Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
ST 001	3/18/2019	C1	··· 04	03
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return 7	7. Filing Date of Change:
				12/14/18
8a. Applicant(s) New to system □	Person ID	8c. Landown		Person ID Add Seq#
CITY OF JOHNSON CITY TYCE MCMILLAN PO BOX 500 JOHNSON KS 67855-056				
8b. Landowner(s) New to system □	Person ID 8719 Add Seq#	8d. WUC New to sy	rstem 🗌	Person ID 8719 Add Seq#
CITY OF JOHNSON CITY CITY SUPT PO BOX 500 JOHNSON KS 67855-050		CITY S PO BO		
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	ly: 12/31/19	🛛 N & P Date to C	omply: 12/31/19
☐ Anti-Reverse Meter ☐ Meter	Seal	□ N & P Form	☐ Water Tube ☐ Dril	ler Copy
☐ Conservation Plan Date Requir	ed: Da	ite Approved:	Date to 0	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 3/4/19 Date Entered: 3/19/10	By: LI By:LM

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KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

MEMORANDUM

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 NE¼NE½SE¼ 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 SW¼NW¼NW¼ 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 NE½ NW½ NE½ 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 NE½NE½SE½ 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 SE½ NW½ NE½ 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 mgy (479.97 acre-feet) from one point of diversion located in the SW¼ NW¼ NW¼ 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 NE¼NE½SE¼ 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 NW¼ SE¼ SW¼ 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 mgy will be available for assignment to the points of diversion. The well in the SE¼ of Section 36, will be authorized 107.522 mgy (330 AF) at a rate of 490 gpm and the new well located in the SW of Section 31 will be authorized 48.878 mgy (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 SE½ of Section 36, the location of the additional well. The required 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 mgy) is 1,900 ft and for the additional well's 150 AF (48.878 mgy) 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 (½) 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

Laura Kelly, Governor

Mike Beam, Acting Secretary

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 (SW½) 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,

Change Application Unit Supervisor

BAT:LI:li Enclosures

pc:

Garden City Field Office

Groundwater Management District No. 3

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 VESTED RIGHT FILE NO. ST 001

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, approval of a change in the point of diversion under the vested right order, determining and establishing a vested right to continue the beneficial use of water, then identified in the office of the Chief Engineer as Vested Right, Code 621, Stanton County, now identified as Vested Right, File No. ST 001, as modified and amended by the Orders of the Chief Engineer dated December 20, 1983 and June 4, 2002, approving the applications to change the authorized point of diversion, 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) well located in the Southwest Quarter of the Northwest Quarter of the Northwest Quarter (SW½ NW½ NW½) 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,

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 vested right order, determining and establishing a vested right to continue the beneficial use of water, identified in the office of the Chief Engineer as Vested Right. File No. ST 001, is as stated and set forth in the vested right order executed by the Chief Engineer on April 5,1950, as modified and amended by the aforementioned orders.

Ordered this 18 day of March DAVID W. BARFIELD: CHIEF ENGINEER 2019, in Manhattan, Riley County, Kansas.

State of Kansas

County of Riley

SS

Chief Engineer Sivision of Water Resources ansas Department of Agriculture

The foregoing instrument was acknowledged before me this before of 2019, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

> KAREN HUNTER My Appointment Expires October 24, 2022

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 20th day of March , 2019, I hereby certify that the attached Approval of Application for Change in Point of Diversion, Vested Right, File No. ST 001, dated March 18th 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**



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

	snowing the authorized and proposed points(s) of diversion and for place of use must accompany this application.
	Water Resources
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	Place of Use DEC 1 4 2018
	(Check one or more) 🛛 Point of Diversion
	☐ Use Made of Water KS Dept Of Agriculture
	File No. <u>ST 001</u>
	2. Name of applicant: CITY OF JOHNSON CITY, CITY SUPT
	Address: PO BOX 500,
	City, State and Zip: JOHNSON KS 67855-0500
	Phone Number: ()
	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: ()
3.	The change(s) proposed herein are desired for the following reasons (please be specific):
	TO RELOCATE WELL TO AN EXISTING WELL
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	The above 2/2\ (vea) (veil ha) consolated by 2040
	The change(s) (was) (will be) completed by 2019 (Date)
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Division of Water Resources

Garden City Field OF CAN

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY/ED

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DEC 14 2018

DEC 1 1 2018

KS Dept Of Agriculture CANNED
Garden City Field Office
Division of Water Resources

		File No. <u>ST 001</u>
, -	The presently authorized use of water is for MUNI purpose	s
	t is proposed that the use be changed to <u>NA</u>	purposes.
:	f changing the place of use and/or use made of water, describe how the consumptive use w	ill not be increased.
-		
(Please show any calculations here.)	
1 .	t is requested that the maximum annual quantity of water be reduced to <u>NA</u>	(acre-feet or million gallons)
5. J	t is requested that the maximum rate of diversion of water be reduced to NA	gallons per minute (c.f.s.)
: 	The application must include either a topographic map or detailed plat. A U.S. Geological 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, U Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently Distances North and West of the Southeast corner of the section must be shown. The presently also be shown. Identify the center of the section, the section lines and the section consection, township, and range numbers on the map. In addition the following information must	niversity of Kansas, Lawrence authorized point(s) of diversion esently authorized place of uso orners and show the appropriate
. (a. If a change in the location of the point(s) of diversion is proposed, show:	
	 The location of the proposed point(s) of diversion. Distances North and West of the must be shown. Please be certain that the information shown on the map agree Paragraph Nos. 9, 10 and 11 of the application. 	
	2) If the source of supply is groundwater, please show the location of existing wa domestic wells, within ½ mile of the proposed well or wells. Identify each well as mailing address of the property owner or owners. If there are no wells within ½ mile	to its use and furnish name an
	3) If the source of supply is surface water, the names and mailing addresses of all la and ½ mile upstream from your property lines must be shown.	ndowner(s) ½ mile downstrean
. 1	b. If a change in the place of use is desired, show the proposed place of use by crosshocertain that the information shown on the map agrees with the information shown in Para	
1	Attach documentation to show the change(s) proposed herein will not impair existing wate local source of supply as to which the water right relates. This information may include stawell logs, test hole logs, and other information as necessary information to show the above made below.	itements, plats, geology reports
	LOCAL SOURCE OF SUPPLY IS NOT CHANGING, AND SOURCE OF SUPPLY IS NOT C	HANGING
		Here the state of
•		
-	If the proposed change(s) does not meet all applicable rules and regulations of the Kansas identify the rules and regulations for which you request a waiver. State the reason why a request should be granted. Attach documentation showing that granting the request will not will not prejudicially and unreasonably affect the public interest.	waiver is needed and why the
	REQUEST WAIVER OF KAR 5-23-3 DUE TO EXISTING WELLS AND SAME OWNERS.	
	IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AND ACTUAL SHEETS AND ACTUAL SHEETS AND ACTUAL SHEETS AND ACTUAL SHEET AND	

KS Sept Ringipulture and City Field Office Division of Water Resources

DEC 1 1 2018

DEC 14 2018

File	No	ST	001	

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> 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.

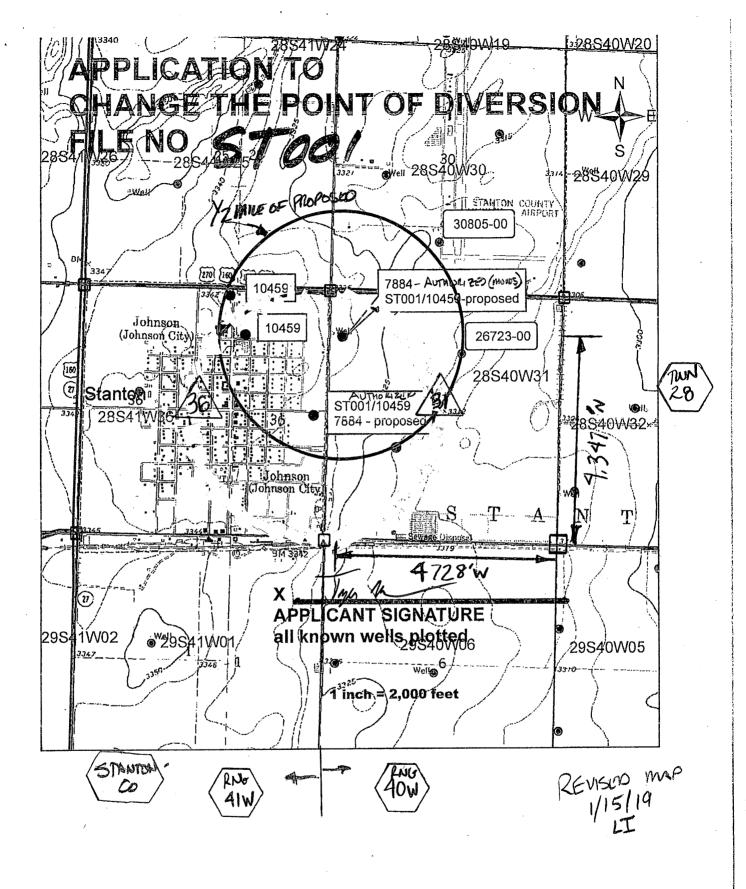
The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

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 authorize authorized to make this application on their behalf, a complete. By filing this application I authorize the chic as specified in sections 14 and 15 of this application.	nd declare furth	er that the statem	ents contained herein	are true, correct, and
Dated at Garden City	, Kansas, this _	day of	December	
Jan M				et et estre en eller en galle
Tuce McMillan City Superin	renden)	20.767.44	(Spouse)	
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County of	signed in my p	resence and swor	n to before me this	11 day of
My Commission Expires JULIE JONES My Appointment Ex December 15; 20	pires		Notary Pyrolic	
	FEE SCHEDU	LE	· · · · · · · · · · · · · · · · · · ·	
Each application to change the place of use, the point of diapplication fee set forth in the schedule below:	version or the use	made of the water of	under this section shall b	e accompanied by the
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KS Dept Of Agriculture Garden City Field Office SCANNED Division of Water Resources



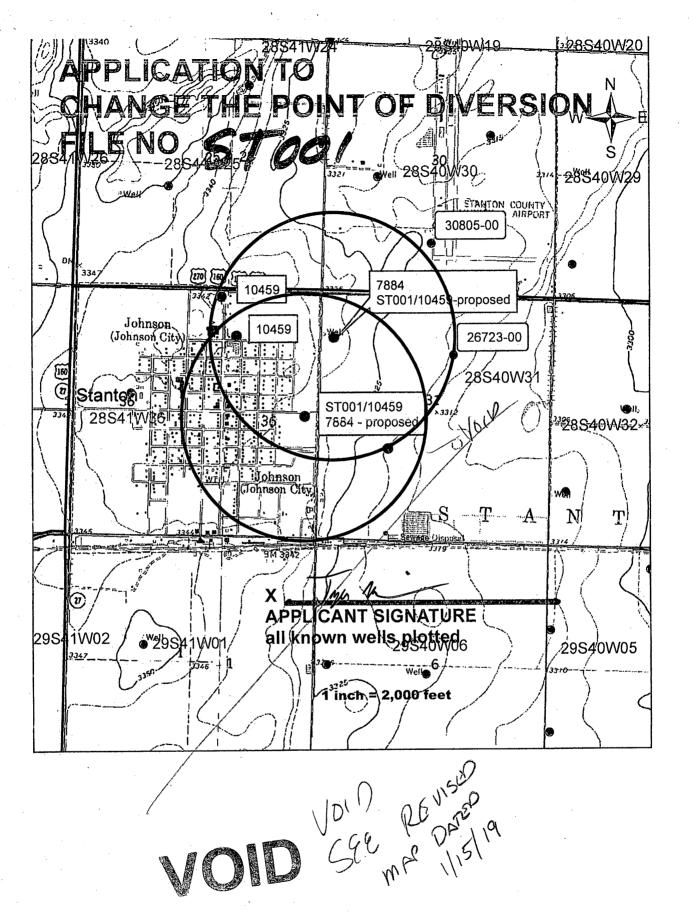
Water Resources Received

DEC 1 4 2018

RECEIVED

DEC 1 1 2018

Garden City Field Office
KS Dept Of Agriculture Division of Water Resources



Water Resources Received

DEC 1 4 2018

RECEIVED

DEC 1 1 2018

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 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 Water Resources Received

MAR 04 2019

KS Dept Of Agriculture

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.

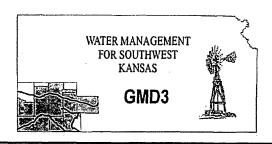
Review of the logs for each neighboring well, within a mile, shows all the wells were greater than the de minimis allowance and needed further evaluation. Eight of those wells had calculations determine that they could potentially be critical wells. Reasonably lower pumping rates by the proposed well 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

SCANNED



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

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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

WATER RESOURCES

FFB 2 6 2019

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 36-285-41W
 - Distance from proposed location = 4557 ft
 - 50 vr 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 30-285-40W
 - 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.

- 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, tp = 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 ft 40 ft = **72 ft**
- Economical Drawdown Constraint (40% in 25 years)
 - EDC = 112 ft * 0.4 = 44.8 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.

WATER RESOURCES RECEIVED

FEB 2 6 2019

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, tp = 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 ft 40 ft = 27.9 ft
- Economical Drawdown Constraint (40% in 25 years)
 - EDC = 67.9 ft * 0.4 = 27.2 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.

WATER RESOURCES RECEIVED

FEB 2 6 2019

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, tp = 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 ft 40 ft = 47.5 ft
- Economical Drawdown Constraint (40% in 25 years)
 - EDC = 87.5 ft * 0.4 = 35.0 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.

WATER RESOURCES RECEIVED

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, tp = 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 ft 40 ft = 47.5 ft
- Economical Drawdown Constraint (40% in 25 years)
 - EDC = 87.5 ft * 0.4 = 35.0 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 RECEIVED

FEB 2 6 2019

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, tp = 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 ft 40 ft = 74.7 ft
- Economical Drawdown Constraint
 - EDC = 114.7 ft * 0.4 = 45.9 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 RECEIVED

FEB 2 6 2019

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, tp = 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 ft 40 ft = 77.2 ft
- Economical Drawdown Constraint (40% in 25 years)
 - EDC = 117.2 ft * 0.4 = 46.9 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.

WATER RESOURCES RECEIVED

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, tp = 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 ft 40 ft = 27.9 ft
- Economical Drawdown Constraint (40% in 25 years)
 - EDC = 67.9 ft * 0.4 = 27.2 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 RECEIVED

HEB 2 6 2019

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, tp = 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 ft 40 ft = 27.9 ft
- Economical Drawdown Constraint (40% in 25 years)
 - EDC = 67.9 ft * 0.4 = 27.2 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 RECEIVED

FEB 2 6 2019

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, tp = 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 ft 40 ft = 47.5 ft
- Economical Drawdown Constraint (40% in 25 years)
 - EDC = 87.5 ft * 0.4 = 35.0 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 RECEIVED

FEB 2 6 2019

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 RECEIVED

FEB 2 6 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

Laura Kelly, Governor

Mike Beam, Acting Secretary

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

Water Rights and Points of Diversion Within 1.25 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

PROPOSOD PD STOOL

WELL ID 9 TOTAL 560.60 AF BUT JUNION Q IS

LIMMOD-WSTOOL

=======================================	=======================================			=======================================	=======================================
File Number Use ST SR	R Dist (ft) Q4 Q3 Q2 Q1	FeetN FeetW S	Sec Twp Rno	g ID Batt Auth_Quan	Add_Quan Unit
A 4646 00 IRR NK G	3561 CN SW	2530 3870	30 28 40	N 1 540.00	540.00 AF
A 4792 00 IRR NK G	6000 NW SW SW	1170 4900	32 28 40	v 3 960.00	960.00 AF
A 4892 00 IRR NK G	6509 SW SE NW		32 28 400	W 2 640.00	640.00 AF
A 6291 00 IRR NK G	5665 SE NW NE		25 28 41	N 1 568.00	568.00 AF
A 7416 00 IRR NK G	5385 NW SW NE	3425 1550	30 28 40	N 6 240.00	240.00 AF
A 7884 00 MUN NK G*	0 SW NW NW	4347 4728	31 28 40	N 6 479.97	479.97 AF
A 9525 D1 IRR NK G	4775 NC NE SW	2172 3294	25 28 41	v 5 . 702.00	702.00 AF
A 9818 00 IRR NK G	5204 NW SW SW	750 5000	29 28 40	v 6 525.00	525.00 AF
A 10459 00 MUN NK G*	2095 SE NW NE	4300 1800	36 28 41	N 4 .00	.00 AF
Same	2582 NE NW NE	5135 2150	36 28 41	N 7 567.74	57.96 AF
Same	1798 NE NE SE	2632 356	36 28 41	v 9 336.58	112.55 AF M
A 11395 00 IRR NK G	6326	100 4880	19 28 400	v 2 540.00	57.96 AF 112.55 AF POUCHS 540.00 AF .00 AF
A 26723 00 MUN NK G	2620 SW NW NE	4041 2126	31 28 400	√ 4 299.98	OO AF PROUCH
A 30804 00 MUN NK G	4543 SE SW NW	3010 4060	36 28 41	N 8 111.90	.00 AF
A 30805 00 IRR NK G	2923 NE SE SW	1155 2670	30 28 40	W 4 136.00	136.00 AF ST. Co Golflowings
VST 1 00 MUN AA G*	1798) NE NE SE	2632 356	36 28 41	V 9 224.03	224.03 AF
			========	.======================================	=======================================
Total Net Quantities Aut	horized: Direct	Storage	Mari	ING 1,798' TO	a NG TE
Total Requested Amount ((AF) = .00	.00	11/00	IMO 11/90 10	2175/10h
Total Permitted Amount ((AF) = .00	.00		EXISTING WEL	C SWNWNW 31 28 404
Total Inspected Amount ((AF) = .00	.00		ST 001 22	生
Total Pro_Cert Amount (AF) = .00	.00	,	1.00	7.03

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

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

5501.48

224.03

5725.51

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.

.00

.00

Water Rights and Points of Diversion Within 1.25 miles of point defined as:

101.742051 West Longitude and 37.574682 North Latitude

GROUNDWATER ONLY

Total Vested

TOTAL AMOUNT

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

Total Certified Amount (AF) =

Amount (AF) =

(AF) =

File Number Use ST SR

A___ 4646 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 7416 00 IRR NK G	
> PLANE VIEW FARMS LLC	
> DO DOW 014	
> 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 9525 D1 IRR NK G	
> NAIRN & NAIRN FARMS	
> PO POW 969	
> PO BOX 268	
> JOHNSON KS 67855	
>	
A_ 9818 00 IRR NK G	
> PLANE VIEW FARMS LLC	
> PO BOX 914	
> JOHNSON KS 67855	
A_ 10459 00 MUN NK G	
> CITY OF JOHNSON CITY	
> CITY OF JOHNSON CITY > CITY SUPT	
> PÔ BOX 500	
> JOHNSON KS 67855	
> JOHNSON AS 67833	
A 11395 00 IRR NK G	
> GOLDEN SPREAD INC	
> GOLDEN SPREAD INC	
> PO BOX 101	
> JOHNSON KS 67855	
> JOHNSON AS 67633	
A 26723 00 MUN NK G	

> CITY OF JOHNSON CITY

```
WATER RIGHT INFORMATION REPORT FOR VESTED RIGHT: ST1 00
SOURCE: Groundwater
                      USE: MUN
CURRENT STATUS: Vested Active
ACTIVE DATE: 05-APR-50
......
APPLICANT(S):
> CITY OF JOHNSON CITY CITY SUPT PO BOX 500 JOHNSON KS 67855
> PERSON ID (Old Address Code): 8719
> CORRESPONDENT SEQUENCE NUMBER:
>-----
WATER USE CORRESPONDENT(S):
> CITY OF JOHNSON CITY CITY SUPT PO BOX 500 JOHNSON KS 67855
> PERSON ID (Old Address Code):
                             8719
> CORRESPONDENT SEQUENCE NUMBER:
>-----
......
ACTION TRAIL:
05-APR-50 Vested Active
05-JUL-78 Recorded Ksa. 82a-704 A(E)
15-SEP-82 Change Application For Point Of Diversion
20-DEC-83 Change Approved
20-DEC-83 N&P By12/31/84 Chg Approval
29-FEB-84 N&P 1/84 (Chg)
11-APR-02 Change Application For Point Of Diversion
04-JUN-02 Change Approved
04-JUN-02 N&P By12/31/02 Chg Approval
18-DEC-02 Extension 12/31/03 To Comp (Chg)
23-MAR-04 N&P 06/02 (Chg)
29-OCT-14 Conservation Plan Scanned Under St-1
11-JUL-18 Compliance Check/In Comp Id 9 Pdiv 67512
14-DEC-18 C1 Change App Pd Filed
......
CONSERVATION CONTRACT ACTION TRAIL:
CONSERVATION PLAN ACTION TRAIL:
15-SEP-98 Volunteer Plan
29-OCT-14 Approved Conservation Plan
29-OCT-14 Volunteer Plan
20-NOV-98 Approved Conservation Plan
................
SPECIAL CONDITIONS:
......
QUANTITIES:
 >AUTHORIZED
               73.000 mgy ADDITIONAL
                                         73.000 mgy
RATES:
               395.000 gpm ADDITIONAL
 >AUTHORIZED
                                         395.000 gpm
......
LIMITATIONS: None
```

STORAGE QUANTITIES: No active storage quantities associated with MUN use under this water right

STORAGE RATES: No active storage rates associated with MUN use under this water right AUTHORIZED POINTS(S) OF DIVERSION Section 36, T 28, R 41W, ID 9 (Internal PDIV_ID = 67512) QUALIFIERS: NE NE SE DIST. FROM SE CORNER: 2632 ft North 356 ft West NUMBER OF WELLS: 1 COMMENT: OLD LONGITUDE: OLD LATITUDE: NEW LONGITUDE: 101.744301 NEW LATITUDE: 37.570079 GPS LONGITUDE: 101.744050 GPS LATITUDE: 37.570000 GPS FEET NORTH: 2603 GPS FEET WEST: 283 COUNTY: STANTON FIELD OFFICE: GARDEN CITY FIELD OFFICE GMD : 3 BASIN: N F CIMARRON RIVER STREAM: SPECIAL_USE_AREA(S): AQUIFER(S): > DAKOTA AQUIFER SYSTEM (UNCONFINED) > PERMIAN SYSTEM TEST INFORMATION: > 11-JUL-18 gpm Flow Rate Test METER ACTION TRAIL: > 04-JUN-02 Meter Required BY Change Point of Diversion Install by: 31-DEC-02 > 18-DEC-02 Meter Extension Of Time To Install Meter Install by: 31-DEC-03 > 23-MAR-04 Meter Reported Installed METER INFORMATION: Date Installed: 01-SEP-03 Currently Installed? N > Manufacturer: WATER SPECIALTIES > Type: Propellor Serial No.: 2003159 Meter Size: 3 Inch Multiplier: > Meter Unit: Gallons > Portable Pump Installation? Multiple PDs? Straightening Vanes? Y > Measuring Chamber? Meter Comment: METER INFORMATION: Date Installed : Currently Installed? Y > Manufacturer: WATER SPECIALTIES Model: ML > Type: Not Available Serial No.: 0031159 > Meter Unit: Gallons Meter Size: 3 Inch Multiplier: 000 > Portable Pump Installation? N Multiple PDs? N Straightening Vanes? Y > Measuring Chamber? Y Meter Comment: COMP INV=7-11-2018 SIZE=6 OVERLAPS: 10459 00 MUN -----...... AUTHORIZED PLACE(S) OF USE Section 36, T 28, R 41W, ID 3 (Internal PUSE ID = 22429) OWNER: CITY OF JOHNSON CITY

Address: CITY SUPT
** PO BOX 500

** JOHNSON KS 67855

COMMENT: CITY OF JOHNSON & VICINITY

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

CITY OF JOHNSON CITY PO BOX 500 JOHNSON, KS 67855 January 4, 2019

Dear Sir or Madam:

RE: File No ST-001

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