

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 35422

Field Office No. 2

GMD No. 2

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** YES
If applicable, list Place of Use Overlap File Nos. 20340, 29634, 20137047-MF
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** YES
Name of Former WUC _____ Name of New WUC _____
4. a. **Point of diversion computer ID No(s).** NA for point(s) being changed.

b. **Show feet distances from the _____ corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
NO CHG	31491	N/A							

c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**

Old PDIV ID	Authorized Rate	Additional Rate	Authorized Quantity	Additional Quantity
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy

d. **Name of Drainage Basin** _____ **Is this correctly shown in WRIS?** Yes No

e. **Formation Name & No.** _____ **Special Use Area** _____

5. **Distances from the previous/original p/d:** _____ ' N / S _____ ' E / W

6. WATER RIGHT ACTION TRAIL COMMENTS

9/26/2016 Change Application Received (date accepted for priority)
10 / 21 / 16 Change Approved
 _____ / _____ / _____ Notice and Proof by _____ / _____ / _____
 _____ / _____ / _____ Completion Requirement Removed (Change No. C _____)

7. METER ACTION TRAIL COMMENTS

10 / 21 / 16 DWR Meter Required by 12/31/2016
 _____ / _____ / _____ Anti-Reverse Meter Required by _____ / _____ / _____
 _____ / _____ / _____ Meter Seal Required by _____ / _____ / _____

8. Base Acres 115 Year 1991 Minimum Reasonable Quantity 1.06

Date Created **10/17/16** by **TJS**
Date Entered _____ by _____

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 35422

Action	Owner Person ID	Place Use ID #	Sec.	Twp.	Range		NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
							NE¼	NW¼	SW¼	SE¼													
ENT	63797	2929	20	21S	3W	Acres Authorized					40	40											80
						New Acres																	
ENT	63797	14468	20	21S	3W	Acres Authorized			40	40													80
						New Acres																	
NO CHG	5705	33227	17	21S	3W	Acres Authorized													35			35	70
						New Acres																	
NO CHG	5705	11122	20	21S	3W	Acres Authorized	40	40															80
						New Acres																	

Names and Address:

1. Person ID # <u>63797</u> WEIR FARMS LLC 7025 MIZE RD SHAWNEE KS 66226	2. Person ID # <u>5705</u> DONALD L & DIANNE FROESE TRUSTS 104 BLUESTEM DR. INMAN KS 67546	3. Person ID # _____ _____ _____ _____
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GENERAL INSTRUCTIONS

1. Give to Applicant:
 - a. Original application/approval
 - b. Original receipt (one for each application)
 - c. Information packet containing:
 - Notice and Proof form
 - Water Meter Specifications
 - Acceptable Meter list
 - Water level measurement tube specifications
 - Check Valve specifications
 - Pink Sheet - K.S.A. 82a-728 letter
 - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)
2. Send to headquarters:
 - a. Good, **scannable** copy of application and/or approval and this check sheet
 - b. Original check and copy of receipt
 - c. Test hole log
 - d. GMD recommendation, if any
 - e. Map or aerial photograph, if any
3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.
4. Date stamp received and approved.
5. Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES

HQ _____

GMD #2 _____

CONDITIONS

1. Insert notice and proof date.
2. Type or print applicant's/owner's name on line.
3. Complete notary statement.



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

October 21, 2016

Weir Farms LLC
7025 Mize Rd
Shawnee KS 66226

Re: Water Right, File No(s). 35422 (20137047-MF)

Dear Water Right Owner:

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

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman
Water Commissioner

Enclosures

pc: Water Rights Section
Ground Water Management District 2
Donald L & Dianne Froese Trusts

CERTIFICATE OF SERVICE

On this **21 October 2016**, I hereby certify that the attached Change in Place of Use, File No. 35422 (20137047-MF) dated October 21, 2016 was mailed to the following:

Weir Farms LLC
7025 Mize Rd
Shawnee KS 66226

pc: Water Rights Section
GMD #2
Donald L & Dianne Froese Trusts



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

WATER METER REQUIRED

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. 35422

RECEIVED
 9:44am
 SEP 26 2016

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

Stafford Field Office
 Division of Water Resources

2. Name and address of Applicant: Donald L. & Dianne Froese Trusts

104 Bluestem Dr., Inman, KS 67546

Phone Number: (620) 242-9266

Email address: _____

Name and address of Water Use Correspondent: Donald L. & Dianne Froese Trusts

104 Bluestem Dr., Inman, KS 67546

Phone Number: (620) 242-9266

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Donald L. & Dianne Froese Trusts

ADDRESS: 104 Bluestem Dr., Inman, KS 67546

(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													
	20-21S-3W		40	40														80	
	17-21S-3W													35			35	70	

150

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: A) Weir Farms LLC B) Donald L. & Dianne Froese Trusts (Being purchased by Weir Farms LLC)

ADDRESS: A) 7025 Mize Road, Shawnee, KS 66226 B) 104 Bluestem Dr., Inman, KS 67546

(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													
A)	20-21S-3W				40	40	40	40										160	
B)	20-21S-3W		40	40														80	
B)	17-21S-3W													35			35	70	

310

For Office Use Only: Code _____ Fee \$ 200 - TR # _____ Receipt Date _____ Check # 20008

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the NE Quarter of Section 20, Township 21 South, Range 3W (E/W), in McPherson County, Kansas, 5240 feet North 50 feet West of Southeast corner of section.
 Authorized Rate 1200 GPM Authorized Quantity 119 AF Depth of well _____ (feet)
 (DWR use only: Computer ID No. 4 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 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 _____

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:
Proposed point of diversion: (Complete only if change is requested)
 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. Why do you need a new point of diversion? NA

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

9. When do you propose to complete the new point of diversion?
NA

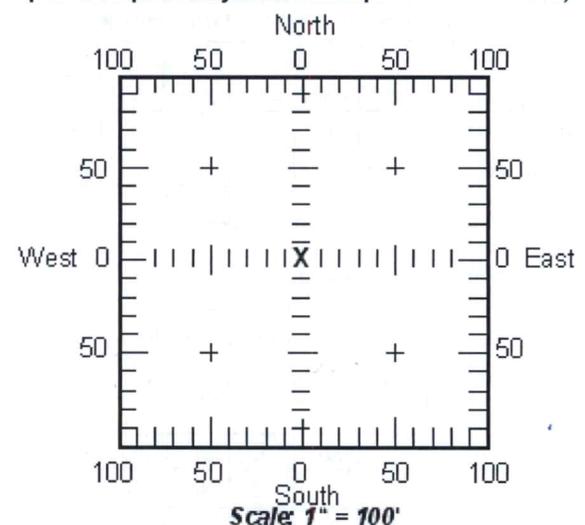
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA

(b) When will this be done? NA

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by T. Boese, GMD2

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

RECEIVED

SEP 26 2016

DWR 1-121 (Revised 06/16/2014)

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 Inman, Kansas, this 14th day of September, 2016.

Donald L. Froese
(Owner)

(Spouse)

Donald L. Froese, Trustee of the Donald L. Froese Trust
(Please Print)

(Please Print)

Dianne Froese
(Owner)

(Spouse)

Dianne Froese, Trustee of the Dianne Froese Trust
(Please Print)

(Please Print)

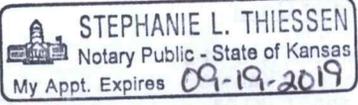
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of McPherson } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 14th day of September, 2016.

Stephanie L. Thiesen
Notary Public

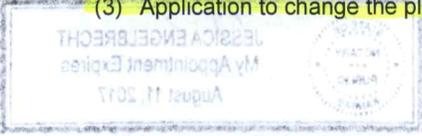
My Commission Expires 09-19-2019

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



RECEIVED

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 Murriam, Kansas, this 19th day of September, 2016.

<p><u>[Signature]</u> (Owner) - Purchaser Jim Weir, President, Weir Farms LLC _____ (Please Print)</p> <p>_____ (Owner) _____ (Please Print)</p> <p>_____ (Owner) _____ (Please Print)</p> <p>_____ (Owner) _____ (Please Print)</p>	<p>_____ (Spouse) _____ (Please Print)</p>
--	---

State of Kansas }
County of Johnson } SS

CONNIE M. PUGH
Notary Public - State of Kansas
My Appt. Expires 1/23/18

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19 day of September, 2016.

Connie M Pugh

Notary Public

My Commission Expires January 23, 2018

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

RECEIVED

**ADDITIONAL CONDITIONS TO SUMMARY ORDER APPROVING
APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which Water Right, File No. 35422 shall be subject to the following conditions:

- 10a. If the water flowmeter is replaced with a new flowmeter then the owner of the authorized place(s) of use shall properly install an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer

- 10b. A seal shall be placed on the water flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right.

Water Wells Within ½ Mile

1. Irrigation Well – Water Right Nos. 20340 & 29634
Weir Farms LLC
7025 Mize Road
Shawnee, KS 66226

2. Domestic Well
Philip & Barbara Dierks
331 14th Avenue
Inman, KS 67546

3. Domestic Well
Wesley & Deanna Ediger
330 14th Avenue
Inman, KS 67546

4. Domestic Well
Harry J. Neufeldt
280 14th Avenue
Inman, KS 67546

2. Domestic Well
Joshua & Sarah Kroeker
262 14th Avenue
Inman, KS 67546

RECEIVED

SEP 26 2016


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 26, 2016

Weir Farms LLC
7025 Mize Road
Shawnee, KS 66226

RE: Water Right, File No(s). 35,422

Dear Mr. Weir,

This is to advise you that Donald L. & Dianne Froese Trusts have filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the authorized point of diversion(s). As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,



Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD #2

SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 26, 2016

Philip & Barbara Dierks
331 14th Avenue
Inman KS 67546

RE: Water Right, File No(s). 35,422

Dear Mr. and Mrs. Dierks,

This is to advise you that Donald L. & Dianne Froese Trusts have filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the authorized point of diversion(s). As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

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Sincerely,



Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD #2


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 26, 2016

Wesley & Deanna Ediger
330 14th Avenue
Inman KS 67546

RE: Water Right, File No(s). 35,422

Dear Mr. and Mrs. Ediger,

This is to advise you that Donald L. & Dianne Froese Trusts have filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the authorized point of diversion(s). As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

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Sincerely,



Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD #2


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
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Sam Brownback, Governor

September 26, 2016

Harry J. Neufeldt
280 14th Avenue
Inman KS 67546

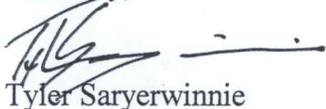
RE: Water Right, File No(s). 35,422

Dear Mr. Neufeldt,

This is to advise you that Donald L. & Dianne Froese Trusts have filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the authorized point of diversion(s). As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

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Sincerely,



Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD #2


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
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September 26, 2016

Joshua & Sarah Kroeker
262 14th Avenue
Inman KS 67546

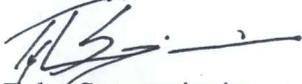
RE: Water Right, File No(s). 35,422

Dear Mr. and Mrs. Kroeker,

This is to advise you that Donald L. & Dianne Froese Trusts have filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the authorized point of diversion(s). As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

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Sincerely,



Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD #2

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: October 12, 2016

FROM: Tyler Saryerwinnie

RE: Water Right, File No. 35422
Nearby Owner Notification

On September 26, 2016, five (5) surrounding well owners were notified of the proposed place of use change application filed by Weir Farms LLC with a deadline to submit comments to the Field Office of no later than October 11, 2016.

On 9/29/2016, Mr. Harry Neufeldt called inquiring about the owner notification letter (File No. 35422) sent on 9/26/16. He inquired whether any changes were made to the wells location. I informed him that this was only a place of use change and told him that no changes were being made to the P/D's location, rate, or quantity authorized. He did not voice any other concerns at this time.

On 10/4/16, Mr. Philip Dierks called inquiring about the owner notification letter (File No. 35422) sent on 9/26/16. He asked whether any changes were being made to the well, specifically whether the location of the well will change and if it will affect his domestic well. I informed him that they were only changing the place of use and no changes will be made to the rate or quantity authorized. He inquired whether the State requires a survey to be done for this application and said one had been done on the applicant's property recently. He had no other concerns at the time of this call.

No other nearby owners called the Field Office or submitted comments in writing.

This application can be moved on to GMD#2 for further review and recommendation.

Saryerwinnie, Tyler

From: Saryerwinnie, Tyler
Sent: Wednesday, October 12, 2016 12:37 PM
To: tboese@gmd2.org; Steve Flaherty (sflaherty@gmd.org)
Cc: Rebecca Wilson (rwilson@gmd2.org); Conant, Cameron
Subject: Recommendation Request - File Nos. 20340, 29634, 35422
Attachments: recommendation.request.2340.29634.35422.pdf; 20340 change app.pdf; 29634 change app.pdf; 35422 change app+memo.pdf; 20340.29634.35422baseacrereview.pdf

Tim and Steve,

I have attached a cover letter, copies of three (3) applications, and the accompanying base acre review for GMD review and recommendation. Please provide the GMD recommendation by no later than November 2nd, 2016.

Please let me know if you have any questions or concerns.

Tyler Saryerwinnie, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311 (Ph)



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

October 12, 2016

Tim Boese
Equus Beds – GMD No. 2
313 Spruce Street
Halstead, KS 67056

RE: Place of Use Change Application, File No(s). 20340, 29634, 35422

Dear Mr. Boese,

We are enclosing a copy of the applications, as referenced above, for your review and recommendations. At this time the applications appear to be in proper form. Notification letters were sent to all nearby owners shown on the application maps. These owners were given a 15 day comment period; Two responses were received and documented in the enclosed memo.

This office will delay any further action on this file for a period of 15 business days from the date of this letter to allow you time to submit your recommendations concerning the applications. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please feel free to contact the office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tyler Saryerwinnie".

Tyler Saryerwinnie
Environmental Scientist
Stafford Field Office
tyler.saryerwinnie@ks.gov

Enclosure

COPY

Saryerwinnie, Tyler

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Friday, October 14, 2016 1:18 PM
To: Saryerwinnie, Tyler
Cc: Engelbrecht, Jessica
Subject: 20340, 29634, 35422 Change in Place of Use Approval
Attachments: 20340, 29634, 35422 Change in Place of Use Approval.pdf

Tyler,

Attached is documentation regarding the Approval of Change in Place of Use for 20340, 29634, and 35422.

Please let me know if you have any questions or difficulty opening the attachment.

Thanks!

Rebecca

Rebecca Wilson
Administrative Assistant
Equus Beds GMD2
313 Spruce Street
Halstead, KS 67056
316-835-2224
316-835-2225 Fax
rwilson@gmd2.org
www.gmd2.org

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Stafford Field Office
Division of Water Resources

FRED SEILER, PRESIDENT
VIN KISSICK, VICE PRESIDENT
JEFF WINTER, SECRETARY
MIKE MCGINN, TREASURER
TIM BOESE, MANAGER
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:
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ALAN BURGHART
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EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

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October 14, 2016

Chief Engineer, Division of Water Resources
Attn: Tyler Saryerwinnie
300 S. Main St.
Stafford, KS 67587

Re: Place of Use Change Applications, File Nos. 20340, 29634, and 35422

Dear Mr. Saryerwinnie:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use applications on October 14, 2016 using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

Under the change applications, the places of use were combined and created an identical overlap totaling 310 acres. The combined water to land ratio is approximately 1.16 acre-feet per acre under the place of use applications.

The referenced change applications comply with the District's Management Program and Rules and Regulations and the applications are recommended for approval by the Equus Beds Groundwater Management District No. 2.

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12.

Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/STF

pc: Weir Farms LLC
Donald L. & Dianne Froese Trusts



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OCT 14 2016

Stafford Field Office
Division of Water Resources

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October 14, 2016

Weir Farms LLC
7025 Mize Road
Shawnee, KS 66226

Re: Change in Place of Use Application Nos. 20340, 29634, 35422

Dear Sir or Madam:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that Change Application Nos. 20340, 29634, and 35422 approved. Pursuant to K.A.R. 5-22-4a, the wells described in the applications must be equipped District approved water flowmeters:

The wells are located:

Water Right Nos. 20340 & 29634: One well near the center of the East side of the Northeast Quarter of the Northwest Quarter of Section 20, Township 21 South, Range 3 West, McPherson County; and

Water Right No. 35422: One well located in the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 20, Township 21 South, Range 3 West, McPherson County.

The wells must be properly equipped with approved meters within 30 days after the approval of the change applications and prior to operation of the wells. If more time is needed to install the meters or modify an existing meter installation, you may request an extension of time. The request must be made to the District before the end of the 30-day period.

Enclosed are two Flow Meter Installation forms to be completed and returned to this office after completion of the meter installation or modification. A copy of the Division of Water Resources' meter installation notification form (Notice and Proof of Completion of Works) may be substituted for the District form. Upon receiving the completed forms, the District will inspect the installations.

Also enclosed is a copy of water meter and installation specifications. Water meters must meet these specifications and the list of certified water meters provided under K.A.R. 5-1-12, for District approval. The list of certified water meters can be obtained by contacting the District or at following link: <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you have any questions about the District's metering program or the enclosed material, please contact the District for assistance.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/STF

Enclosures

pc: Donald L. & Dianne Froese Trusts
Jeff Lanterman, Division of Water Resources, Stafford

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Stafford Field Office
Division of Water Resources

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2 FINAL APPLICATION REVIEW CHECKLIST

1) Application No. 35422 Date filed: Sept. 26, 2016
 2) Proposed maximum quantity: 119 acre-feet/year Rate: 1200 GPM
 3) Proposed Use: Irrigation
 4) P/D location: NENENE 20-21S-3W Geo Center: North 5240 ft, West 50 ft
 5) Number and type of points of diversion listed on the application 1 Well

6) Is the well location on the app the same on the evaluation sheet? Yes No
 7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8? Yes No, Why _____
 8) Meets change app requirements K.A.R. 5-22-8? Yes No N/A

9) Meets Safe Yield K.A.R. 5-22-7? Yes No N/A
 9(b) Safe yield total allowable appropriations: _____ af/yr
 9(a) Safe yield analysis total existing appropriations: _____ af/yr
 9(c) Total appropriations for small user exemptions: _____ af/yr
 9(d) Total appropriations for non-consumptive use: _____ af/yr
 9(e) Total appropriations for consumptive use: _____ af/yr
 (total existing appropriations) - (non-consumptive appropriations)
 9(f) exempt from regulation? Yes No,
 Cite exemption: _____

10) Meets Well Spacing K.A.R. 5-22-2? Yes No N/A
 10(a) POD in enhanced well spacing area? Yes No
 10(b) Domestic well spacing interval: _____ ft
 10(c) Non-Domestic well spacing interval: _____ ft

11) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 11(a) Irrigation max quantity: _____ acre-feet / acre
 application paragraph 3 value (acre-feet) / proposed acres = Q
 11(b) Stockwater max quantity: _____ GPD _____ unit
 11(c) Industry max quantity: _____ Acre
 Industry standard: _____
 11(d) Municipal max quantity: _____ GCD
 Lesser of either 200 GCD or
 $1.10 * (X - Y) * 365 * d * (z + t)$
 X - Average of last three years usage in Gallons per Capita per Day (GCD)
 Y - water usage for industries that use over 200,000 gal/yr (GCD)
 Z - Projected population in 20 years
 T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)
 11(e) Pond max quantity is _____
 (Net evap + seepage)/12 x pond area + any initial fill
 11(f) Groundwater pit max Q: _____
 Net evap * pit area/12

12) Reasonable rate for intended use? Yes No N/A
 13) Depth to water: _____ bls at observation well: _____

14) Date reviewed: October 14, 2016
 15) Reviewed by: S. Flaherty Title: Hydrogeologist
 16) District recommendation: Approve Deny Other, see comment

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OCT 14 2016
 Stanford Office
 Division of Water Resources

17) Comments and Calculations:

Review completed for a change in place of use application submitted by Donald L. & Dianne Froese Trusts for Irrigation use in McPherson County.
 Application seeks to combine Nos. 20340 (80 base acres, 80 authorized), 29634 (86 base acres, 80 authorized), and 35422 (115 base acres, 150 authorized).
 No new acres will be irrigated. Therefore, existing authorized acres can be combined without falling back to base acres to create an identically overlapping 310 acre place of use.
 Permit Nos. 20340 and 29634 have overlapping points of diversion
 Permit No. 35422 has an independent point of diversion.
 Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17

FRED SEILER, PRESIDENT
VIN KISSICK, VICE PRESIDENT
JEFF WINTER, SECRETARY
MIKE MCGINN, TREASURER
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September 7, 2016

Brett Froese
507 Church Drive
Inman, Kansas 67546

RE: Change In Place of Use Applications - Water Right Nos. 20340, 29634, 35422

Dear Mr. Froese:

Pursuant to your request, please find the enclosed change in place of use applications for Water Right Nos. 20340, 29634, and 35422, which have been partially completed based on information provided by you and information contained in the water right files.

Please review the enclosed applications and attachments for accuracy, especially names, addresses, legal descriptions, and the proposed place of use. Upon review completion, please complete the applications and attachments with the necessary dates, signatures, and notaries as indicated. Please note that the change applications must be signed by the current owner(s) of the currently authorized places of use. There are several places that must be signed and dated and some of the signatures need to be notarized.

The completed change applications may be forwarded to the Division of Water Resources Stafford Field Office in the enclosed envelope accompanied with a filing fee check for \$600.00 (\$200.00 per water right), payable to the "Kansas Department of Agriculture." Please note that the approval of the change applications are not guaranteed and that the application fees are non-refundable.

Should you have any questions regarding the applications, or need additional information, please feel free to contact our office.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/db
Enclosures

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SEP 26 2016