

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

|   |  |  |                               |   |
|---|--|--|-------------------------------|---|
| 1. File Number:<br><b>10459</b>   | 2. Status Change Date:<br><b>3/18/2019</b> | 3. Change Num:<br><b>C1</b>  | 4. Field Office:<br><b>04</b> | 5. GMD:<br><b>03</b>                          |
| 6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return   |  |  |                               | 7. Filing Date of Change:<br><b>8/29/2018</b> |
| 8a. Applicant(s) _____ Person ID _____<br>New to system <input type="checkbox"/> _____ Add Seq# _____<br><br><b>CITY OF JOHNSON CITY<br/>TYCE MCMILLAN<br/>PO BOX 500<br/>JOHNSON KS 67855-0500</b>   |  | 8c. Landowner(s) _____ Person ID _____<br>New to system <input type="checkbox"/> _____ Add Seq# _____  |                               |   |
| 8b. Landowner(s) _____ Person ID <b>8719</b><br>New to system <input type="checkbox"/> _____ Add Seq# _____<br><br><b>CITY OF JOHNSON CITY<br/>CITY SUPT<br/>PO BOX 500<br/>JOHNSON KS 67855-0500</b>   |  | 8d. WUC _____ Person ID <b>8719</b><br>New to system <input type="checkbox"/> _____ Add Seq# _____<br><br><b>CITY OF JOHNSON CITY<br/>CITY SUPT<br/>PO BOX 500<br/>JOHNSON KS 67855-0500</b> |                               |   |
| 9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/19</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>12/31/19</b>   |  |  |                               |   |
| <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter<br><input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____ |  |  |                               |   |
| 10. Use Made of Water    From: _____    To: _____   |  |  |                               |   |
| Date Prepared: <b>3/4/19</b> By: <b>LI</b><br>Date Entered: <b>3/19/2019</b> By: <b>LUJ</b>   |  |  |                               |   |



KANSAS DEPARTMENT OF AGRICULTURE  
Division of Water Resources

M E M O R A N D U M

TO: File

DATE: February 28, 2019

FROM: Leslie Ireland

RE: Vested Right, File No. ST 001  
Water Right, File Nos. 7,884 & 10,459

Tyce McMillan, City Superintendent for the City of Johnson owner of the referenced files authorized for municipal use filed applications for approval to change the points of diversion. The application under File NO. 10,459 was originally received on August 29, 2018, but delayed and modified due to filling of additional applications. Change in point of diversion applications for municipal use under File Nos. ST 001 and 7884, were received on December 14, 2018. The City has been assisted with the applications by our staff at the Garden City Field Office.

The water rights do not appear to be abandoned per K.S.A. 82a-718 and are in compliance with K.S.A. 82a-732. The applications appear to comply with K.A.R. 5-5-2a. The referenced rights are three of the five appropriations serving the City. Together they are authorized a limited 285.05 million gallons of groundwater from the Ogallala and unconfined Dakota Formations under File Nos. ST 001; 7,884; 10,459; 26,723 & 30,804. The rights do not appear to be in a special use area. They are located within the boundaries of the Southwest Kansas Groundwater Management District No. 3, (GMD 3).

The main proposed change is to add a new well as an additional well under File No. 7,884, taking its authorized point of diversion from one (1) to two (2) points. The change proposals under File Nos. ST 001 and 10,459, will shift quantity between existing points of diversion with File No. 7,884, considered a flip flop of the points of diversion.

File No. ST 001 is authorized 395 gallons per minute (gpm), to divert 73.000 million gallons per year(mgy) (224.03 acre-feet) from one point of diversion located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, approximately 2,632 ft North and 356 ft West of the Southeast corner of Section 36, in Township 28 South, Range 41 West, Stanton County. This point of diversion is also authorized as one (1) of the three (3) wells under File No. 10,459 and is a proposed well under File No. 7884. It will not be abandoned. The change for ST 001, is to move approximately 1,798 feet to the Northwest to the existing well in Section 31, located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$  approximately 4,347 ft North and 4,728 ft West of the Southeast corner of Section 31, Township 28, Range 40 West, Stanton County, and historically authorized under File No. 7,884. The change for File No. 10,459 will also move from the same authorized to the same proposed point of diversion. The distance move of 1,798 feet complies with part (d) K.A.R. 5-23-3, *Minimum well spacing requirements: high plains aquifer*, as the move is less than 2,640 feet.

File No. 10,459 is authorized a limited 294.675 mgy from two (2) primary wells and one (1) standby well. The quantity has an overall limitation of 285.05 mgy with File Nos. ST 001 & 7,884. The primary well located in the in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36, approximately 5,135 ft North and 2,150 ft West will remain unchanged with its assigned 185 mgy and 1,260 gpm. The second primary well authorized in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, will maintain the overlap with File No. ST 001 and move as described above for File No. ST 001. These two rights have been and will remain limited to 109.675 mgy at a maximum rate of 490 gpm. The database will be updated for this limitation removing the well ID number. The total combined quantity, of File No. ST 001 & 10,459 of 109.675 mgy (560.61 AF) is required a well to well spacing of 2,300 feet per part a of K.A.R. 5-23-3a. **A waiver of Part (a)(1) of K.A.R. 5-23-3 is needed** as the other primary well under this right is approximately 2,095 feet away and the requested change is greater than 300 feet. The standby well located in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36, approximately 4,300 ft North and 1,800 ft West will remain as authorized. The total quantity authorized for this file will remain limited to 185 mgy for the right. This well is also approximately 1,798 ft from the proposed existing well under File No. 7,884.

File No. 7,884 is authorized 1,695 gpm to divert 156.40 mgd (479.97 acre-feet) from one point of diversion located in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 31, approximately 4,347 ft North and 4,728 ft West of the Southeast corner said section, in Township 28 South, Range 40 West, Stanton County. It was converted from an irrigation right to municipal use with no additional limitations for the current use. This right proposes to change the point of diversion moving to the well historically authorized by File No. ST 001 and 10,459, and to also authorize a new well as an additional well.

The initial move of approximately 1,798 feet is to the existing well described as located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, approximately 2,632 ft North and 356 ft West of the Southeast corner of Section 36, in Township 28 South, Range 41 West, Stanton County. This well was tested for the rate to be available pursuant to K.A.R. 5-5-16, *Additional wells*. On July 11, 2018, Garden City Field Office staff, conducted the pump test was a time test due to the plumbing of the well and received a tested rate of 736.889 or 740 gpm. The City has requested the reduction to 740 gpm, retaining 490 gpm at the tested well and allow 250 gpm to be assigned to the new additional well. This proposed well is to be drilled in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 31, located approximately 2,009 ft North and 3,424ft West of the Southeast corner of said section, in Township 28 South, Range 40 West, Stanton County. As the use is municipal, the 156.4 mgd will be available for assignment to the points of diversion. The well in the SE $\frac{1}{4}$  of Section 36, will be authorized 107.522 mgd (330 AF) at a rate of 490 gpm and the new well located in the SW of Section 31 will be authorized 48.878 mgd (150 AF) at a rate of 250 gpm. This quantity and rate will have the priority of the date the application was filed, December 14, 2018, for any issues of impairment.

The proposed additional well log completed by Hydro Resources in May of 2018, indicated a static water level of 375 ft encountering the Red Bed formation at 604 ft. The proposed existing well log completed by Henkle Drilling & Supply to a depth of 641 ft in August of 2002 had a static water level of 348ft. The log also indicated a pump test of 819 gpm in 2002. The change between the existing wells is approximately 1,798 ft and the proposed additional well is approximately 2,063 ft from the proposed existing well in the SE $\frac{1}{4}$  of Section 36, the location of the additional well. The requested relocations appear to comply with Part(b) of K.A.R. 5-23-3, maximum distance of 2,640 ft. The required well spacing for the proposed 330 AF (107.522 mgd) is 1,900 ft and for the additional well's 150 AF (48.878 mgd) is 1,300 ft. The City requested a **waiver of Part (a)(1) of K.A.R. 5-23-3** for the City well to be authorized under File Nos. ST001 & 10,459.

As the rights are not alluvium sourced wells, K.A.R. 5-5-13, *Relocation of alluvial wells* is not applicable to the changes.

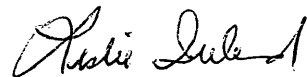
There are other municipal wells located within one-half ( $\frac{1}{2}$ ) mile of each of the wells. The City indicated there were no domestic wells in the area due to the depth of the aquifer. My review found no domestic wells but an irrigation well authorized by File No. 9,525-D1 to the Northwest of the standby well authorized by File No.10,459. The required notification per K.S.A. 82a-1906, *Notification and publication of certain applications and orders*, was sent on January 16, 2019. No comments of any kind were received.

The applications were submitted to the Southwest Kansas Groundwater Management District. In a letter dated February 26, 2019, and received on February 26, 2019, Jason Norquest, Assistant Manager of GMD 3 recommended the **applications be approved with the requested waiver of well to well spacing**. The needed **waiver of Part (a)(1) of K.A.R. 5-23-3** has been prepared. The recommendation included some drawdown modeling completed by GMD3.

Mike Meyer, Water Commissioner of the Garden City Field Office reviewed the summary memo and application. In his email of February 28, 2019, he indicated that he had no objection to the applications.

Conditions of the approvals will require the installation of water flowmeters and check valves if chemigating. The well logs, WWC-5s have been supplied and will not be a condition of the approvals. A water level measurement tube will be applicable to the additional well. The transmittal letter will remind the City that all nonpermitted wells should be plugged or capped, but all wells currently authorized will remain permitted.

Based on the above discussion, that the requested waiver is approved, that no change in the local source of supply will occur, the changes appear to be reasonable, that impairment to existing water rights is unlikely as they are all under the same operator, that there are no pending applications within the vicinity of the proposed changes that may be affected by the approvals, it has been recommended that the referenced applications be approved.



Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

CITY OF JOHNSON CITY  
TYCE MCMILLAN CITY SUPT  
PO BOX 500  
JOHNSON KS 67855-0500

March 20, 2019

**FILE COPY**

RE: Vested Right, File No. ST 001  
Water Right, File Nos. 7,884 & 10,459

Dear Mr. McMillan:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the referenced files.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that acceptable water flowmeters must be installed on the diversion works authorized. Please return the required, Notification of the Completion of the Diversion Works, prior to December 31, 2019, should you complete the diversion works prior to the end of the year.

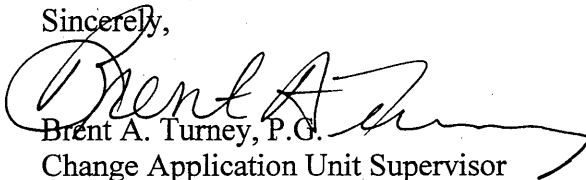
Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Any abandoned wells 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.

The change approval for Water Right, File No. 7,884, is adding an additional point of diversion in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 31, therefor it is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the quantity and rate approved as the portion of the additional well shall be considered to have the priority of the date the application was filed (December 14, 2018).

If you have any questions, please contract Leslie Ireland, Environmental Scientist, at (785) 564-6633, or Michael Meyer, Water Commissioner, Garden City Field Office at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

  
Brent A. Turney, P.G.  
Change Application Unit Supervisor

BAT:LI:li  
Enclosures

pc: Garden City Field Office  
Groundwater Management District No. 3

# THE STATE OF KANSAS



**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, Acting Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
David W. Barfield, Chief Engineer

## **APPROVAL OF APPLICATION FOR CHANGE IN POINT OF DIVERSION WATER RIGHT FILE NO. 10,459**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Tyce McMillan, City Superintendent for the City of Johnson City, PO Box 500, Johnson, Kansas 67855-0500, received in this office on December 14, 2018, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Correction Order of the Chief Engineer dated March 12, 1999, correcting the authorized point of diversion, and by the order of the Chief Engineer dated June 4, 2002, approving the application to change the authorized point of diversion, and the Findings and Order of the Chief Engineer dated December 7, 2015, in the matter of the authorized quantity of water, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the points of diversion shall be:

one (1) primary well located in the Southwest Quarter of the Northwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) Section 31, more particularly described as being near a point 4,347 feet North and 4,728 feet West of the Southeast corner of said section, in Township 28, South, Range 40 West, Stanton County, Kansas, at a quantity not to exceed (109.675 million gallons (336.58 acre-feet) per calendar year and at a diversion rate not in excess of 490 gallons per minute (1.09 c.f.s.), and limited to an annual quantity of 109.675 and a maximum rate of 490 gallons per minute (1.09 c.f.s) when combined with Vested Right, File No. ST 001, and

one (1) primary well located in the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 36, more particularly described as being near a point 5,135 feet North and 2,150 feet West of the Southeast corner of said section, in Township 28 South, Range 41 West, Stanton County, Kansas, at a quantity not to exceed (185 million gallons (567.74 acre-feet) per calendar year and at a diversion rate not in excess of 1,260 gallons per minute (2.81 c.f.s.), and

one (1) standby well located in the Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 36, more particularly described as being near a point 4,300 feet North and 1,800 feet West of the Southeast corner of said section, in Township 28 South, Range 41 West, Stanton County, Kansas, to operate only when a primary well is inoperable and not to exceed the rate and quantity authorized by either primary well,

located substantially as shown on the topographic map accompanying the application to change the point of diversion.

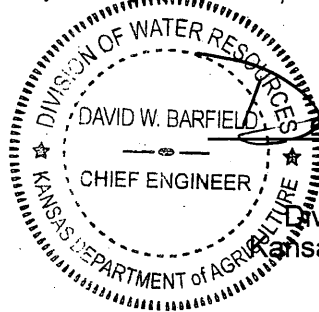
Installation of the works for diversion of water shall be completed on or before December 31, 2019, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 10,459, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated February 3, 1999, as modified and amended by the aforementioned orders.

Ordered this 18<sup>th</sup> day of March, 2019, in Manhattan, Riley County, Kansas.



*David W. Barfield*  
\_\_\_\_\_  
David W. Barfield, P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas        )  
                                  ) SS  
County of Riley        )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of March, 2019, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



*Karen Hunter*  
\_\_\_\_\_  
Notary Public



**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

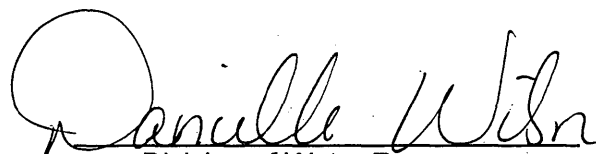
**CERTIFICATE OF SERVICE**

On this 20<sup>th</sup> day of March, 2019, I hereby certify that the attached Approval of Application for Change in Point of Diversion, Water Right, File No. 10,459, dated March 18<sup>th</sup>, 2019 was mailed postage prepaid, first class, US mail to the following:

CITY OF JOHNSON CITY  
TYCE MCMILLAN CITY SUPT  
PO BOX 500  
JOHNSON KS 67855-0500

With a Photocopy to:

Garden City Field Office  
Groundwater Management District No. 3

  
Division of Water Resources

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO  
CHANGE THE PLACE OF USE, THE  
POINT OF DIVERSION OR THE USE  
MADE OF THE WATER UNDER AN  
EXISTING WATER RIGHT**



State of Kansas

**Filing Fee Must Accompany the Application**  
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use  
(Check one or more)  Point of Diversion  
 Use Made of Water

Water Resources  
Received

AUG 29 2018  
10:23

KS Dept Of Agriculture

File No. 10459

2. Name of applicant: CITY OF JOHNSON CITY, CITY SUPT Tyce McMillan

Address: PO BOX 500,

City, State and Zip: JOHNSON KS 67855-0500

Phone Number: (620) 492-2322 E-mail address: city@pld.com

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: no change

Address: \_\_\_\_\_

City, State and Zip: \_\_\_\_\_

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): \_\_\_\_\_

ADJUST RATE AND QUANTITY BETWEEN PRIMARY WELLS

The change(s) (was) (will be) completed by \_\_\_\_\_

(Date)

**For Office Use Only:**

F.O. 4 GMD 3 Meets K.A.R. 5-5-1 (YES/NO) Use MUN Source G/S County ST By KAB Date 8/29/18  
Code CAT Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 8/29/18 Check # 15455

APPLICATION COMPLETE  
2/26/19  
Reviewer LT

Assisted by: \_\_\_\_\_

9/5/18 DAW SCANNED

WORKING COPY

Do NOT DATE STAMP

ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
http://agriculture.ks.gov/dwr

APPLICATION FOR APPROVAL TO  
CHANGE THE PLACE OF USE, THE  
POINT OF DIVERSION OR THE USE  
MADE OF THE WATER UNDER AN  
EXISTING WATER RIGHT



State of Kansas

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- (Check one or more)  Point of Diversion
- Use Made of Water

Amendment to  
pending application  
Do not date  
stamp

File No. 10459

2. Name of applicant: CITY OF JOHNSON CITY, CITY SUPT

Address: PO BOX 500

City, State and Zip: JOHNSON KS 67855-0500

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: no change

Address: \_\_\_\_\_

City, State and Zip: \_\_\_\_\_

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): \_\_\_\_\_

TO RELOCATE WELL TO AN EXISTING WELL

The change(s) (was) (will be) completed by 2019 (Date)

|                      |     |                               |      |              |              |         |
|----------------------|-----|-------------------------------|------|--------------|--------------|---------|
| For Office Use Only: |     |                               |      |              |              |         |
| F.O. Code            | GMD | Meets K.A.R. 5-5-1 (YES / NO) | Use  | Source       | G / S County | By      |
|                      |     |                               |      |              |              | Date    |
|                      |     | Fee \$                        | TR # | Receipt Date |              | Check # |

RECEIVED

4. The presently authorized place of use is:

Owner of Land — NAME: CITY OF JOHNSON CITY

ADDRESS: \_\_\_\_\_

| 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 |             |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |

List any other water rights that cover this place of use. \_\_\_\_\_

Owner of Land — NAME: NA

ADDRESS: \_\_\_\_\_

| 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 |             |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |

List any other water rights that cover this place of use. \_\_\_\_\_

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: NO CHANGE

ADDRESS: \_\_\_\_\_

| 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 |             |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |

List any other water rights that cover this place of use. \_\_\_\_\_

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

| 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 |             |  |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |  |

List any other water rights that cover this place of use. \_\_\_\_\_

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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DEC 11 2018

6. The presently authorized point(s) of diversion (is) (are) TWO PRIMARY WELLS AND ONE STANDBY WELL  
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) TWO PRIMARY WELLS AND STANDBY WELL  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the SE Quarter of the NW Quarter of the NE Quarter of Section 36, Township 28 South, Range 41 W, in ST County, Kansas, 4300 feet North 1800 feet West of Southeast corner of section.  
 Authorized Rate NA Authorized Quantity NA  
 (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: STANDBY WELL  
**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 -- W, in -- County, Kansas, -- feet North -- feet West of Southeast corner of section.  
 Proposed Rate -- Proposed Quantity --  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**  
 One in the NE Quarter of the NW Quarter of the NE Quarter of Section 36, Township 28 South, Range 41 W, in ST County, Kansas, 5135 feet North 2150 feet West of Southeast corner of section.  
 Authorized Rate 1260 GPM Authorized Quantity 185 MGY  
 (DWR use only: Computer ID No. 7 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows: PRIMARY WELL  
**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 \_\_\_\_\_ W, in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. **Presently authorized point of diversion:**  
 One in the NE Quarter of the NE Quarter of the SE Quarter of Section 36, Township 28 South, Range 41 W, in ST County, Kansas, 2632 feet North 356 feet West of Southeast corner of section.  
 Authorized Rate 490 GPM Authorized Quantity 109.675 MGY  
 (DWR use only: Computer ID No. 9 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows: PRIMARY WELL  
**Proposed point of diversion: (Complete only if change is requested)** \* W/DWR 3/18/19  
 One in the SW Quarter of the ~~SW~~ NW Quarter of the NW Quarter of Section 31, Township 28 South, Range 40 W, in ST County, Kansas, 4347 feet North 4728 feet West of Southeast corner of section.  
 Proposed Rate 490 GPM Proposed Quantity 109.675MGY  
 This point is:  Additional Well  Geo Center List other water rights that will use this point (OLD 7884) ST 001

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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VOID

File No. 10459

- 6. The presently authorized point(s) of diversion (is) (are) TWO PRIMARY WELLS AND ONE STANDBY WELL  
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) TWO PRIMARY WELLS AND STANDBY WELL  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the SE Quarter of the NW Quarter of the NE Quarter of Section 36, Township 28 South, Range 41 W, in ST County, Kansas, 4300 feet North 1800 feet West of Southeast corner of section.  
 Authorized Rate NA Authorized Quantity NA  
 (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: **STANDBY WELL**  
**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 -- W, in -- County, Kansas, -- feet North -- feet West of Southeast corner of section.  
 Proposed Rate -- Proposed Quantity --  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**  
 One in the NE Quarter of the NW Quarter of the NE Quarter of Section 36, Township 28 South, Range 41 W, in ST County, Kansas, 5135 feet North 2150 feet West of Southeast corner of section.  
 Authorized Rate 1260 GPM Authorized Quantity 185 mgy  
 (DWR use only: Computer ID No. 7 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows: **PRIMARY WELL**  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the NW Quarter of the NW Quarter of the NE Quarter of Section 36, Township 28 South, Range 41 W, in ST County, Kansas, 5135 feet North 2150 feet West of Southeast corner of section.  
 Proposed Rate 1010 GPM Proposed Quantity 48.878 mgy  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. **Presently authorized point of diversion:**  
 One in the NE Quarter of the NE Quarter of the SE Quarter of Section 36, Township 28 South, Range 41 W, in ST County, Kansas, 2632 feet North 356 feet West of Southeast corner of section.  
 Authorized Rate 490 GPM Authorized Quantity 109.675 MGY  
 (DWR use only: Computer ID No. 9 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows: **PRIMARY WELL**  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the NE Quarter of the NE Quarter of the SE Quarter of Section 36, Township 28 South, Range 41 W, in ST County, Kansas, 2632 feet North 356 feet West of Southeast corner of section.  
 Proposed Rate 740 GPM Proposed Quantity 185 MGY  
 This point is:  Additional Well  Geo Center List other water rights that will use this point ST 001

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

VOID

See 12/11/18 REVISION L-P/awc 2/12/19

Water Resources Received

AUG 29 2018

KS Dept of Agriculture

SCANNED

12. The presently authorized use of water is for MUNI purposes.

It is proposed that the use be changed to NA purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NA (acre-feet or million gallons).

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

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

LOCAL SOURCE OF SUPPLY IS NOT CHANGING, AND SOURCE OF SUPPLY IS NOT CHANGING

\_\_\_\_\_  
\_\_\_\_\_

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

REQUEST WAIVER OF KAR 5-23-3 DUE TO EXISTING WELLS AND SAME OWNERS.

\_\_\_\_\_  
\_\_\_\_\_

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

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Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Garden City, Kansas, this ~~11~~ 11 day of December, 20 18

Jays M  
(Owner) (Spouse)

Tyce McMillon City Superintendent  
(Please Print) (Please Print)

(Owner) (Spouse)


(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

State of Kansas }  
County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 11<sup>th</sup> day of December, 20 18

My Commission Expires 

Julie Jones  
Notary Public

**FEE SCHEDULE**

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water ..... \$300

Make check payable to Kansas Department of Agriculture.

RECEIVED

DEC 11 2018

Garden City Field Office  
Division of Water Resources

*Working amended copy*

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

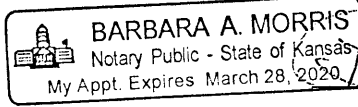
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Johnson City, Kansas, this 24 day of August, 2018.

|   |       |                |
|---|-------|----------------|
| <u>City Supt. Tyce McMillan</u><br>(Owner)        | _____ | (Spouse)       |
| <u>City Supt. Tyce McMillan</u><br>(Please Print) | _____ | (Please Print) |
| _____   | _____ | (Spouse)       |
| _____   | _____ | (Please Print) |
| _____   | _____ | (Spouse)       |
| _____   | _____ | (Please Print) |

State of Kansas }  
County of Stanton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24<sup>th</sup> day of August, 2018.

 Barbara A. Morris  
Notary Public

My Commission Expires March 28, 2020.

**FEE SCHEDULE**

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water ..... \$300

Make check payable to **Kansas Department of Agriculture.**

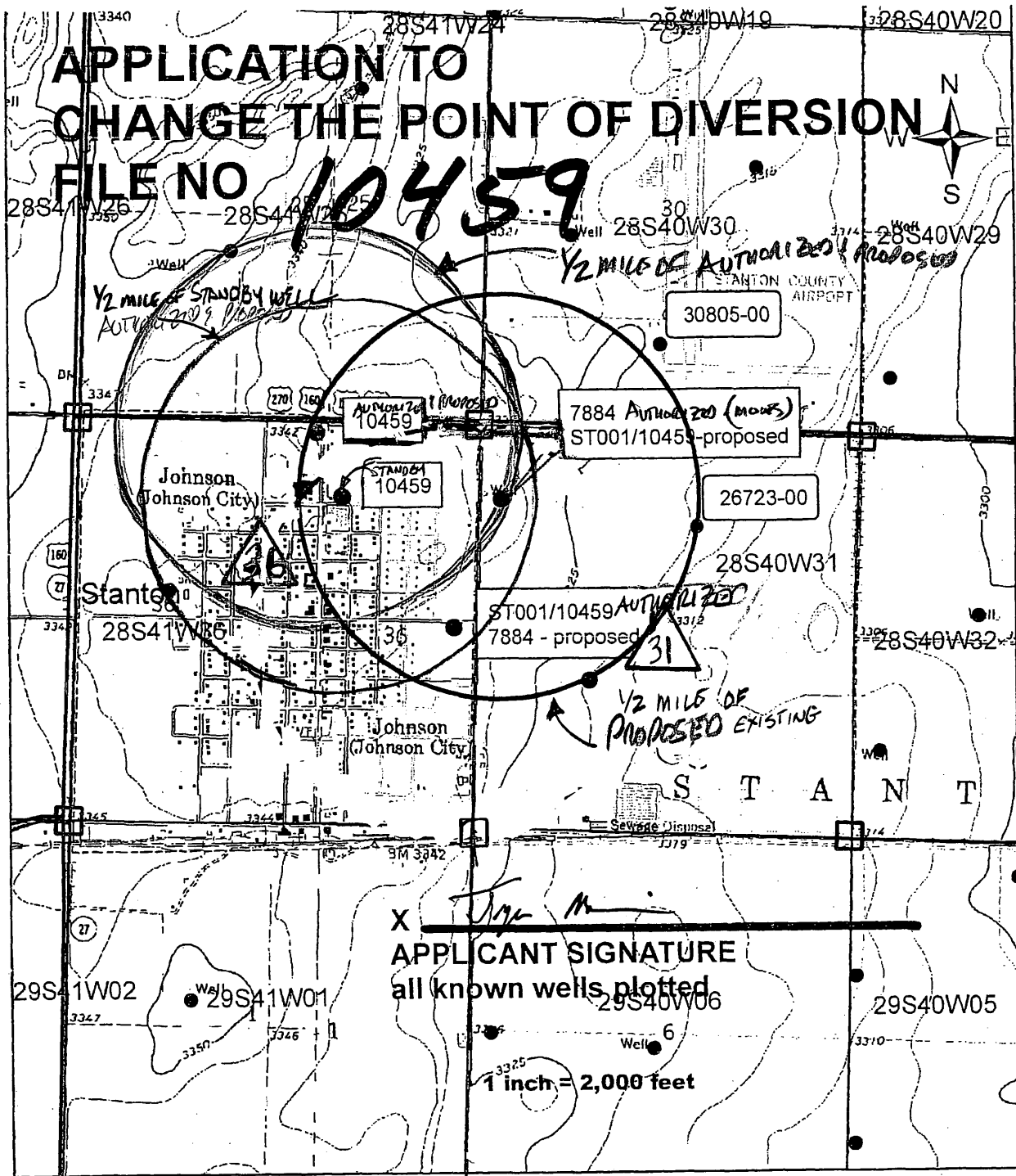
Water Resources  
Received

**AUG 29 2018**

KS Dept Of Agriculture

**SCANNED**

# APPLICATION TO CHANGE THE POINT OF DIVERSION FILE NO 10459



TWN 28S

X *Tom M.*  
APPLICANT SIGNATURE  
all known wells plotted



RECEIVED  
DEC 11 2018

Garden City Field Office  
Division of Water Resources

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

4347 ft N and 4728 ft W of the SE Corner of Section 31, T 28S, R 40W

Located at: 101.742051 West Longitude and 37.574682 North Latitude

GROUNDWATER ONLY

PROPOSED PD FILE NO. 10,459  
 REQUESTED CHG - w/w

| File Number | Use   | ST | SR  | Dist | (ft) | Q4   | Q3 | Q2 | Q1 | FeetN | FeetW | Sec   | Twp | Rng | ID  | Batt | Auth_Quan | Add_Quan | Unit |
|-------------|-------|----|-----|------|------|------|----|----|----|-------|-------|-------|-----|-----|-----|------|-----------|----------|------|
| A__         | 4646  | 00 | IRR | NK   | G    | 3561 | -- | -- | CN | SW    | 2530  | 3870  | 30  | 28  | 40W | 1    | 540.00    | 540.00   | AF   |
| A__         | 4647  | 00 | IRR | NK   | G    | 6819 | -- | SW | SW | SE    | 271   | 2552  | 19  | 28  | 40W | 5    | 540.00    | 540.00   | AF   |
| A__         | 4792  | 00 | IRR | NK   | G    | 6000 | -- | NW | SW | SW    | 1170  | 4900  | 32  | 28  | 40W | 3    | 960.00    | 960.00   | AF   |
| A__         | 4892  | 00 | IRR | NK   | G    | 6509 | -- | SW | SE | NW    | ----- | ----- | 32  | 28  | 40W | 2    | 640.00    | 640.00   | AF   |
| A__         | 6291  | 00 | IRR | NK   | G    | 5665 | -- | SE | NW | NE    | ----- | ----- | 25  | 28  | 41W | 1    | 568.00    | 568.00   | AF   |
| A__         | 6818  | 00 | IRR | NK   | G    | 7453 | -- | -- | -- | --    | 2490  | 2580  | 6   | 29  | 40W | 1    | 544.00    | 544.00   | AF   |
| A__         | 7416  | 00 | IRR | NK   | G    | 5385 | -- | NW | SW | NE    | 3425  | 1550  | 30  | 28  | 40W | 6    | 240.00    | 240.00   | AF   |
| A__         | 7884  | 00 | MUN | NK   | G*   | 0    | -- | SW | NW | NW    | 4347  | 4728  | 31  | 28  | 40W | 6    | 479.97    | 479.97   | AF   |
| A__         | 7885  | 00 | IRR | NK   | G    | 7425 | -- | SW | SW | SE    | 145   | 2585  | 29  | 28  | 40W | 5    | 205.00    | 205.00   | AF   |
| A__         | 7886  | 00 | IRR | NK   | G    | 7425 | -- | SW | SW | SE    | 145   | 2585  | 29  | 28  | 40W | 5    | 320.00    | 320.00   | AF   |
| A__         | 8440  | 00 | IRR | NK   | G    | 7453 | -- | -- | -- | --    | 2490  | 2580  | 6   | 29  | 40W | 1    | 360.00    | 360.00   | AF   |
| A__         | 9525  | D1 | IRR | NK   | G    | 4775 | -- | NC | NE | SW    | 2172  | 3294  | 25  | 28  | 41W | 5    | 702.00    | 702.00   | AF   |
| A__         | 9525  | D2 | IRR | NK   | G    | 7210 | -- | SE | SW | NE    | 2815  | 1425  | 35  | 28  | 41W | 6    | 581.00    | 581.00   | AF   |
| A__         | 9818  | 00 | IRR | NK   | G    | 5204 | -- | NW | SW | SW    | 750   | 5000  | 29  | 28  | 40W | 6    | 525.00    | 525.00   | AF   |
| A__         | 10208 | 00 | IRR | NK   | G    | 7728 | -- | SW | SE | NW    | ----- | ----- | 1   | 29  | 41W | 2    | 566.00    | 566.00   | AF   |
| A__         | 10459 | 00 | MUN | NK   | G*   | 2095 | -- | SE | NW | NE    | 4300  | 1800  | 36  | 28  | 41W | 4    | .00       | .00      | AF   |
| Same        |       |    |     |      |      | 2582 | -- | NE | NW | NE    | 5135  | 2150  | 36  | 28  | 41W | 7    | 567.74    | 57.96    | AF   |
| Same        |       |    |     |      |      | 1798 | -- | NE | NE | SE    | 2632  | 356   | 36  | 28  | 41W | 9    | 336.58    | 112.55   | AF   |
| A__         | 11395 | 00 | IRR | NK   | G    | 6326 | -- | -- | -- | --    | 100   | 4880  | 19  | 28  | 40W | 2    | 540.00    | 540.00   | AF   |
| A__         | 16851 | 00 | IRR | NK   | G    | 7811 | -- | NW | SW | NW    | 3500  | 5150  | 5   | 29  | 40W | 2    | 209.00    | 209.00   | AF   |
| Same        |       |    |     |      |      | 6975 | -- | -- | -- | --    | 2645  | 4740  | 6   | 29  | 40W | 3    | 200.00    | 200.00   | AF   |
| A__         | 26723 | 00 | MUN | NK   | G    | 2620 | -- | SW | NW | NE    | 4041  | 2126  | 31  | 28  | 40W | 4    | 299.98    | .00      | AF   |
| A__         | 30804 | 00 | MUN | NK   | G    | 4543 | -- | SE | SW | NW    | 3010  | 4060  | 36  | 28  | 41W | 8    | 111.90    | .00      | AF   |
| A__         | 30805 | 00 | IRR | NK   | G    | 2923 | -- | NE | SE | SW    | 1155  | 2670  | 30  | 28  | 40W | 4    | 136.00    | 136.00   | AF   |
| VST         | 1     | 00 | MUN | AA   | G*   | 1798 | -- | NE | NE | SE    | 2632  | 356   | 36  | 28  | 41W | 9    | 224.03    | 224.03   | AF   |

PROPOSED

WELL MOVING

| Total Net Quantities Authorized: | Direct  | Storage |
|----------------------------------|---------|---------|
| Total Requested Amount (AF) =    | .00     | .00     |
| Total Permitted Amount (AF) =    | .00     | .00     |
| Total Inspected Amount (AF) =    | .00     | .00     |
| Total Pro_Cert Amount (AF) =     | .00     | .00     |
| Total Certified Amount (AF) =    | 9026.48 | .00     |
| Total Vested Amount (AF) =       | 224.03  | .00     |
| TOTAL AMOUNT (AF) =              | 9250.51 | .00     |

MOVING 109.675 mgy 1,798' TO  
 EXISTING WELL AUTHORIZED BY  
 FILE NO. ST001 (OLD 7884).  
 WELLS  
 TOTAL Q ≈ 560.61 (ST001 & CM 10,459)  
 2300' of w/w

An \* after the source of supply indicates a pending application for change for the file number.

An \* after the ID indicates a 15 AF exemption was granted for the file number.

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

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

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

101.742051 West Longitude and 37.574682 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

| File Number | Use  | ST | SR       |
|-------------|------|----|----------|
| A__         | 4646 | 00 | IRR NK G |

> GOLDEN SPREAD INC

>

> PO BOX 101

> JOHNSON KS 67855

>-----

A\_\_ 4647 00 IRR NK G

> GOLDEN SPREAD INC

>

> PO BOX 101

> JOHNSON KS 67855

>-----

A\_\_ 4792 00 IRR NK G

> JOHN D & CAROLYN K SMITH

>

> PO BOX 526

> JOHNSON KS 67855

>-----

A\_\_ 4892 00 IRR NK G

> KIMBERLY DARROUGH-HAYDEN

>

> 916 N WILSON ST

> ULYSSES KS 67880

>-----

A\_\_ 6291 00 IRR NK G

> MIKE SMITH

> PO BOX 809

> 501 N AIRPPORT RD

> JOHNSON KS 67855

>-----

A\_\_ 6818 00 IRR NK G

> EARL RAY ARNOLD

>

> 281 E ROAD 15

> JOHNSON KS 67855

>-----

A\_\_ 7416 00 IRR NK G

> PLANE VIEW FARMS LLC

>

> PO BOX 914

> JOHNSON KS 67855

>-----

A\_\_ 7884 00 MUN NK G

> CITY OF JOHNSON CITY

> CITY SUPT

> PO BOX 500

> JOHNSON KS 67855

>-----

A\_\_ 7885 00 IRR NK G

> PLANE VIEW FARMS LLC

>

> PO BOX 914

> JOHNSON KS 67855

Water Rights and Points of Diversion Within 1.00 miles of point defined as:  
 5135 ft N and 2150 ft W of the SE Corner of Section 36, T 28S, R 41W  
 Located at: 101.750491 West Longitude and 37.576953 North Latitude  
 GROUNDWATER ONLY

*AUTHORIZED & PROPOSED  
 WELL FILE NO. 10,459*

| File Number | Use | ST  | SR  | Dist (ft) | Q4   | Q3   | Q2 | Q1 | FeetN | FeetW | Sec   | Twp | Rng | ID  | Batt | Auth_Quan | Add_Quan | Unit   |    |
|-------------|-----|-----|-----|-----------|------|------|----|----|-------|-------|-------|-----|-----|-----|------|-----------|----------|--------|----|
| A__ 4646    | 00  | IRR | NK  | G         | 4218 | --   | -- | CN | SW    | 2530  | 3870  | 30  | 28  | 40W | 1    | 540.00    | 540.00   | AF     |    |
| A__ 6291    | 00  | IRR | NK  | G         | 4511 | --   | SE | NW | NE    | ----- | ----- | 25  | 28  | 41W | 1    | 568.00    | 568.00   | AF     |    |
| A__ 7884    | 00  | MUN | NK  | G*        | 2582 | --   | SW | NW | NW    | 4347  | 4728  | 31  | 28  | 40W | 6    | 479.97    | 479.97   | AF     |    |
| A__ 9525    | D1  | IRR | NK  | G         | 2588 | --   | NC | NE | SW    | 2172  | 3294  | 25  | 28  | 41W | 5    | 702.00    | 702.00   | AF     |    |
| A__ 9525    | D2  | IRR | NK  | G         | 5163 | --   | SE | SW | NE    | 2815  | 1425  | 35  | 28  | 41W | 6    | 581.00    | 581.00   | AF     |    |
| A__ 10459   | 00  | MUN | NK  | G*        | 911  | --   | SE | NW | NE    | 4300  | 1800  | 36  | 28  | 41W | 4    | .00       | .00      | AF     |    |
| Same        |     |     |     |           | 0    | --   | NE | NW | NE    | 5135  | 2150  | 36  | 28  | 41W | 7    | 567.74    | 57.96    | AF     |    |
| Same        |     |     |     |           | 3079 | --   | NE | NE | SE    | 2632  | 356   | 36  | 28  | 41W | 9    | 336.58    | 112.55   | AF     |    |
| A__ 26723   | 00  | MUN | NK  | G         | 5173 | --   | SW | NW | NE    | 4041  | 2126  | 31  | 28  | 40W | 4    | 299.98    | .00      | AF     |    |
| A__ 30804   | 00  | MUN | NK  | G         | 2852 | --   | SE | SW | NW    | 3010  | 4060  | 36  | 28  | 41W | 8    | 111.90    | .00      | AF     |    |
| A__ 30805   | 00  | IRR | NK  | G         | 4670 | --   | NE | SE | SW    | 1155  | 2670  | 30  | 28  | 40W | 4    | 136.00    | 136.00   | AF     |    |
| VST         | 1   | 00  | MUN | AA        | G*   | 3079 | -- | NE | NE    | SE    | 2632  | 356 | 36  | 28  | 41W  | 9         | 224.03   | 224.03 | AF |

*APPLICANTS  
 NALIN NALIN  
 APPLICANT*

| Total Net Quantities Authorized: | Direct  | Storage |
|----------------------------------|---------|---------|
| Total Requested Amount (AF) =    | .00     | .00     |
| Total Permitted Amount (AF) =    | .00     | .00     |
| Total Inspected Amount (AF) =    | .00     | .00     |
| Total Pro_Cert Amount (AF) =     | .00     | .00     |
| Total Certified Amount (AF) =    | 3177.48 | .00     |
| Total Vested Amount (AF) =       | 224.03  | .00     |
| TOTAL AMOUNT (AF) =              | 3401.51 | .00     |

An \* after the source of supply indicates a pending application for change for the file number.  
 An \* after the ID indicates a 15 AF exemption was granted for the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.00 miles of point defined as:  
 101.750491 West Longitude and 37.576953 North Latitude  
 GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

| File Number            | Use | ST  | SR |   |
|------------------------|-----|-----|----|---|
| A__ 4646               | 00  | IRR | NK | G |
| > GOLDEN SPREAD INC    |     |     |    |   |
| >                      |     |     |    |   |
| > PO BOX 101           |     |     |    |   |
| > JOHNSON KS 67855     |     |     |    |   |
| -----                  |     |     |    |   |
| A__ 6291               | 00  | IRR | NK | G |
| > MIKE SMITH           |     |     |    |   |
| > PO BOX 809           |     |     |    |   |
| > 501 N AIRPPORT RD    |     |     |    |   |
| > JOHNSON KS 67855     |     |     |    |   |
| -----                  |     |     |    |   |
| A__ 7884               | 00  | MUN | NK | G |
| > CITY OF JOHNSON CITY |     |     |    |   |

> CITY SUPT  
> PO BOX 500  
> JOHNSON KS 67855

A 9525 D1 IRR NK G  
> NAIRN & NAIRN FARMS  
>  
> PO BOX 268  
> JOHNSON KS 67855

A 9525 D2 IRR NK G  
> COCKRUM FARM - WILDCAT RANCH  
> DARRELL K COCKRUM  
> PO BOX 89  
> JOHNSON KS 67855

A 10459 00 MUN NK G  
> CITY OF JOHNSON CITY  
> CITY SUPT  
> PO BOX 500  
> JOHNSON KS 67855

A 26723 00 MUN NK G  
> CITY OF JOHNSON CITY  
> CITY SUPT  
> PO BOX 500  
> JOHNSON KS 67855

A 30804 00 MUN NK G  
> CITY OF JOHNSON CITY  
> CITY SUPT  
> PO BOX 500  
> JOHNSON KS 67855

A 30805 00 IRR NK G  
> STANTON COUNTY GOLF COURSE  
>  
> 50 N AIRPORT RD  
> JOHNSON KS 67855

VST 1 00 MUN AA G  
> CITY OF JOHNSON CITY  
> CITY SUPT  
> PO BOX 500  
> JOHNSON KS 67855

=====

NEARBY

OLD WELL UNDER 26723

DRILLERS TEST LOG

CUSTOMERS NAME Paul Plummer DATE 2-11-76  
 STREET ADDRESS \_\_\_\_\_ TEST # 1 E. Log  
 COUNTY Seaton QUARTER SW SECTION 31 TOWNSHIP Livingston  
28 RANGE 40

LOCATION 500 Ft. East of the NW corner of the SW $\frac{1}{4}$

WELL LOCATION

| DRILLED FROM | PAY | FOOTAGE TO | STATIC WATER LEVEL  |  |
|--------------|-----|------------|---------------------|--|
|              |     |            | PROPOSED WELL DEPTH |  |
| 0            |     | 2          |                     | Top soil   |
| 2            |     | 20         |                     | Brown clay and caliche, few sand st.   |
| 20           |     | 53         |                     | Sand fine to med. coarse. Loose.   |
| 53           |     | 60         |                     | Brown sandy clay and sand st.  |
| 60           |     | 143        |                     | Sand fine to med. coarse, small gravel<br>Few clay st.   |
| 143          |     | 147        |                     | Brown clay   |
| 147          |     | 160        |                     | Sand fine to med. coarse, small to med.<br>gravel.   |
| 160          |     | 180        |                     | Sand fine to med. and brown sandy clay   |
| 85           | 136 | 366        |                     | Sand fine to med. coarse, small to large<br>brown gravel. White and tan rock. Very<br>few clay st. |
| 366          |     | 373        |                     | Brown sandy clay   |
| 85           | 20  | 393        |                     | Sand fine to med. coarse, small to med.<br>brown gravel, white and tan rock.                       |
| 393          | 07  | 400        |                     | Brown sandy clay and sand fine to med.   |
| 400          |     | 425        |                     | Brown sandy clay, few limerock ledges and<br>sand st.  |
| Fair         | 15  | 440        |                     | Sandstone and soapstone, used water.   |
| 440          |     | 450        |                     | Soapstone  |
| 450          |     | 470        |                     | Shale and soapstone st.  |
|              | 178 |            |                     | TOTAL DEPTH OF WELL 443ft.   |
|              |     |            |                     | Set up facing East<br>Dip it on the south.   |

HENKLE DRILLING & SUPPLY CO., INC.

SEATON, KANSAS  
Phone 3278

SUBLETTE, KANSAS  
Phone 675-4311

DOMESTIC WELLS STOCK WELLS IRRIGATION & INDUSTRIAL WELLS



USE TYPEWRITER OR BALL POINT PEN—PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD  
KSA 82a-1201-1215

Kansas Department of Health and Environment—Division of Environment  
(Water well Contractors)  
Topeka, Kansas 66620

|  |  |                                |   |                             |  |                           |
|--|--|--------------------------------|---|-----------------------------|--|---------------------------|
| 1. Location of well:   |  | County<br><b>Stanton</b>       | Fraction<br><b>N 1/2 1/4 NW 1/4 SW 1/4</b>  | Section number<br><b>31</b> | Township number<br><b>T 28 S R 40</b>  | Range number<br><b>EW</b> |
| 2. Distance and direction from nearest town or city: <b>Approximately 1/4 mile East of Johnson, Ks.</b><br>Street address of well location if in city:   |  |                                | 3. Owner of well: <b>Paul Plummer</b><br>R.R. or street:<br>City, state, zip code: <b>Johnson, Kansas 67855</b> |                             |  |                           |
| 4. Locate with "X" in section below:   |  | Sketch map:                    |   |                             | 6. Bore hole dia. <u>26</u> in. Completion date <u>12/14/78</u><br>Well depth <u>443</u> ft.   |                           |
|  |  |                                |   |                             | 7. <input type="checkbox"/> Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug<br><input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input checked="" type="checkbox"/> Reverse rotary   |                           |
|  |  |                                |   |                             | 8. Use: <input type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry<br><input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock<br><input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other   |                           |
| 5. Type and color of material  |  | From                           |   |                             | To   |                           |
| <b>See Attachment</b>  |  |                                |   |                             |  |                           |
|  |  |                                |   |                             | 9. Casing: Material <u>Steel</u> Weight: <u>Above</u> or below<br>Threaded <input type="checkbox"/> Welded <input checked="" type="checkbox"/> Surface <u>12</u> in.<br>RMP <input type="checkbox"/> PVC <input type="checkbox"/> Weight <u>36.91</u> lbs./ft.<br>Dia. <u>16</u> in. to <u>443</u> ft. depth Wall Thickness: inches or<br>Dia. <input type="checkbox"/> in. to <input type="checkbox"/> ft. depth gage No. <u>.219</u>   |                           |
|  |  |                                |   |                             | 10. Screen: Manufacturer's name <u>W. A. Brown</u><br>Type <u>Louvered</u> Dia. <u>16"</u><br>Slot gauge <u>.100</u> Length <u>110'</u><br>Set between <u>333</u> ft. and <u>443</u> ft.<br>ft. and <input type="checkbox"/> ft.<br>Gravel pack? <u>Yes</u> Size range of material <u>#1 Coarse</u>  |                           |
|  |  |                                |   |                             | 11. Static water level: <u>253</u> ft. below land surface Date <u>12/19/78</u> mo./day/yr.   |                           |
|  |  |                                |   |                             | 12. Pumping level below land surfaces:<br><u>265</u> ft. after <input type="checkbox"/> hrs. pumping <u>1435</u> g.p.m.<br><input type="checkbox"/> ft. after <input type="checkbox"/> hrs. pumping <input type="checkbox"/> g.p.m.<br>Estimated maximum yield <u>1,500</u> g.p.m.   |                           |
|  |  |                                |   |                             | 13. Water sample submitted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <input type="checkbox"/>  |                           |
|  |  |                                |   |                             | 14. Well head completion:<br><input type="checkbox"/> Pitless adapter <u>12</u> inches above grade   |                           |
|  |  |                                |   |                             | 15. Well grouted? <u>Yes</u><br>With: <input type="checkbox"/> Neat cement <input checked="" type="checkbox"/> Bentonite <input type="checkbox"/> Concrete<br>Depth: From <u>0</u> ft. to <u>10</u> ft.  |                           |
|  |  |                                |   |                             | 16. Nearest source of possible contamination: <u>None Observed</u><br>ft. <input type="checkbox"/> Direction <input type="checkbox"/> Type <input type="checkbox"/><br>Well disinfected upon completion? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |                           |
|  |  |                                |   |                             | 17. Pump: <input checked="" type="checkbox"/> Not installed<br>Manufacturer's name <input type="checkbox"/><br>Model number <input type="checkbox"/> HP <input type="checkbox"/> Volts <input type="checkbox"/><br>Length of drop pipe <input type="checkbox"/> ft. capacity <input type="checkbox"/> g.p.m.<br>Type:<br><input type="checkbox"/> Submersible <input type="checkbox"/> Turbine<br><input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating<br><input type="checkbox"/> Centrifugal <input type="checkbox"/> Other |                           |
|  |  | (Use a second sheet if needed) |   |                             |  |                           |
| 18. Elevation:<br><input checked="" type="checkbox"/> Flat<br>Topography:<br><input type="checkbox"/> Hill<br><input type="checkbox"/> Slope<br><input type="checkbox"/> Upland<br><input type="checkbox"/> Valley |  | 19. Remarks:                   |   |                             | 20. Water well contractor's certification:<br>This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.<br><b>Henkle Drilling &amp; Sply 145</b><br>Business name License No. <input type="checkbox"/><br>Address <b>Box 639, Garden City, Ks</b><br>Signed <u>Barry J. Richman</u> Date <u>12/20/78</u><br>Authorized representative  |                           |

T 28  
 R 40  
 W  
 E  
 S 1  
 Sec 31  
 1/2 NW SW

**Ireland, Leslie [KDA]**

---

**From:** Meyer, Mike [KDA]  
**Sent:** Thursday, February 28, 2019 10:55 AM  
**To:** Ireland, Leslie [KDA]  
**Subject:** RE: Recommendation for Change in PD File Nos. ST 001, 7884 & 10259 City of Johnson

All good go for it on the transmittal

thanks

*Mike*

---

**From:** Ireland, Leslie [KDA]  
**Sent:** Thursday, February 28, 2019 10:40 AM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** Recommendation for Change in PD File Nos. ST 001, 7884 & 10259 City of Johnson

Mike

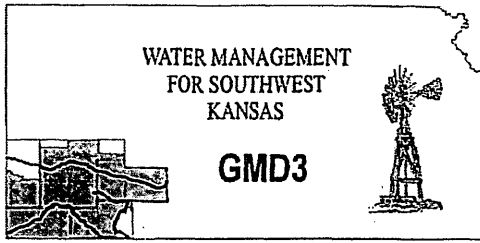
Please let me know if you'd recommend the changes.

The waiver of KAR 5-23-3 is standard wording for a municipal. The GMD3 submitted drawdown modeling which is new, but they did recommend approval of the changes.

This is a little different for the package in that the water level measurement tube will be applicable to the additional well so the approval under File No. 7884 will have the tube wording.. Do you think it would be confusing for the transmittal letter to remind the City that all nonpermitted wells should be plugged or capped, as all wells currently authorized will remain permitted.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)



**Southwest Kansas**  
**Groundwater Management District No. 3**  
2009 E. Spruce Street  
Garden City, Kansas 67846  
(620) 275-7147 phone (620) 275-1431 fax  
www.gmd3.org

February 26, 2019

Leslie Ireland  
Kansas Department of Ag  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

RE: Applications for Change in Point of Diversion  
Vested Right, File No. ST 1  
Water Rights, File Nos. 7884 & 10459

Dear Leslie:

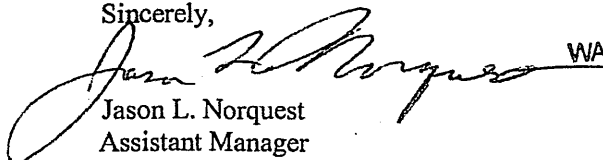
We have completed a review of the applications for the above referenced water rights. The proposed changes are not in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposals on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b and the draft revised management program. It is considered unreasonable to dis-allow any new effects from a proposal, so a standard maximum drawdown allowance applied over 50 years is used under an assumption the proposed well is pumped at maximum authorized rate and quantity. A drawdown allowance is used based on saturated thickness. In this case, since the saturated thickness is less than 200', the allowance is 2' effect. The maximum reasonable or de minimis effect is used to screen for water right wells that need more investigation for a critical well result from the proposal. A critical well is a strong candidate for water right impairment. The attached review information is based on the Theis and GMD3 model tools and considered the best information available. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Review of the logs for each neighboring well, within a mile, shows all the wells were greater than the de minimis allowance and needed further evaluation. Eight of those wells had calculations determine that they could potentially be critical wells. Reasonably lower pumping rates by the proposed well would lower the drawdown effect based on current conditions. Seeing how these are city wells and the area in general, the maximum authorized rate can not be reached currently. The city has plenty of authority combined with their water rights, but have had past problems with rate during peak water usage with their current system in place. It is noted that the wells could not pump at maximum authorized and will not be run at a constant pace, but rotated to meet the needs. They city is also limited in locations that are available for them to redrill any of the wells. After review of the analysis and discussion with the Board, it is therefore recommended that a waiver be granted and the applications be approved.

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

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## Maximum Drawdown Allowance

- Current saturated thickness is greater than 50 ft but less than 200 ft.
- Drawdown allowance over 50 years is 2.0 ft

# Wells Within 1 Mile and Proposed Drawdown Effects

- 10459 (south well)
  - Distance from proposed location = 2113 ft
  - 50 yr drawdown effect = 4.0 ft
- 10459 (north well)
  - Distance from proposed location = 5012 ft
  - 50 yr drawdown effect = 2.4 ft
- 7884
  - Distance from proposed location = 2749 ft
  - 50 yr drawdown effect = 3.4 ft
- 26723
  - Distance from proposed location = 2349 ft
  - 50 yr drawdown effect = 3.7 ft
- 30805
  - Distance from proposed location = 4469 ft
  - 50 yr drawdown effect = 2.6 ft
- 4892
  - Distance from proposed location = 5017 ft
  - 50 yr drawdown effect = 2.4 ft
- 4792
  - Distance from proposed location = 3747 ft
  - 50 yr drawdown effect = 2.8 ft
- 16851 (east well)
  - Distance from proposed location = 5086 ft
  - 50 yr drawdown effect = 2.4 ft
- 16851 (west well)
  - Distance from proposed location = 4844 ft
  - 50 yr drawdown effect = 2.4 ft
- 6818
  - Distance from proposed location = 4841 ft
  - 50 yr drawdown effect = 2.4 ft
- Domestic well in 36-28S-41W
  - Distance from proposed location = 4557 ft
  - 50 yr drawdown effect = 2.5 ft
- Domestic well in 32-28S-40W
  - Distance from proposed location = 4659 ft
  - 50 yr drawdown effect = 2.5 ft
- West Domestic in 30-28S-40W
  - Distance from proposed location = 4594 ft
  - 50 yr drawdown effect = 2.5 ft
- East Domestic in 30-28S-40W
  - Distance from proposed location = 4671 ft
  - 50 yr drawdown effect = 2.5 ft

# Wells Identified as Critical

- 10459 (south well)
  - Owned by the City of Johnson
- 30805
  - Owned by Stanton County. Used to irrigate golf course.
- 4892
  - Irrigation well not owned by applicant. Has not been pumped since 2008.
- 4792
  - Irrigation well not owned by applicant. Has not been pumped since 2008.
- 16851 (east well)
  - Irrigation well not owned by applicant. Has not been pumped since 2011.
- 16851 (west well)
  - Irrigation well not owned by applicant. Has not been pumped since 2008.
- West domestic well in 30-28S-40W
  - Private well not owned by applicant.
- East domestic well in 30-28S-40W
  - Private well not owned by applicant.
- Domestic well in 32-28S-40W
  - Private well not owned by applicant.

# Aquifer Conditions at Proposed Well Location

- Saturated thickness is 98.6 ft.
  - Projected to decline 26.6 ft in 25 years.
  - $T = 27,399$  gpd/ft
  - $S = 0.1448$

## Evaluation of WR No. 10459 (south well)

- Drawdown due to additional proposed pumping = **3.5 ft**
  - Based upon 25 years Theis analysis using  $S = 0.1448$ ,  $T = 27,399$  gpd/ft,  $Q = 350$  gpm,  $t_p = 156$  days,  $r = 2113$  ft
- Drawdown due to existing pumping = **16.5 ft**
  - Based upon water level declines predicted by the GMD3 model.
- Dynamic Drawdown = **59.3 ft**
  - Based upon a Theis analysis with  $r = 1$  ft,  $t = 1$  day,  $Q = 730$  gpm,  $S = 0.1385$ ,  $T = 21,667$  gpd/ft, well efficiency = 70%.
- Total Drawdown = **79.3 ft**



## Drawdown Constraints for WR No. 19135

- **Physical Drawdown Constraint**
  - Well is drilled below the bottom of the good aquifer. Water column is assumed to be the saturated thickness from the GMD3 model, 112 ft. PDC is assumed to be 40 ft above the bottom of the water column.
    - $PDC = 112 \text{ ft} - 40 \text{ ft} = 72 \text{ ft}$
- **Economical Drawdown Constraint (40% in 25 years)**
  - $EDC = 112 \text{ ft} * 0.4 = 44.8 \text{ ft}$
- **The EDC is more restrictive than the PDC, so the maximum allowable drawdown is **44.8 ft****
  - The total drawdown of 79.3 ft is greater than the EDC, so this is a critical well. Note that the city owns and operates this well, and that most of the drawdown effect is due to dynamic drawdown needed to support a rate that is probably higher than can be sustained, so the effects on this well may be allowable.

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# Evaluation of WR No. 30805

- Drawdown due to additional proposed pumping = **2.1 ft**
  - Based upon 25 years Theis analysis using  $S = 0.1448$ ,  $T = 27,399$  gpd/ft,  $Q = 350$  gpm,  $t_p = 156$  days,  $r = 4469$  ft
- Drawdown due to existing pumping = **26.1 ft**
  - Based upon water level declines predicted by the GMD3 model.
- Dynamic Drawdown = **18.7 ft**
  - Based upon a Theis analysis with  $r = 1$  ft,  $t = 1$  day,  $Q = 215$  gpm,  $S = 0.09406$ ,  $T = 20,886$  gpd/ft, well efficiency = 70%
- Total Drawdown = **46.9 ft**

## Drawdown Constraints for WR No. 30805

- **Physical Drawdown Constraint**

- Well is drilled below the bottom of the good aquifer. Water column is assumed to be the saturated thickness from the GMD3 model, 67.9 ft. PDC is assumed to be 40 ft above the bottom of the water column.

- $PDC = 67.9 \text{ ft} - 40 \text{ ft} = 27.9 \text{ ft}$

- **Economical Drawdown Constraint (40% in 25 years)**

- $EDC = 67.9 \text{ ft} * 0.4 = 27.2 \text{ ft}$

- **The EDC is more restrictive than the PDC, so the maximum allowable drawdown is 27.2 ft**

- The total drawdown of 46.9 ft is greater than the allowable drawdown, so this is a critical well.
- Reducing authorized quantity of the new well to 190 AF and rate to 250 gpm causes the additional effect due to pumping over 50 years to drop to 2.0 ft, which is within the maximum drawdown allowance.

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KS DEPT OF AGRICULTURE

# Evaluation of WR No. 4892

- Drawdown due to additional proposed pumping = **2.0 ft**
  - Based upon 25 years Theis analysis using  $S = 0.1448$ ,  $T = 27,399$  gpd/ft,  $Q = 350$  gpm,  $t_p = 156$  days,  $r = 5017$  ft
- Drawdown due to existing pumping = **59.6 ft**
  - Based upon water level declines predicted by the GMD3 model.
- Dynamic Drawdown = **24.8 ft**
  - Based upon a Theis analysis with  $r = 1$  ft,  $t = 100$  days,  $Q = 615$  gpm,  $S = 0.1595$ ,  $T = 66,375$  gpd/ft, well efficiency = 70%
- Total Drawdown = **86.4 ft**

## Drawdown Constraints for WR No. 4892

- **Physical Drawdown Constraint**

- Well is drilled below the bottom of the good aquifer. Water column is assumed to be the saturated thickness from the GMD3 model, 87.5 ft. PDC is assumed to be 40 ft above the bottom of the water column.
  - $PDC = 87.5 \text{ ft} - 40 \text{ ft} = 47.5 \text{ ft}$

- **Economical Drawdown Constraint (40% in 25 years)**

- $EDC = 87.5 \text{ ft} * 0.4 = 35.0 \text{ ft}$

- **The EDC is more restrictive than the PDC, to the maximum allowable drawdown is 35.0 ft.**

- The total drawdown of 86.4 ft is greater than the maximum allowable drawdown, so this is a critical well.
  - Reducing authorized quantity of the new well to 190 AF and rate to 250 gpm, reduces the 50 year additional effect to 1.9 ft, which is within the maximum drawdown allowance.

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KS DEPT OF AGRICULTURE

## Evaluation of WR No. 4792

- Drawdown due to additional proposed pumping = **2.4 ft**
  - Based upon 25 years Theis analysis using  $S = 0.1448$ ,  $T = 27,399$  gpd/ft,  $Q = 350$  gpm,  $t_p = 156$  days,  $r = 3747$  ft
- Drawdown due to existing pumping = **59.6 ft**
  - Based upon water level declines predicted by the GMD3 model.
- Dynamic Drawdown = **22.9 ft**
  - Based upon a Theis analysis with  $r = 1$  ft,  $t = 100$  days,  $Q = 568$  gpm,  $S = 0.1595$ ,  $T = 66,375$  gpd/ft, well efficiency = 70%
- Total Drawdown = **84.9 ft**

## Drawdown Constraints for WR No. 4792

- **Physical Drawdown Constraint**

- Well is drilled below the bottom of the good aquifer. Water column is assumed to be the saturated thickness from the GMD3 model, 87.5 ft. PDC is assumed to be 40 ft above the bottom of the water column.

- $PDC = 87.5 \text{ ft} - 40 \text{ ft} = 47.5 \text{ ft}$

- **Economical Drawdown Constraint (40% in 25 years)**

- $EDC = 87.5 \text{ ft} * 0.4 = 35.0 \text{ ft}$

- **The EDC is more restrictive than the PDC, to the maximum allowable drawdown is 35.0 ft.**

- The total drawdown of 86.4 ft is greater than the maximum allowable drawdown, so this is a critical well.
  - Reducing authorized quantity of the new well to 190 AF and rate to 250 gpm, reduces the 50 year additional effect to 2.2 ft, which is not within the maximum drawdown allowance. The well has not been operated since 2007, so it may be possible to get the landowner to agree to the move. Otherwise, quantity will need to be lowered to 170 AF or rate will need to be reduced.

WATER RESOURCES  
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## Evaluation of WR No. 16851 (East Well)

- Drawdown due to additional pumping = **1.9 ft**
  - Based upon 25 years Theis analysis using  $S = 0.1448$ ,  $T = 27,399$  gpd/ft,  $Q = 350$  gpm,  $t_p = 156$  days,  $r = 5086$  ft
- Drawdown due to existing pumping = **45.9 ft**
  - Based upon water level declines predicted by the GMD3 model.
- Dynamic Drawdown = **52.5 ft**
  - Based upon a Theis analysis with  $r = 1$  ft,  $t = 100$  days,  $Q = 448$  gpm,  $S = 0.1245$ ,  $T = 21,593$  gpd/ft, well efficiency = 70%
- Total Drawdown = **100.3 ft**



## Drawdown Constraints for WR No. 16851 (East Well)

- **Physical Drawdown Constraint**

- Well is drilled below the bottom of the good aquifer. Water column is assumed to be the saturated thickness from the GMD3 model, 114.7 ft. PDC is assumed to be 40 ft above the bottom of the water column.

- $PDC = 114.7 \text{ ft} - 40 \text{ ft} = 74.7 \text{ ft}$

- **Economical Drawdown Constraint**

- $EDC = 114.7 \text{ ft} * 0.4 = 45.9 \text{ ft}$

- **The EDC is more restrictive than the PDC, so the maximum allowable drawdown is 45.9 ft**

- The total drawdown of 100.3 ft is greater than the EDC, so this well is critical.
  - Reducing authorized quantity of the new well to 190 AF and rate to 250 gpm, reduces the 50 year additional effect to 1.9 ft, which is within the maximum drawdown allowance.

WATER RESOURCES  
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KS DEPT OF AGRICULTURE

## Evaluation of WR No. 16851 (West Well)

- Drawdown due to additional proposed pumping = **2.0 ft**
  - Based upon 25 years Theis analysis using  $S = 0.1448$ ,  $T = 27,399$  gpd/ft,  $Q = 350$  gpm,  $t_p = 156$  days,  $r = 4844$  ft
- Drawdown due to existing pumping = **28.4 ft**
  - Based upon water level declines predicted by the GMD3 model
- Dynamic Drawdown = **22.4 ft**
  - Based upon a Theis analysis with  $r = 1$  ft,  $t = 100$  days,  $Q = 217$  gpm,  $S = 0.1314$ ,  $T = 24,539$  gpd/ft, well efficiency = 70%
- Total Drawdown = **52.8 ft**

## Drawdown Constraints for WR No. 16851 (West Well)

- **Physical Drawdown Constraint**
  - Well is drilled below the bottom of the good aquifer. Water column is assumed to be the saturated thickness from the GMD3 model, 117.2 ft. PDC is assumed to be 40 ft above the bottom of the water column.
    - $PDC = 117.2 \text{ ft} - 40 \text{ ft} = 77.2 \text{ ft}$
- **Economical Drawdown Constraint (40% in 25 years)**
  - $EDC = 117.2 \text{ ft} * 0.4 = 46.9 \text{ ft}$
- **The EDC is more restrictive than the PDC, to the maximum allowable drawdown is 46.9 ft.**
  - The total drawdown of 52.8 ft is greater than the EDC, so this well is critical.
    - Reducing authorized quantity of the new well to 190 AF and rate to 250 gpm, reduces the 50 year additional effect to 1.9 ft, which is within the maximum drawdown allowance.

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KS DEPT OF AGRICULTURE

# Evaluation of West Domestic Well in Section 30-28S-40W

- Drawdown due to additional proposed pumping = **2.1 ft**
  - Based upon 25 years Theis analysis using  $S = 0.1448$ ,  $T = 27,399$  gpd/ft,  $Q = 350$  gpm,  $t_p = 156$  days,  $r = 4594$  ft
- Drawdown due to existing pumping = **26.1 ft**
  - Based upon water level declines predicted by the GMD3 model
- Dynamic Drawdown = **10 ft**
  - DD assumed to be 10 ft on domestic wells.
- Total Drawdown = **38.2 ft**

## Drawdown Constraints for West Domestic Well in Section 30-28S-40W

- Physical Drawdown Constraint
  - Well is drilled below the bottom of the good aquifer. Water column is assumed to be the saturated thickness from the GMD3 model, 67.9 ft. PDC is assumed to be 40 ft above the bottom of the water column.
    - $PDC = 67.9 \text{ ft} - 40 \text{ ft} = 27.9 \text{ ft}$
- Economical Drawdown Constraint (40% in 25 years)
  - $EDC = 67.9 \text{ ft} * 0.4 = 27.2 \text{ ft}$
- The EDC is more restrictive than the PDC, so the maximum allowable drawdown is **27.2 ft**
  - The total drawdown of 38.2 ft is greater than the allowable drawdown, so this is a critical well.
    - Reducing authorized quantity of the new well to 190 AF and rate to 250 gpm causes the additional effect due to pumping over 50 years to drop to 2.0 ft, which is within the maximum drawdown allowance.

WATER RESOURCES  
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KS DEPT OF AGRICULTURE

# Evaluation of East Domestic Well in Section 30-28S-40W

- Drawdown due to additional proposed pumping = **2.1 ft**
  - Based upon 25 years Theis analysis using  $S = 0.1448$ ,  $T = 27,399$  gpd/ft,  $Q = 350$  gpm,  $t_p = 156$  days,  $r = 4671$  ft
- Drawdown due to existing pumping = **26.1 ft**
  - Based upon water level declines predicted by the GMD3 model
- Dynamic Drawdown = **10 ft**
  - DD assumed to be 10 ft on domestic wells.
- Total Drawdown = **38.2 ft**

## Drawdown Constraints for East Domestic Well in Section 30-28S-40W

- Physical Drawdown Constraint
  - Well is drilled below the bottom of the good aquifer. Water column is assumed to be the saturated thickness from the GMD3 model, 67.9 ft. PDC is assumed to be 40 ft above the bottom of the water column.
    - $PDC = 67.9 \text{ ft} - 40 \text{ ft} = 27.9 \text{ ft}$
- Economical Drawdown Constraint (40% in 25 years)
  - $EDC = 67.9 \text{ ft} * 0.4 = 27.2 \text{ ft}$
- The EDC is more restrictive than the PDC, so the maximum allowable drawdown is **27.2 ft**
  - The total drawdown of 38.2 ft is greater than the allowable drawdown, so this is a critical well.
    - Reducing authorized quantity of the new well to 190 AF and rate to 250 gpm causes the additional effect due to pumping over 50 years to drop to 2.0 ft, which is within the maximum drawdown allowance.

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KS DEPT OF AGRICULTURE

## Evaluation of Domestic Well in Section 32-28S-40W

- Drawdown due to additional proposed pumping = **2.1 ft**
  - Based upon 25 years Theis analysis using  $S = 0.1448$ ,  $T = 27,399$  gpd/ft,  $Q = 350$  gpm,  $t_p = 156$  days,  $r = 4659$  ft
- Drawdown due to existing pumping = **59.6 ft**
  - Based upon water level declines predicted by the GMD3 model
- Dynamic Drawdown = **10 ft**
  - DD assumed to be 10 ft on domestic wells.
- Total Drawdown = **71.7 ft**



## Drawdown Constraints for Domestic Well in Section 32-28S-40W

- **Physical Drawdown Constraint**
  - Well is drilled below the bottom of the good aquifer. Water column is assumed to be the saturated thickness from the GMD3 model, 87.5 ft. PDC is assumed to be 40 ft above the bottom of the water column.
    - $PDC = 87.5 \text{ ft} - 40 \text{ ft} = 47.5 \text{ ft}$
- **Economical Drawdown Constraint (40% in 25 years)**
  - $EDC = 87.5 \text{ ft} * 0.4 = 35.0 \text{ ft}$
- **The EDC is more restrictive than the PDC, so the maximum allowable drawdown is 35.0 ft**
  - The total drawdown of 71.7 ft is greater than the EDC, so this is a critical well.
    - Reducing authorized quantity of the new well to 190 AF and rate to 250 gpm causes the additional effect due to pumping over 50 years to drop to 2.0 ft, which is within the maximum drawdown allowance.

WATER RESOURCES  
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FEB 26 2019

KS DEPT OF AGRICULTURE

**Ireland, Leslie [KDA]**

---

**From:** Jason Norquest <norquest@gmd3.org>  
**Sent:** Monday, February 25, 2019 4:04 PM  
**To:** Ireland, Leslie [KDA]  
**Cc:** Meyer, Mike [KDA]  
**Subject:** RE: ST 001, 7884 & 10459 City of Johnson  
**Attachments:** 2019\_Feb25\_ReviewMat\_PD.pdf

**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.

Good afternoon Leslie, here is the review for the City of Johnson. We were presented with these as a preapplication review with our Board at the November meeting. They reviewed the proposals at that time and discussed it with our evaluation. I just been waiting on the apps and was able to get them back to you.

Hope you have a good day. We are dug out for now, but I am running out of places to put snow.

*Jason Norquest*

Assistant Manager, GMD3  
Cell: 620-271-1289  
Office: 620-275-7147  
www.gmd3.org

---

**From:** Ireland, Leslie [KDA] <Leslie.Ireland@ks.gov>  
**Sent:** Monday, February 18, 2019 12:40 PM  
**To:** Jason Norquest <norquest@gmd3.org>  
**Subject:** ST 001, 7884 & 10459 City of Johnson

Jason,

The change applications were sent via snail mail as we had help and they need a waiver, but I wanted to send you something electronically as it seems the way we've been corresponding.

Hope you guys get LOT AND LOTS OF SNOW!!!!

Leslie

WATER RESOURCES  
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FEB 26 2019  
KS DEPT OF AGRICULTURE

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

February 15, 2019

SOUTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO 3  
ATTN MARK RUDE  
2009 E SPRUCE  
GARDEN CITY KS 67846

**FILE COPY**

Re: Applications for Change,  
Vested Right, File No. ST 001  
Water Right, File Nos. 7,884 & 10,459

Dear Mr. Rude:

We are enclosing a copy of each of the applications referred to above which appear to be in proper form. The application under File No. 10,459 was sent to you on October 25, 2018 but has been modified and additional applications filed under the referenced files.

As a waiver appears to be needed, we are delaying any further action for a period of 30 days from the date of this letter to allow you time to submit a recommendation concerning the applications referenced above.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact our office.

Sincerely,

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li

Enclosures

pc: Garden City Field Office  
Tyce McMillan, City Superintendent

**SCANNED**

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Interim Secretary

Laura Kelly, Governor

January 16, 2019

NAIRN & NAIRN FARMS  
PO BOX 268  
JOHNSON KS 67855

RE: Water Right, File No. 10,459

Dear Sir or Madam:

This letter is to provide notice as required by K.S.A. 82a-1906, which became effective on July 1, 2016. The City of Johnson has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the points of diversion authorized for municipal use under the above referenced file.

The application proposes the following change in the location of the points of diversion:

from: one (1) primary well located in the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 36, more particularly described as being near a point 5,135 feet North and 2,150 feet West of the Southeast corner of said section, at a quantity not to exceed (185 million gallons (567.74 acre-feet) per calendar year and at a diversion rate not in excess of 1,260 gallons per minute (2.81 c.f.s.), and

one (1) primary well located in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) Section 36, more particularly described as being near a point 2,632 feet North and 356 feet West of the Southeast corner of said section, at a quantity not to exceed (109.675 million gallons (336.58 acre-feet) per calendar year and at a diversion rate not in excess of 490 gallons per minute (1.09 c.f.s.), and limited to an annual quantity of 109.675 and a maximum rate of 490 gallons per minute (1.09 c.f.s) when combined with Vested Right, File No. ST 001.

one (1) standby well located in the Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 36, more particularly described as being near a point 4,300 feet North and 1,800 feet West of the Southeast corner of said section, to operate only when a primary well is inoperable and not to exceed the rate an quantity authorized by either primary well,

all in Township 28 South, Range 41 West, Stanton County, Kansas,

and further limited to a quantity not to exceed (285.05 million gallons (336.58 acre-feet) per calendar year when combined with Vested Right, File No. ST 001 and Water Right, File No. 7,884.

FILE COPY

to: one (1) primary well located in the Southwest Quarter of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) Section 31, more particularly described as being near a point 4,347 feet North and 4,728 feet West of the Southeast corner of said section, in Township 28, South, Range 40 West, Stanton County, Kansas, at a quantity not to exceed (109.675 million gallons (336.58 acre-feet) per calendar year and at a diversion rate not in excess of 490 gallons per minute (1.09 c.f.s.), and limited to an annual quantity of 109.675 and a maximum rate of 490 gallons per minute (1.09 c.f.s) when combined with Vested Right, File No. ST 001, and

one (1) primary well located in the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 36, more particularly described as being near a point 5,135 feet North and 2,150 feet West of the Southeast corner of said section, at a quantity not to exceed (185 million gallons (567.74 acre-feet) per calendar year and at a diversion rate not in excess of 1,260 gallons per minute (2.81 c.f.s.), and

one (1) standby well located in the Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 36, more particularly described as being near a point 4,300 feet North and 1,800 feet West of the Southeast corner of said section, to operate only when a primary well is inoperable and not to exceed the rate an quantity authorized by either primary well,

both in Township 28 South, Range 41 West, Stanton County, Kansas,

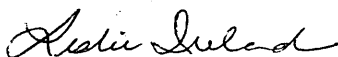
and further limited to a quantity not to exceed (285.05 million gallons (336.58 acre-feet) per calendar year when combined with Vested Right, File No. ST 001 and Water Right, File No. 7,884.

The City has filed applications to change the point(s) of diversion under File Nos. ST 001 and 7,884 that are located more than a half mile from your point of diversion authorized under File No. 9,525. A map for the proposed change under File No. 10,459 has been enclosed.

You are being notified of the proposed change so that you may furnish this office written comments or other information you may desire to submit. Such written comments or other information must be received in this office within 15 days from the date of this letter.

If you have any questions, please contact our office, my desk phone is (785)564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,



Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

Enclosure

pc: Garden City Field Office  
Groundwater Management District No. 3

FILE COPY

4. The presently authorized place of use is:

Owner of Land — NAME: CITY OF JOHNSON CITY

ADDRESS: \_\_\_\_\_

| 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 |             |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |

List any other water rights that cover this place of use. \_\_\_\_\_

Owner of Land — NAME: NA

ADDRESS: \_\_\_\_\_

| 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 |             |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |

List any other water rights that cover this place of use. \_\_\_\_\_

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: NO CHANGE

ADDRESS: \_\_\_\_\_

| 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 |             |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |

List any other water rights that cover this place of use. \_\_\_\_\_

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

| 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 |             |  |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |  |  |  |  |

List any other water rights that cover this place of use. \_\_\_\_\_

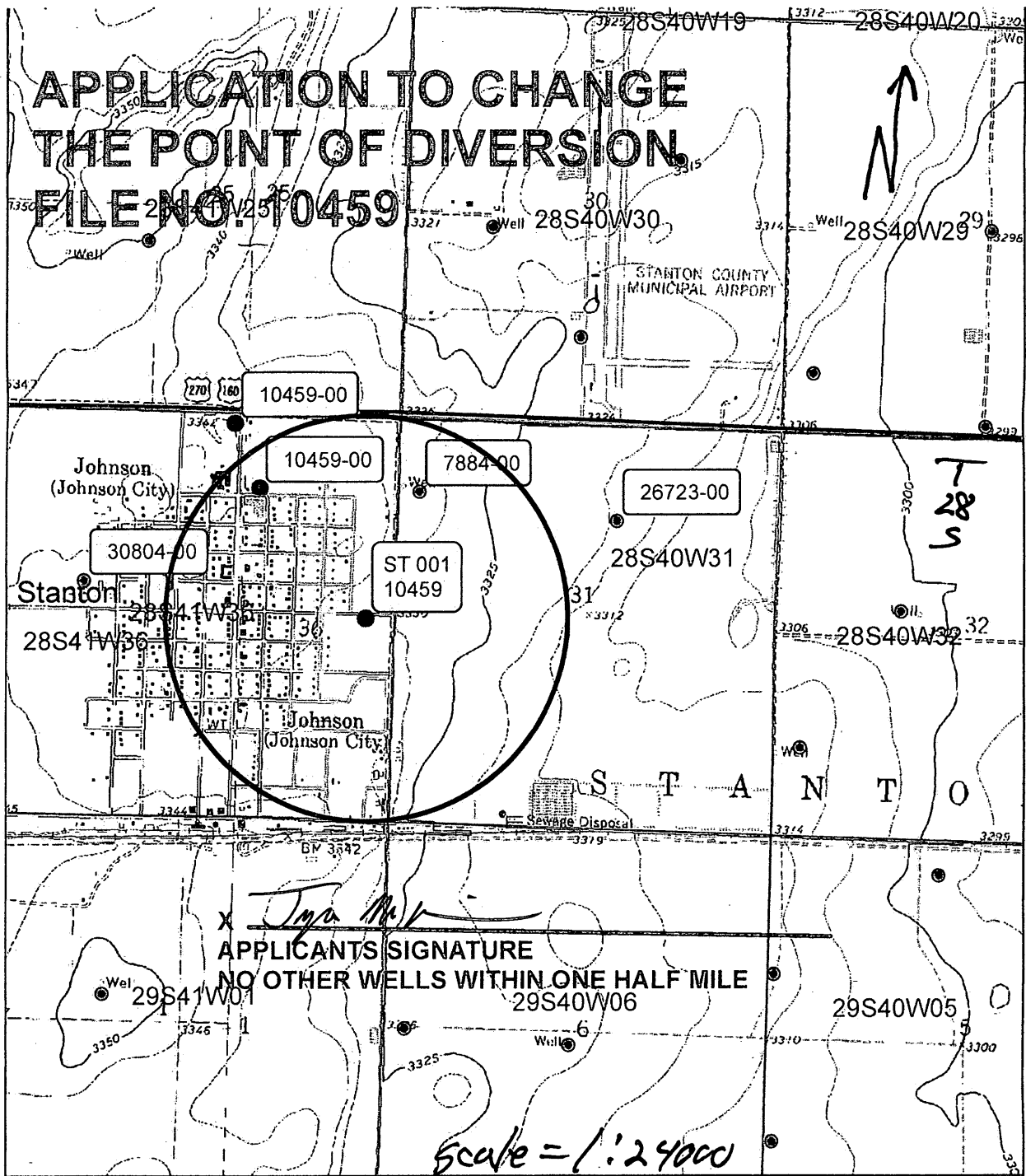
Water Resources  
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**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

**AUG 29 2018**

# APPLICATION TO CHANGE THE POINT OF DIVERSION FILE NO. 10459

R  
LAW



*Tina M...*  
APPLICANTS SIGNATURE  
NO OTHER WELLS WITHIN ONE HALF MILE

Scale = 1:24000

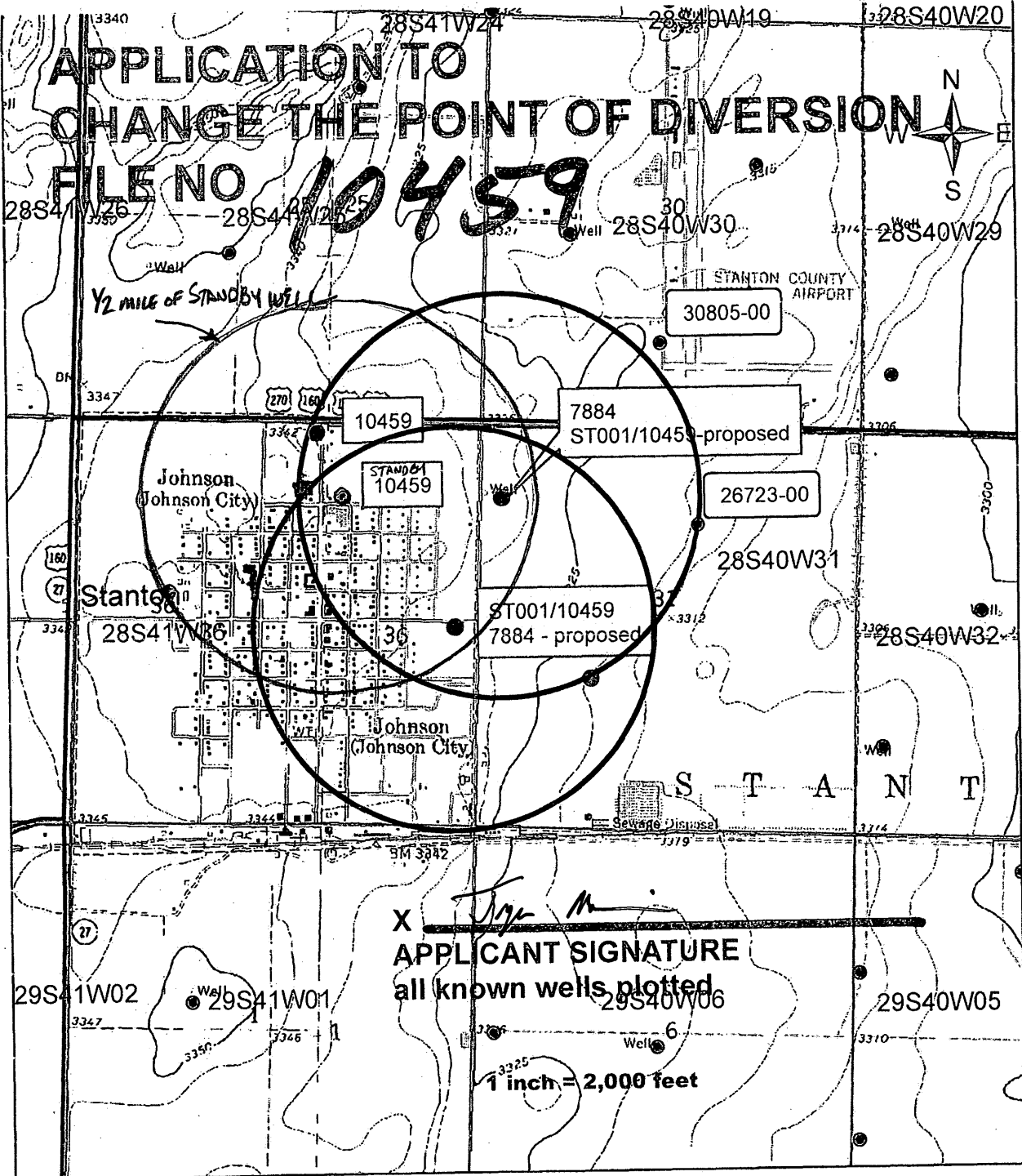
Water Resources  
Received

AUG 29 2018

KS Dept Of Agriculture  
SCANNED

# APPLICATION TO CHANGE THE POINT OF DIVERSION

## FILE NO 10459



X *[Signature]*  
APPLICANT SIGNATURE  
all known wells plotted

**VOID**  
*VOID*  
*Working Copy*  
*SEE 11/5/19 COPY*  
*REVISED MAP*

RECEIVED

DEC 11 2018

Garden City Field Office  
Division of Water Resources



12. The presently authorized use of water is for MUNI purposes.

It is proposed that the use be changed to NA purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

NA

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NA (acre-feet or million gallons).

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

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

THIS CHANGE RELATES TO THE SAME LOCAL SOURCE OF SUPPLY AS THAT TO WHICH THE WATER RIGHT RELATES. THEREFORE, MEETS KSA 82a 708b

THE TOTAL RATE AND QUANTITY FOR ID 9 (NENESE WELL) WILL BE FURTHER LIMITED TO 740 GPM AND 185 mgy WHEN COMB WITH FILE NO. ST 001. THE WATER RIGHT IS LIMITED TO 185 mgy, AND THE OVERALL LIMITATION OF 285 mgy WHEN COMBINED WITH ST 001, 7884 STILL REMAINS.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

REQUEST A WAIVER OF KAR 5-23-3

Water Resources

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

**AUG 29 2018**

**SCANNED**

**KS Dept Of Agriculture**

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

October 25, 2018

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

**FILE COPY**

Re: Water Right  
File No. 10,459

Dear Sir or Madam:

We are enclosing a copy of the application referred to above, received in the office of the Chief Engineer August 29, 2018, which appears to be in proper form.

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 (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT  
Enclosures

pc: Garden City Field Office

**SCANNED**

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GOVERNOR JEFF COLYER, M.D.  
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

TYCE MCMILLAN  
PO BOX 500  
JOHNSON, KS 67855

August 30, 2018

RE: File No 10459

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PD
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW  
pc: GARDEN CITY Field Office GMD3

SCANNED