

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

1. File Number: 9162-D1	2. Status Change Date:	3. Change Num: C3	4. Field Office: 4	5. GMD: 3
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: 8/3/2023
8a. Applicant(s) New to system <input type="checkbox"/> LOVE LAND & CATTLE LLC 21506 12 RD MONTEZUMA, KS 67867-9032		Person ID 66436 Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
8b. Landowner(s) New to system <input type="checkbox"/> 8a		Person ID _____ Add Seq# _____		8d. WUC New to system <input type="checkbox"/> 8a
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/2024</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>3/1/2025</u>				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 10/25/2023 By: AM Date Entered: _____ By: _____				

File No. **9162-D1** 11. County: **GY** Basin: **ARKANSAS RIVER** Stream: Formation Code: **211** Special Use:

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

DEL 39089
ENT **NE NE SE** **1** **27S 30W** **2234** **448** **235** **222** **235** **222** **9994-D1**

NOTE: VOL. REDUCTION IN RATE

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					
MOD 4647	1																					130	8a	N	9994-D1	

Base Acres: Year: Minimum Reasonable Quantity:
 Comments: **ADDITIONAL CONDITIONS INCLUDED TO REDUCE RATE & PLACE OF USE**

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 25, 2023

LOVE LAND & CATTLE LLC
21506 12 RD
MONTEZUMA, KS 67867-9032

RE: Filed Office Application for Change
Water Right, File Nos. 9162-D1 & 9994-D1

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 that reads "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: Groundwater Management District 3

CERTIFICATE OF SERVICE

On this 25th day of October, 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 9,162-D1 and 9,994-D1 dated 25th day of October, 2023 was mailed postage prepaid, first class, US mail to the following:

LOVE LAND & CATTLE LLC
21506 12 RD
MONTEZUMA, KS 67867-9032

Pc:

GMD 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
4:14 pm
AUG 03 2023

File No. 9162-D1

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: Love Land & Cattle Inc

21506 12 Rd, Montezuma, KS 67867

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: same as above

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land --- NAME: _____

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 8-3-23 Check # 308

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the SW Quarter of the SE Quarter of Section 1, Township 27 South, Range 30 West, in Gray County, Kansas, 1260 feet North 1380 feet West of Southeast corner of section. Authorized Rate 995 GPM Authorized Quantity 353 AF Depth of well _____ (feet)
 (DWR use only: Computer ID No. 5 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 NE Quarter of the SE Quarter of Section 1, Township 27 South, Range 30 West, in Gray County, Kansas, 2234 feet North 448 feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) 278.
 This point is: Additional Well Geo Center List other water rights that will use this point 9994-D1

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) _____

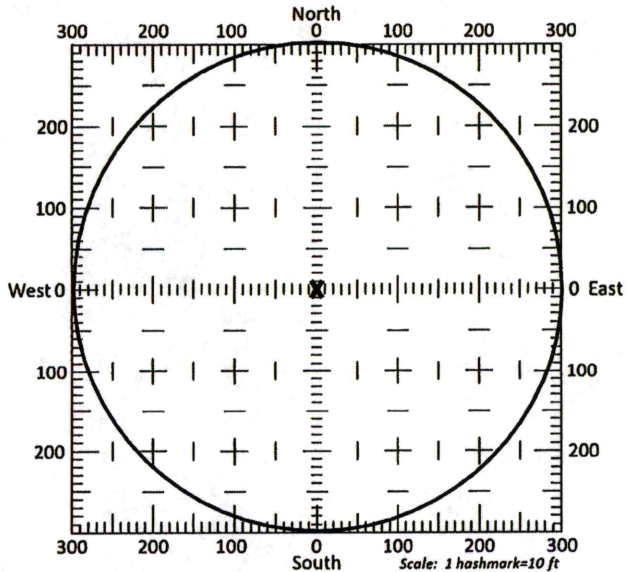
8. If a well, is the test hole log attached? Yes No

9. The change(s) (was)(will be) completed by?
As soon as possible

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug
 (b) When will this be done? As soon as possible

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by CI, 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 Montezuma, KS, Kansas, this 3rd day of August, 20 23.

Garratt Lou

 (Owner)
Garratt Lou

 (Please Print)

Caley Love

 (Spouse)
Caley LOVE

 (Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

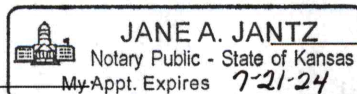
(Please Print)

(Please Print)

State of Kansas }
County of Gray } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3rd day of August, 20 23.

My Commission Expires 7-21-24

 JANE A. JANTZ
 Notary Public - State of Kansas
 My Appt. Expires 7-21-24

Jane A. Jantz

 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

File No. 9162-D1

Additional condition attachment to the

DWR Field Office Application for Approval to Change the Place of Use and / or the Point of Diversion

It is requested that the maximum rate of diversion of water be reduced to 235 gallons per minute (0.52 c.f.s).

It is requested that the authorized acres be reduced to 130 acres as described below:

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	
1	27S	30W													32.5	32.5	32.5	32.5	130

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 Monticarm, Kansas, this 13th day of October, 2023.

Garetton

 (Owner)
Goretton

 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

 (Spouse)

 (Please Print)

 (Spouse)

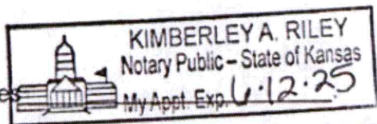
 (Please Print)

 (Spouse)

 (Please Print)

State of Kansas }
County of Gray } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13th day of Oct., 2023.



Kimberley A. Riley

 Notary Public

RECEIVED

OCT 13 2023

Garden City Field Office
Division of Water Resources

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. 9162-D1.

1. A change application was received on August 3, 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 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, 2024, 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, 2024, or within any authorized extension of time. By March 1, 2025 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

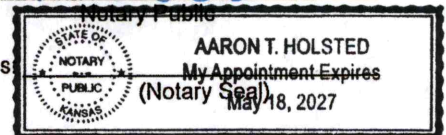
Date of Issuance: October 25, 2023

State of Kansas)
County of Linney) SS

Acknowledged before me on October 25, 2023
by Austin McCulloch

Signature: Aaron Holsted

My commission expires _____
AARON T. HOLSTED
My Appointment Expires
(Notary Seal) May 18, 2027



ADDITIONAL CONDITIONS TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS,
Water Right, File No. 9,162-D1

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the following condition is included as a condition of the approval of this application for change in point of diversion.

This order effectively reduces the authorized maximum rate of diversion to a rate no to exceed 235 gallons per minute (0.52 c.f.s.) from the authorized point of diversion described herein.

This order effectively reduces the authorized place of use from that presently authorized to:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 27S 30W													32.5	32.5	32.5	32.5	130

By: *Austin McColloch*
(Duly Authorized Designee of the Chief Engineer)

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

Dated of Issuance: October 25, 2023

State of Kansas)
) SS
County of Finney)

Acknowledged before me on the 25th day of October, 2023

By *Austin McColloch*

Signature *Aaron Holsted*

Notary Public

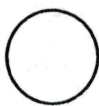


My Commission expires:

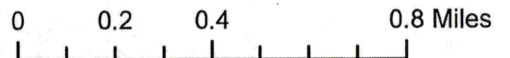


WR 9162-D1, 9994-D1
Change in Point of Diversion



Copyright © 2013 National Geographic Society, i-cubed

-  1/2 Mile from Proposed Well
-  Existing Well
-  Proposed Well



All wells within 1/2 mile are shown.

X _____




Garrett Love

Test Hole # 1 of 7-26-23

SE 1-27-30 GY

FILE #'s 9162 & 9994

Legend

 37.72857 N 100.54449 W

6

 37.72857 N 100.54449 W

7

Google Earth

5000 ft



KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
Garden City Field Office

M E M O R A N D U M

TO: File

DATE: October 25, 2023

FROM: Austin McColloch *Am*
Assistant Water Commissioner

RE: File No. 9162-D1 & 9994-D1

An *Application to Change the Point of Diversion* under the above referenced water rights was received in this office August 3, 2023. This application received a recommendation from the GMD3 that there were concerning effects with the proposal to change the point of diversion which caused DWR to run Theis analysis for the applications. The applications appeared to show concerns of effects to multiple wells within the area. The applicant / landowner agreed to reduce his authorized quantity and diversion rate to limit effects.

Water Right, File No. 9162-D1 will be reduced to 235 GPM by amending the proposed diversion rate on the application and applying a condition to reduce the diversion rate.

Water Right, File No. 9994-D1 will be reduced to 12 AF at 235 GPM, limited to 235 GPM when combined with Water Right, File No. 9162-D1 by amending the proposed quantity and diversion rate on the application and applying a condition to reduce the authorized quantity and diversion rate.

Due to the reduction in quantity, in order not to increase consumptive use, the requested authorized acres for both overlapping files will be reduced to 130 acres located within the Southeast Quarter (SE $\frac{1}{4}$) of Section 1, Township 27 South, Range 30 West, Gray County Kansas.

With these reductions, it meets our future calculations to limit effects and thus can be approved.

9162-D1 Auth Quantity	222
9994-D1 Auth Quantity	353
Total Auth Quantity	234
9162-D1 Baseline Quantity	101.8197
9994-D1 Baseline Quantity	0
Total Baseline Quantity	101.8197
Combined Auth Rate	235
Combined Baseline Rate	150

WR_NUM: 22829	Proposed	Original	Difference
Distance	1941.49	3067.27	
Drawdown (FT)	18.70455	9.11537	9.5891839
Drawdown (%ST)	39.79692	19.3944	20.402519

WR_NUM: 26245	Proposed	Original	Difference
Distance	1963.53	2709.24	
Drawdown (FT)	18.656	9.455329	9.2006759
Drawdown (%ST)	39.69363	20.11772	19.575906

WR_NUM: 24528 ID2	Proposed	Original	Difference
Distance	4708.17	5957.47	
Drawdown (FT)	14.89901	7.304398	7.5946141
Drawdown (%ST)	31.70003	15.54127	16.158753

WR_NUM: 12652	Proposed	Original	Difference
Distance	4175.69	4432.84	
Drawdown (FT)	15.41377	8.108744	7.3050227
Drawdown (%ST)	32.79525	17.25265	15.542602

WR_NUM: 24528 ID3	Proposed	Original	Difference
Distance	4973.44	5813.84	
Drawdown (FT)	14.66408	7.370618	7.2934611
Drawdown (%ST)	31.20017	15.68217	15.518002

WR_NUM: 11615	Proposed	Original	Difference
Distance	4714.28	5987.46	
Drawdown (FT)	14.89345	7.290778	7.6026745
Drawdown (%ST)	31.6882	15.51229	16.175903

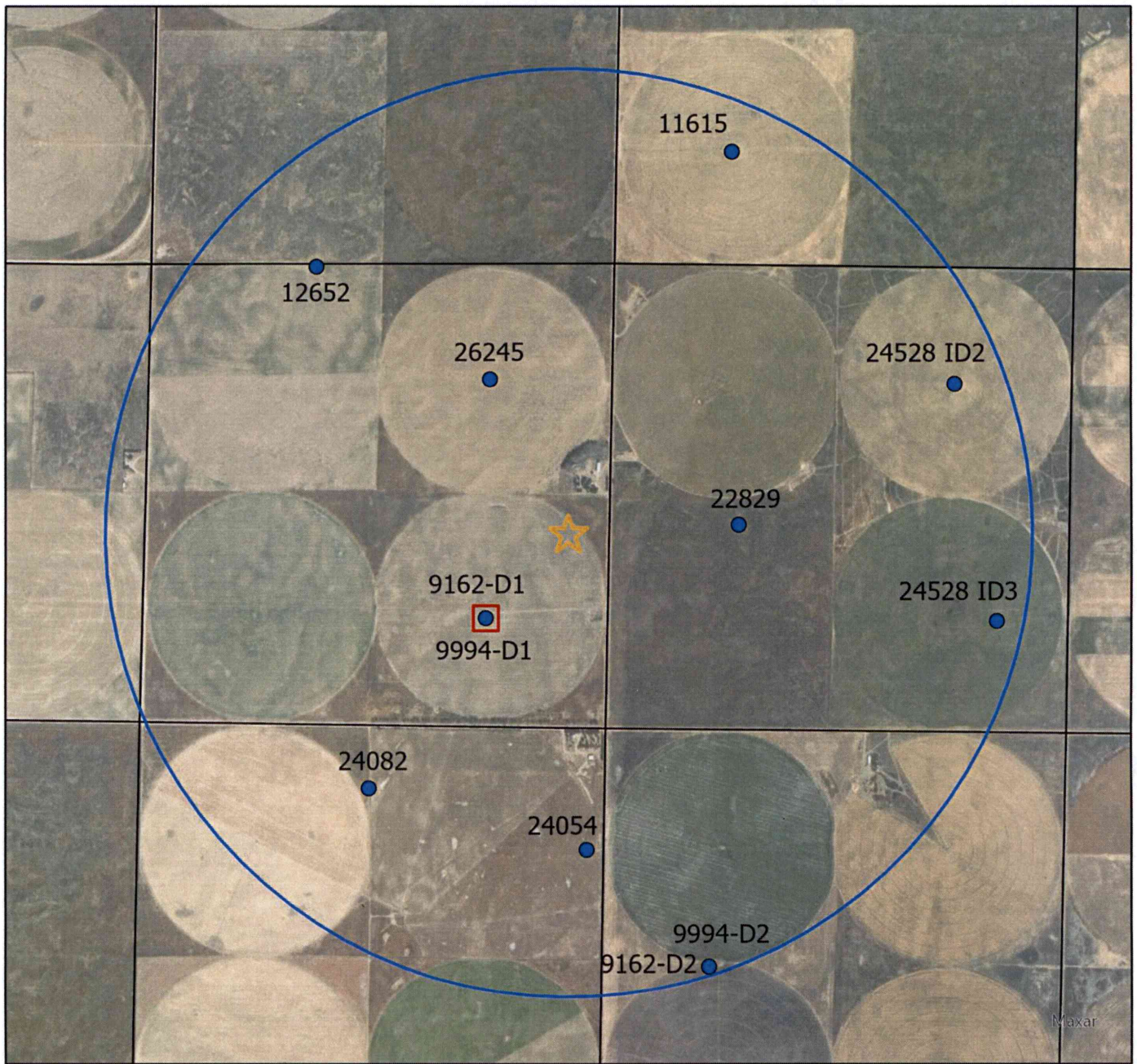
S. Thurlow
8/11/2023

This evaluation of proposed change in point of diversion, File Nos. 9,162-D1 & 9,994-D1

A 50-year This analysis was used to evaluate the potential increase in dynamic drawdown as a result of the proposed change in point of diversion for the one well authorized by File Nos. 9162-D1 and 9994-D1. The change proposes reallocating the well approximately 974 feet South and 932 feet West of the currently authorized location (Figure 1).

The GMD No. 3 groundwater model was used for a projected future (2068) saturated thickness (47 ft) and transmissivity (1,673 ft²/day) for Township 27 South, Range 30 West, Section 1. An assumed specific storage of 1×10^{-5} and the projected saturated thickness was used to determine the assumed storativity of 47×10^{-5} .

Drawdown was evaluated at 4 nearby existing wells authorized by File Nos. 22829, 26245, 12652, and 24528 ID2 (Tables 1-4). A total quantity of 400 acre-feet (AF) at a rate of 995 gallons per minute (gpm) was compared to the average total historic use (101.8 AF, 2013-2022) at the most recent pumping rate (150 gpm). The maximum net drawdown occurred at the point of diversion authorized by File No. 22,829. The net drawdown at that distance was 48.5 feet, or 103.2% of the projected future saturated thickness (Table 1).



- ☆ Proposed PD
- Authorized PD
- Nearby PD
- 1 Mile Buffer Radius
- PLSS Section



0 0.25 0.5 1 Miles



Kansas Department of Agriculture
 Division of Water Resources
 August 11, 2023

Figure 1: Location of current and proposed point of diversion and surrounding points of diversion

Table 1: Theis drawdown evaluated at File No. 22,829; T = 1,673 ft²/day, S = 0.00047

Scenario	Distance (FT)	Pump Rate (GPM)	Volume (AF)	Drawdown (FT)	Drawdown (%ST)
Proposed	1941.5	995.0	400.0	57.6	122.6%
Baseline	3067.3	150.0	101.8	9.1	19.4%
			Net:	48.5	103.2%

Table 2: Theis drawdown evaluated at File No. 26,245; T = 1,673 ft²/day, S = 0.00047

Scenario	Distance (FT)	Pump Rate (GPM)	Volume (AF)	Drawdown (FT)	Drawdown (%ST)
Proposed	1963.5	995.0	400.0	57.4	122.2%
Baseline	2709.2	150.0	101.8	9.5	20.1%
			Net:	48.0	102.1%

Table 3: Theis drawdown evaluated at File No. 12,652; T = 1,673 ft²/day, S = 0.00047

Scenario	Distance (FT)	Pump Rate (GPM)	Volume (AF)	Drawdown (FT)	Drawdown (%ST)
Proposed	4175.7	995.0	400.0	43.8	93.1%
Baseline	4432.8	150.0	101.8	8.1	17.3%
			Net:	35.7	75.9%

Table 4: Theis drawdown evaluated at File No. 24,528 ID2; T = 1,673 ft²/day, S = 0.00047

Scenario	Distance (FT)	Pump Rate (GPM)	Volume (AF)	Drawdown (FT)	Drawdown (%ST)
Proposed	4708.2	995.0	400.0	41.6	88.6%
Baseline	5957.5	150.0	101.8	7.3	15.5%
			Net:	34.3	73.0%

McColloch, Austin [KDA]

From: Garrett Love <garrett.t.love@gmail.com>
Sent: Friday, October 13, 2023 9:50 AM
To: McColloch, Austin [KDA]; Meyer, Mike [KDA]
Subject: Re: FW: Meter repair

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hey Austin,

If have to reduce acres too, I'd like to keep SE/4 as the pivot. Since this is owned by Love Land & Cattle LLC, just I need to sign & notarize it right? Any word on NE 34? Thanks!

Garrett Love

On Fri, Oct 13, 2023 at 8:44 AM McColloch, Austin [KDA] <Austin.McColloch@ks.gov> wrote:

Garrett,

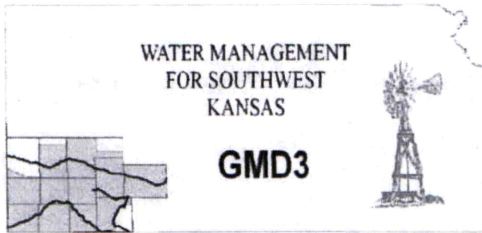
With the reduction of rate and quantity (down to 234 AF at 235 GPM combined both files) there will need to be a reduction in acres as to not increase consumptive use. Currently there are 575 AF on 320 Acres for a 1.8 AF/acre. To keep this, we will need to reduce down to 130 acres ($234 \text{ AF} / 1.8 \text{ AF/acre} = 130 \text{ AC}$). Which pivot would you like to keep? SW/4 or SE/4? I am drafting up an additional conditions signature page that we will need signed / notarized (a scanned return copy can be accepted). Then we can move on with the approvals.

Thanks,

Austin McColloch

Garden City Field Office

Ph: (620) 276-2901



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

October 25, 2023

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 Rights, File Nos. 9162 D1 & 9994 D1

Dear Austin:

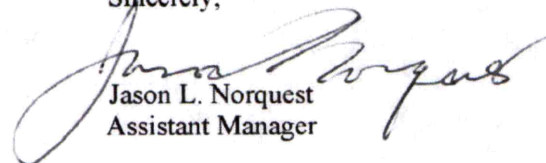
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

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. The analysis was run at full authority, prior to the applicant agreeing to restrictions from DWR's analysis. 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 (1.5 ft with saturated thickness is between 50-75ft), 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.

At the time of the first analysis, it was run at full authority and critical wells were found. The more recent analysis performed by DWR showed that restriction would be needed and the applicant has agreed to them. Therefore, since the applicant has agreed to restrictions, 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,


Jason L. Norquest
Assistant Manager

RECEIVED

OCT 25 2023

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 9162D1, 9994D1.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Love Land & Cattle.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-23-3

Point of diversion ID No(s) 05 being changed.

	ft. North	ft. West	
Authorized PD	1260	1380	Sect 1-27-30
Proposed PD	2234	448	
Difference	-974 n	932 e	
a2 + b2 = c2	948676	868624	1348.073 foot move NE

GPS for proposed PD: Lat: 37.72857 Long: -100.54449.

Is proposed PD stacking on existing WRs? Keep overlap.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name Golden Plains Farm LLC, Philip Schmidt (9162D2, 9994D2).

Address 10203 BB Rd.

Zip Montezuma, KS 67867.

Email: gpcustomseedcleaning@gmail.com Phone: 620-518-3515.

Name Farrel & Mary Ellen Bleumer (11615).

Address 14909 6 RD.

Zip Ingalls, KS 67853.

Email: tonybleumer@gmail.com Phone: 620-338-6445.

Name Ray Allen Smith (12652)

Address 5505 S Rd.

Zip Ingalls, KS 67853.

Email: reysmith96@gmail.com Phone: 620-521-2982.

Name Greg & Skyliya Millershaski (22829)

Address 15450 11 Rd.

Zip Ingalls, KS 67853.

Email: gemshaski014@gmail.com Phone: 620-335-5343.

Name Henry Yost (24054).

Address 8304 X Rd.

Zip Montezuma, KS 67867.

GMD3 Change Review

Email: henryyost70@gmail.com Phone:

Name Roger W & Marilee Yost (24082)

Address 21505 8 Rd.

Zip Montezuma, KS 67867.

Email: marileeyost@yahoo.com Phone:

Name Christopher Bryan (24528).

Address 20802 22 Rd.

Zip Cimarron, KS 67835.

Email: chrisbryan99@icloud.com Phone: 620-338-5865.

Name Anthony W & Tracy A Bleumer (26245).

Address 16504 7 Rd.

Zip Ingalls, KS 67853.

Email: tonybleumer@gmail.com Phone: 620-338-6445

Domestic well(s) notified: ___

Name ___

Address ___

Zip ___

Base Acres: ___

Perfected Acres: ___

Irr. Return-Flow ___%

Gray County

9162 D1: 222AF @ 995gpm

Reduction in rate to 235gpm

9994 D1: 353AF @ 995gpm, limited to 995gpm

Reduced to 12AF @ 235gpm

Also reducing the acres to 130 SE 1-27-30

Combined to have a proposed authority of 234AF @235gpm

Average Reported use (2013-2022): 101.8AF/year

Proposed 278' depth

Is a waiver needed: Move is less than half mile. With the reduction, spacing is met DWR provided their Theis report and the applicant has agreed to the reductions to get the applications approved. We did run analysis in the past and did find critical wells at that time using current certified authorization.

GMD3 Change Review

Recommendation: After review of available information, it appears current area rules are met. With the applicant agreeing to the restrictions, staff recommends approval of the applications.

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a smaller, less distinct mark.

Water Rights and Points of Diversion Within 1 mile of point defined as:
 2234 Feet N and 448 Feet W of the Southeast Corner of Section 1 Twp 27S Rng 30W
 Located at: 100.544490 West Longitude and 37.728570 North Latitude
 Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan
A__ AF	9162	D1	IRR	NK	G*	1344	--	NE	SW	SE	1260	1380	1	27	30W	5	222.00	222.00
A__ AF	9162	D2	IRR	NK	G	5173	←	--	NC	W2	2620	3980	7	27	29W	1	2300 220.00	220.00
A__ AF	9994	D1	IRR	NK	G*	1344	--	NE	SW	SE	1260	1380	1	27	30W	5	353.00 ¹²	353.00
A__ AF	9994	D2	IRR	NK	G	5173	←	--	NC	W2	2620	3980	7	27	29W	1	349.00	349.00
A__ AF	11615	00	IRR	NK	G	4715	←	--	NC	SW	-----	-----	31	26	29W	1	2300 738.00	738.00
A__ AF	12652	00	IRR	NK	G	4186	←	--	--	--	5201	3407	1	27	30W	8	320.00	320.00
A__ AF	22829	00	IRR	NK	G	A 2053	←	NW	NE	SW	2290	3640	6	27	29W	4	272.00	272.00
A__ AF	24054	00	IRR	NK	G	3579	←	NE	SE	NE	3930	310	12	27	30W	3	260.00	260.00
A__ AF	24082	00	IRR	NK	G	3683	←	SE	NE	NW	4570	2675	12	27	30W	4	260.00	260.00
A__ AF	24528	00	IRR	NK	G	4707	←	--	NC	NE	3960	1340	6	27	29W	2	136.00	136.00
Same AF						4971	←	NC	E2	SE	1280	800	6	27	29W	3	136.00	136.00
A__ AF	26245	00	IRR	NK	G	A 1923	←	--	NC	NE	3940	1320	1	27	30W	3	260.00	260.00

575
400
1400

Total Net Quantities Authorized: Direct Storage
 Total Requested Amount (AF) = .00 .00

Spacing would be met @
 400 AF Authority

>-----

> FARREL & MARY ELLEN BLEUMER

>

> 14909 6 RD

> INGALLS KS 67853

11615 ✓

>-----

> RAY ALLEN SMITH

>

> 5505 S RD

> INGALLS KS 67853

12652 ✓

>-----

> GREG & SKYLIA MILLERSHASKI

>

> 15450 11 RD

> INGALLS KS 67853

22829 ✓

>-----

> HENRY YOST

>

> 8304 X RD

> MONTEZUMA KS 67867

24054 ✓

>-----

> ROGER W & MARILEE YOST

>

> 21505 8 RD

> MONTEZUMA KS 67867

24082 ✓

>-----

> CHRISTOPHER BRYAN

>

> 20802 22 RD

> CIMARRON KS 67835

211528 ✓

>-----

> ANTHONY W & TRACY A BLEUMER

>

> 16504 7 RD

> INGALLS KS 67853

26245 ✓

>-----

=====

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 16, 2023

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

Re: Request for Recommendation,
File Nos. 9162-D1 & 9994-D1

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Garrett Love 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: