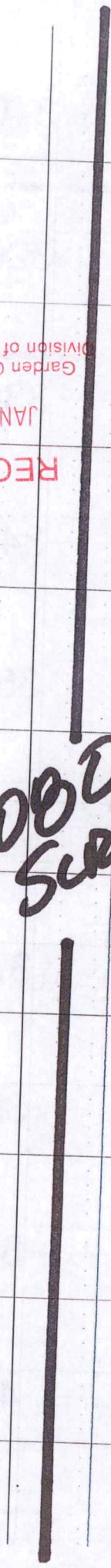
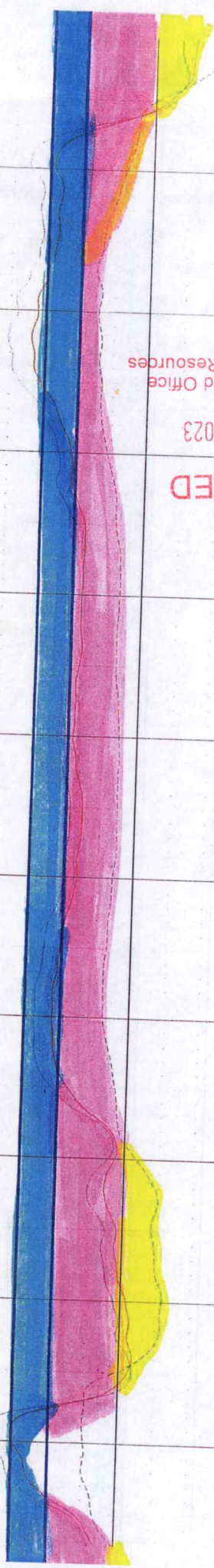
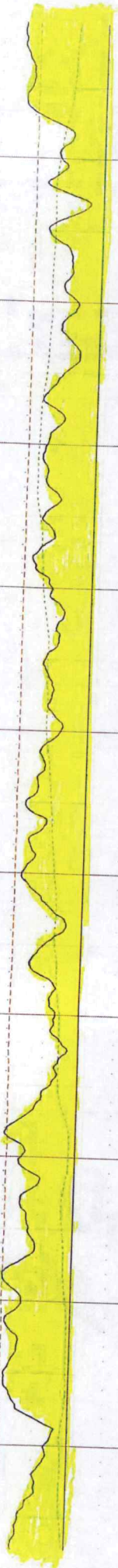
310
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420
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JAN 17 2023
Garden City Field Office
Division of Water Resources

.000
SCREEN



TOOL CALIBRATION BRYANT FARMS 01/12/23 15:10
 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
 Division of Water Resources
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 JAN 17 2023

