

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 36789

Field Office No. 2

GMD No. 5

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** NO
If applicable, list Place of Use Overlap File Nos. 27517
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** NO
Name of Former WUC RICHARD D & JANEL A RUGAN Name of New WUC NORTHGLENN LTD
4. a. **Point of diversion computer ID No(s).** N/A 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	12970	NO	3	20S	13W	2840	3960	BARTON	NC W2

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

10/11/2016 Change Application Received (date accepted for priority)
11 / 17 / 16 Change Approved
 _____ / _____ / _____ Notice and Proof by _____ / _____ / _____
 _____ / _____ / _____ Completion Requirement Removed (Change No. C _____)

7. METER ACTION TRAIL COMMENTS

11 / 17 / 16 DWR Meter Required by 12/31/2017
 _____ / _____ / _____ Anti-Reverse Meter Required by _____ / _____ / _____
11 / 17 / 16 Meter Seal Required by 12/31/2017

8. Base Acres 100 Year 1986 Minimum Reasonable Quantity 1.18

Date Created 11/17/16 by TJS

Date Entered _____ by _____

*change allows
1.3 AF/ac
CPC
11/17/16*

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 36789

Action	Owner Person ID	Place Use ID #	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			
NO CHG	54887	12906	3	20S	13W	Acres Authorized															32	34	32.5	30.5	129
						New Acres																			
ENT	28585	40834	3	20S	13W	Acres Authorized					LT 3 25.5	LT 4 25.5	36.5	36.5	3.5	3.0		0.5							131
						New Acres																			
						Acres Authorized																			
						New Acres																			
						Acres Authorized																			
						New Acres																			

Names and Address:

1. Person ID # <u>54887</u> NORTHGLENN LTD PO BOX 1005 GREAT BEND KS 67530-1005	2. Person ID # <u>28585</u> E D & J INC PO BOX 1005 GREAT BEND KS 67530-1005	3. Person ID # _____
--	---	--

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.
- CONDITIONS
1. Insert notice and proof date.
 2. Type or print applicant's/owner's name on line.
3. Complete notary statement.
 4. Date stamp received and approved.
 5. Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES

HQ _____

GMD #5 _____

NW 1/4

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.

RECEIVED
10:49am
OCT 11 2016

File No. 36789

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

Place of Use Point of Diversion

Stafford 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: Jerry Marmie

PO Box 1005, Great Bend KS 67530-1005

Phone Number: (620)793-0139 Email address: jerrymarmie@yahoo.coms

Name and address of Water Use Correspondent: Northglenn LTD

PO Box 1005, Great Bend KS 67530-1005

Phone Number: () Email address:

3. The presently authorized place of use is:

Owner of Land --- NAME: *Northglenn LTD // **E D & J Inc

ADDRESS: PO Box 1005, Great Bend KS 67530-1005 // PO Box 1005, Great Bend KS 67530-1005

(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	
*3	20	13W													32	34	32.5	30.5	129
**3	20	13w					Lot 3 8	Lot 4 8	38.5	38.5	19	18.5		0.5					131
																	Total	260	

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: *Northglenn LTD // **E D & J Inc

ADDRESS: PO Box 1005, Great Bend KS 67530-1005 // PO Box 1005, Great Bend KS 67530-1005

(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	
*3	20	13W													32	34	32.5	30.5	129
**3	20	13W					Lot 3 25.5	Lot 4 25.5	36.5	36.5	3.5	3.5		0.5*					131
																	Total	260	

For Office Use Only: Code _____ Fee \$ 200 - TR # _____ Receipt Date _____ Check # 10807

*EXF 10WR
correction
per map
10/12/16

5. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the NC W2 Quarter
 of Section 3, Township 20 South, Range 13 W,
 in Barton County, Kansas, 2840 feet North 3960 feet West of Southeast corner of section.
 Authorized Rate 775 gpm Authorized Quantity 129 AF Depth of well 80 (feet)
(DWR use only: Computer ID No. 3 GPS N/A feet North N/A 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? N/A

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

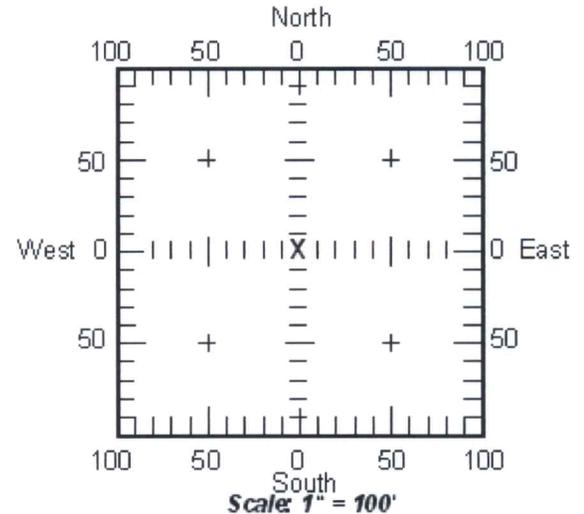
9. When do you propose to complete the new point of diversion?
N/A

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
N/A
 (b) When will this be done? N/A

11. Groundwater Management District recommendation attached? Yes No 11/16/16 TJS-SFFO

12. Assisted by EKF/SFFO

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 2640 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.

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OCT 12 2016

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).

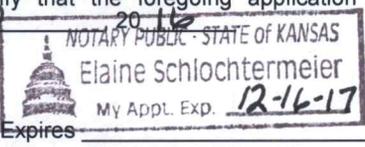
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application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

Dated at Great Bend, Kansas, this 6th day of October, 2016.

<u>Jay L. Maib</u> (Owner)	_____	(Spouse)
<u>Jerry L. Marnie</u> (Please Print)	_____	(Please Print)
<u>[Signature]</u> (Owner)	_____	(Spouse)
<u>David D. Marnie</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of Barton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6 day of October, 2016



Elaine Schlochtermeyer
Notary Public

My Commission Expires _____

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

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OCT 12 2016

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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 36789.

1. A change application was received on 10/11/2016 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 _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. 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
6. ^{2017 CRC 11/17/16} The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2016, 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
7. Installation of the works for diversion of water shall be completed on or before December 31, 20____, or within any authorized extension of time. By March 1, 20____ 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
8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
9. 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
10. Additional Conditions are attached. Yes No
11. 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

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Cameron R. Conant
Duly Authorized Designee of the Chief Engineer
(Print Name): Cameron R. Conant
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 11/17/16

State of Kansas)
County of Stafford) SS

Acknowledged before me on 11/17/16
by Cameron Conant

Signature: Jessica Engelbrecht
Notary Public



My commission expires _____ (Notary Seal)

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OCT 12 2016

Stafford Field Office

**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. 36,789 shall be subject to the following conditions:

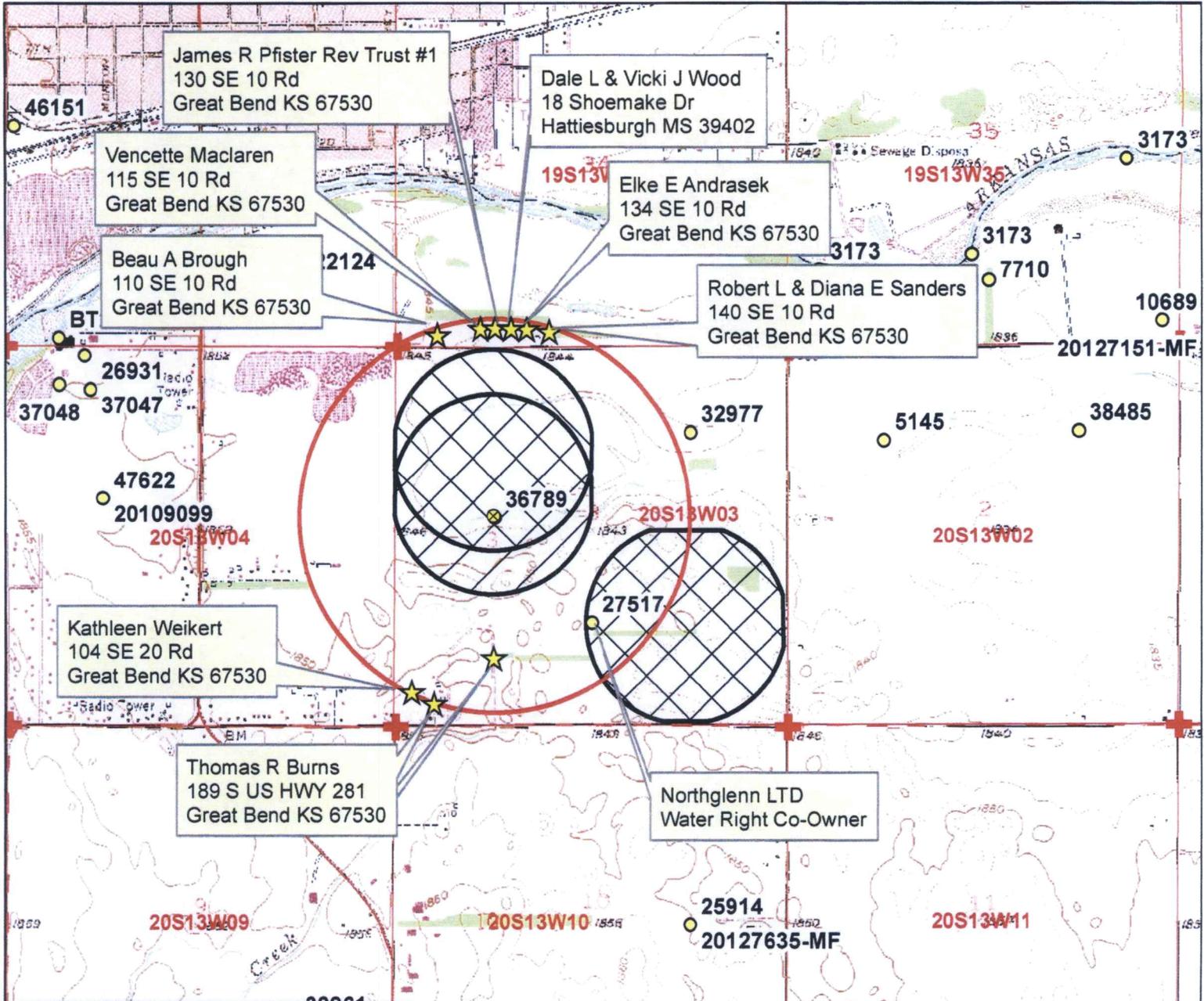
- 10a. A seal shall be placed on the water flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the written permission of the chief engineer, this shall create a rebuttable 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.

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OCT 11 2016

Page 5

File No. 36789 _____

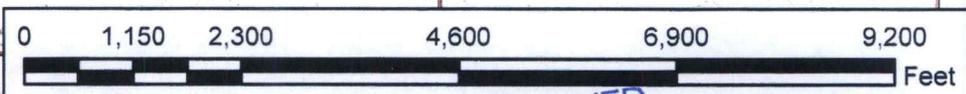


Legend

- Water Appropriations
- ⊕ Section Corner
- ★ Domestic Well
- ⊗ Authorized Point of Diversion
- ⊕ Section Corner
- ▭ Section Line

Place of Use

- ▨ Authorized
- ▩ Proposed



Water Right, File No. 36789

Change in Place of Use Application Map
Place of Use Overlap with File No. 27517
3-20S-13W // Barton County

To the best of my knowledge, all of the domestic wells within 1/2 mile of the proposed point of diversion have been shown.

Gay L. Ward V.P.
Signature

RECEIVED
OCT 12 2016
State Office
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

November 18, 2016

NorthGlenn LTD
PO Box 1005
Great Bend KS 67530-1005

Re: Water Right, File No(s). 36789

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 5
E D & J Inc

CERTIFICATE OF SERVICE

On this **18 November 2016**, I hereby certify that the attached Change in Place of Use, File No. 36789 dated November 17, 2016 was mailed to the following:

NorthGlenn LTD
PO Box 1005
Great Bend KS 67530-1005

pc: Water Rights Section
GMD #5
E D & J Inc



Staff

Saryerwinnie, Tyler

From: marmies@greatbend.com
Sent: Wednesday, October 12, 2016 3:27 PM
To: Saryerwinnie, Tyler
Subject: Water Right, File #27517 & #36789
Attachments: WaterMaps.pdf

Attached are copies of the signed maps. Sorry I failed to sign the original maps. If you need anything else, just let me know.

Please acknowledge receipt of the these maps.

Thank you,
Jerry Marmie

Marmie Motors Inc.
PO Box 1005, 1724 10th St.
Great Bend, KS 67530

620-792-2571
620-791-6757 direct
620-791-6783 fax

AD ASTRA PER ASPERA
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

October 13, 2016

Vencette Maclaren
115 SE 10 Rd
Great Bend KS 67530

* On 10/18/16, letter returned NMR.
"sent new letter to
"126 SE 10 Rd, Great Bend, KS 67530"
to reflect county parcel information.

RE: Water Right, File No(s). 36,789

Dear Water User,

This is to advise you that Jerry Marmie, on behalf of Northglenn LTD and E D & J Inc, has 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 #5

Subject Property: 0051883400000004000

QuickRef ID :	R10557	Click here to locate on Map
Owner Name :	MACLAREN, VENCETTE	No property photo available
Location :	126 SE 10 RD, Great Bend, KS 67530.	
Legal Desc :	S34, T19, R13W, PARCEL SIZE-199.7'x520'; COM 25 N & 4048 W SECOR TH N520,W199,S520,E199 POB.	

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :	Mailing Address :
MACLAREN, VENCETTE	<u>126 SE 10 RD</u> GREAT BEND, KS 67530

Property Details

Property Type :	Property Status :	Taxing Unit :	Neighborhood Code :
Residential	Active	273-SOUTH BEND TWP	055.0

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
			2.3	

Permit Details

Number :	Date :	Amount :	Purpose :
00001	8/11/1999	\$10	MV IN DWL
00001	11/8/2004	\$1	ADDN SFLE

Value Details

Current Final Value (Residential) :	Year :	2016
	Land :	\$9,300
	Building :	\$42,170
	Total :	\$51,470

Deed Book/Page

Book / Page List and Misc Legal Description Info :	
Bk/Pg 235/440 587/726 612/2058 614/4849 617/7483-7485	
Book :	Page :


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
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October 18, 2016

Vencette Maclaren
126 SE 10 Rd
Great Bend KS 67530

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Sincerely,


Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD #5

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: November 3, 2016

FROM: Tyler Saryerwinnie

RE: Water Right, File Nos. 27517&36789
Nearby Owner Notification

Two (2) applications for approval to change the place of use for the referenced files were received on October 11, 2016. The maps accompanying the applications were returned back to the applicant for signatures on October 12, 2016. The applicant returned the signed maps on October 12, 2016.

On October 13, 2016, two (2) surrounding well owners were notified of the proposed place of use change applications (File Nos. 27517&36789) filed by Jerry Marmie, on behalf of Northglenn LTD and E D & J Inc. Six (6) additional notification letters were sent to surrounding well owners notifying them of the place of use change for File No. 36789.

On October 17, 2016, Kathleen Weikert's father called on behalf of Kathleen inquiring about the notification letter sent on 10/13/2016 (File Nos. 27517&36789). He was wondering how the proposed place of use will affect his daughter's domestic well. He wanted to know if Mr. Marmie was moving the location of his well. I informed him that only the place of use would change and no changes to the well's location will be authorized by the proposed place of use change. He had no other concerns at the end of our phone conversation.

On October 17, 2016, Vicki Wood called to discuss a notification letter (File No. 36789) sent on 10/13/2016. She wanted clarification on the letter. I informed her of the proposed place of use change and clarified that the well location, authorized quantity, and rate of pumping will not be changing with the approval of this application. She indicated that she wanted to check with other sources and will call or write back with any other concerns.

On October 18, 2016, Robert Sanders called regarding a notification letter (File No. 36789) that he received dated 10/13/16. Mr. Sanders was calling to verify that the change would only be to the place of use. He had no other concerns at the time of the call.

On October 26, 2016, Vincette Maclaren called to clarify content within the notification letter (File No. 36789) dated 10/18/16. She voiced no concerns after I explained the place in use change. -- It should be noted that the original notification letter sent to Vincette Maclaren was returned "NMR" on 10/18/16. A new address was found using the county parcel search and a notification letter was sent on October 18, 2016.

No other nearby owners called the Field Office or submitted comments in writing.
This application can be moved on to GMD#5 for further review and recommendation.

Saryerwinnie, Tyler

From: Saryerwinnie, Tyler
Sent: Thursday, November 03, 2016 10:53 AM
To: Orrin Feril (oferil@gmd5.org)
Cc: Conant, Cameron
Subject: GMD Recommendation Request - File Nos. 27517 & 26789
Attachments: 27517.36789.cover letter.pdf; 27517.Change App.pdf; 36789.Change App.pdf; 27517.36789.memo+baseacre.pdf

Orrin,

I have attached a cover letter and copies of two (2) change applications for GMD recommendation. I have also included a memorandum outlining the responses received and copies of the base acre reviews for each file. Please provide the GMD recommendation by no later than November 28th, 2016.

Please let me know if you are needing anything else, or have any questions.

Thank you,

Tyler

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


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

November 3, 2016

Orrin Feril
Big Bend – GMD No. 5
125 S Main St
Stafford, KS 67578

RE: Place of Use Change Application, File No(s). 27,517 & 36,789

Dear Mr. Feril,

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; please see the accompanying memorandum outlining the responses received.

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,



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

Enclosure

Saryerwinnie, Tyler

From: Orrin Feril <oferil@gmd5.org>
Sent: Wednesday, November 16, 2016 2:05 PM
To: Saryerwinnie, Tyler
Subject: Applications for Change, Water Right File Nos. 11303, 20506, 27517, [36789](#),
Attachments: 20506 2016-11-16 Rec.pdf; 27517 36789 2016-11-16 Rec.pdf; 11303 2016-11-16
Rec.pdf

I'm attaching the recommendations requested by your office. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

--

Orrin Feril
Manager
Big Bend GMD#5
Email: oferil@gmd5.org
Phone: (620) 234-5352
Mobile: (620) 388-0172
Fax: (620) 234-5718
www.gmd5.org

Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Curtis Tobias - Rice (Sec.)
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Bob Standish - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager
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Stafford, Kansas 67578
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fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

November 16, 2016

Tyler Saryerwinnie
Division of Water Resources
Kansas Department of Agriculture
300 S. Main Street
Stafford, Kansas 67578-1342

RE: Water Right File No. 27517 & 36789
Change in the Place of Use

Dear Mr. Saryerwinnie,

Big Bend Groundwater Management District #5 has reviewed the above referenced applications to change the place of use. It is the understanding of the District that the resulting number of irrigated acres for the two combined water rights will be identical to the presently authorized places of use. Therefore, the applications appear to be consistent with 5-25-20(b) and are recommended for approval.

The applications to change are subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril
Manager

RECEIVED
NOV 16 2016
Stafford Field Office
Division of Water Resources