

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PD WORKSHEET

Document Signature DWB

1. File Number: 21697	2. Status Change Date: 8/29/2016	3. Change Num: C5	4. Field Office: 02	5. GMD:
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 9/21/2015
8a. Applicant(s) New to system <input type="checkbox"/> JAMIE HOLOPIREK 222 W 6TH ST LARNED KS 67550-3023		8c. Landowner(s) New to system <input type="checkbox"/> JAMIE T & GRETCHEN C HOLOPIREK 222 W 6TH ST LARNED KS 67550-3023		
8b. Landowner(s) New to system <input type="checkbox"/> PERRY L & KARLA HOLOPIREK PO BOX 304 OTIS KS 67565 Water Right Only Owner (No Change)		8c. Landowner(s) New to system <input type="checkbox"/> IRENE M HOLOPIREK 113 N LOCUST ST TIMKEN KS 67575-7638		
8d. WUC New to system <input type="checkbox"/> 8c		8b. Landowner(s) New to system <input type="checkbox"/> PERRY L & KARLA HOLOPIREK PO BOX 304 OTIS KS 67565		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/16 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/16				
<input checked="" 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 <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 7/8/2016 By: LI Date Entered: 9/12/2016 By: UM				

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WAIVER OF REGULATION
K.A.R. 5-4-4

Date: 8/29/10

Re: File No. 21,697

1. That K.A.R. 5-4-4 states in part that the spacing between wells shall be sufficient to prevent direct impairment between wells that are located in a common source of supply....1,320 feet for wells who common source of supply is any other aquifer.
2. That the change in point of diversion under File No. 21,697, proposes the existing well authorized under File No. 376, be authorized 34 acre-feet as an additional well resulting in a total of 64 acre-feet authorized at a reduced rate. The proposed existing well is located approximately 866 feet away from an existing irrigation well authorized under File No. 220 and less than 660 feet to a nearby domestic well.
3. A summary of well pumping tests completed by Lee Wheeler Engineering, indicates the proposed existing well will have an influence on neighboring wells of less than one foot decline in the static water level, in an area with approximately 42 feet of saturated thickness.
4. That the proposed well and the nearby wells are classified as alluvial wells.
5. Informed nearby well owners provided no comments or data that indicate the proposed change would result in impairment. The owner of the domestic well has consented to the reduced spacing.
6. That approval of the referenced application will not adversely affect the public interest or impair existing water rights.
7. That the application should be approved with a waiver of the well spacing requirement of K.A.R. 5-4-4 (c)(1)(C).

Comments:

David W. Barfield, P.E.
Chief Engineer
Division of Water Resources

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: 21,697

FO: 2

GMD: _____

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	9/21/15	3	Statewide	Well Spacing Change Apps	Well to Well Spacing
Rule Number	Date Granted	Date Denied	Justification:	A nearby irrigation well is less than 1,320 feet away from the proposed existing well. The change in point of diversion will decrease the distance to the nearby well by more than 300 feet. The change will move the well away from the Walnut Creek, both wells are in the alluvial aquifer. Submitted engineering study indicates a less than one(1) foot decline in the static water level, in an area with approximately 40 feet of saturated thickness. A nearby domestic well owner has submitted the consent to reduce the spacing to their well. SEE IMAGES	
K.A.R. 5-4-4(c)(1)(C)	8/29/2016				

(above would not fit in space provided in WRIS)

WAIVER RULE (complete only if a new rule needs to be created):

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
				K.A.R.		

Date Prepared 7/11/16 By LI

Date Entered 9/12/2016 By LM

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 8, 2016

FROM: Leslie Ireland

RE: Water Right, File Nos. 376; 11,637 & 21,697

Jamie & Gretchen Holopirek along with Perry L. & Karla K. Holopirek, all as owners of the referenced files authorize for irrigation use filed applications on September 21, 2015, for File Nos. 11,637 & 21,697, requesting approval to change the authorized points of diversion. A request to reduce the rate under File No. 376 which serves the same place of use was submitted with the applications for change.

The subject water rights are located in an area subject K.S.A. 82a-718, and are therefore not abandoned. The rights are in compliance with K.S.A. 82a-732.

The referenced files each authorize one(1)well with a total combined quantity of 150 acre-feet, and a common place of use of use of 132 acres. The points of diversion are all located in Section 28, Township 18 South, Range 17 West, Rush County. All of the rights have been determined to be Main Stem Alluvium of the Walnut Creek in Rush County and within the Walnut Creek IGUCA.

The ownership of File No. 11,637, is unusual. A portion of this right was conveyed in 2013, and withheld from the place of use. The applications comply with K.A.R. 5-5-2a, *Complete change application*.

The applications propose to split the quantity and rates that will overlap with existing wells. No new wells will be drilled. The applications will be processed by K.A.R. 5-5-16, *Additional wells*. The owner was informed by a letter dated May 9, 2016, of the priority of the quantities and rates that will be reassigned as additional wells.

File No. 376, has is certified for 600 gallons per minute for the diversion of 30 acre-feet for only irrigation use from one(1) well. It is the most western well of the rights that serve the same 132 acres. File No. 11,637, has authorized one(1) well certified for 555 gallons per minute for the diversion of 60 acre-feet. File No. 21,697, is also authorized one(1) well that it certified for 615 gallons per minute for the diversion of 60 acre-feet. Together, they developed a total 120 maximum irrigated acres. The determination of the consumptive use calculation as required by K.A.R. 5-5-16(a)(2)(C)(i) utilizing K.A.R. 5-5-12:

$$(120 \text{ acres} \times 1.23 \text{ (80\%NIR RH Co.)}) \div 0.85 = 173.6 \text{ acre-feet}$$

Together the rights authorize a total of 150 acre-feet, so no reduction in quantity will be required for the proposed additional wells. As the proposed changes are mainly a redistribution of quantity and not due to declining rate or lost quantity, the changes appear to comply with, K.A.R. 5-5-3, *Change in consumptive use*.

As required by K.A.R. 5-5-16(a)(3)(A), the wells under File Nos. 11,637 & 21,697, were tested for their current maximum rate. On April 28, 2016, Don Mies, Stafford Field Office conducted the meter flow rate testing, that was reviewed by the Assistant Water Commissioner, Cameron Conant. The well authorize under File No. 11,637, located in the SW¼ NW¼ NE¼, approximately 4,300 feet North and 2,143 feet West of the Southeast corner of Section 28, produced a tested rate of 558 gallons per minute with a 3.34 percent error. The well authorized under File No. 21,697, located in the NE SE NW approximately 3,329 feet North and 3,246 feet West of the Southeast corner of Section 28, produced a maximum rate of 512 gallons per minute with a 0.72% error.

Authorized & Requested Assignments of Rate & Quantity

File No.	Authorized P_Id	Authorized		Proposed P_Id	Proposed		Proposed Quantity, AF per Well
		Rate	Quantity, AF		Quantity	Quantity	
11,637	ID 9	555	60	ID 9	350	34	ID 9
				ID 14	205	26	34
21,697	ID14	615	60	ID 14	400	26	ID 14
				ID 5	115	34	60
376	ID15	600	30	ID 5	300	30	ID 15 64

File No. 21,697, will have the additional limitation that ID 5, not exceed 300 gallons per minute when combined with Water Right, File No. 376.

All of the rights are located South of the Walnut Creek and are moving the requested diversions of quantity away from the creek. The submitted well driller logs for wells completed in the Northeast Quarter in 1988 and in the Southwest Quarter in 2008, both in Section 28, indicated the wells are approximately 55 to 65 feet deep, with static water levels of 23 to 31 feet. The source of supply for the points of diversion has been determined to be the Main Stem Alluvium of the Walnut Creek. The changes will not move the authorized points of diversion out of the alluvium, indicating the appropriations will remain in the same local source of supply. It appears the requested changes comply with the Walnut Creek IGUCA and K.A.R. 5-5-13, *Relocation of alluvial wells*.

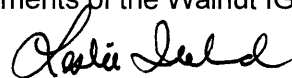
It was confirmed that this existing wells and the proposed wells are located approximately 1,500 feet apart. The owner has requested a **waiver of K.A.R 5-4-4, Well spacing**, under File No. 21,697, as the proposed point of diversion authorized by File No. 376 is located only 866 feet from the well authorize for irrigation use by File No. 220, and the domestic well owned by Irene Holopirek, Perry Holopirek POA. Perry Holopirek signed a *Domestic Well Spacing Consent Form*, on September 16, 2015. The owners of File No. 220, Margaret J. & Edward J. Oborny along with 8 other nearby well owners were informed of the proposed changes. The Obornys did not comment on the applications. The only comment was a call from Francis Vondracek, the son of the late Marie E. Vondracek. He had no objections.

As justification for the flow rates and waiver, the owner submitted information completed by Lee Wheeler Engineering. The September 14, 2015 letter of Mr. Wheeler, PE, states that pumping the well authorized by File No. 376 produced less than a foot of static water level decline at the wells authorized by File Nos. 22,697 & 11,637. His letter further stated that the wells were shown to experience some recharge due to the Walnut Creek. As this area has approximately 24 feet of saturated thickness, it would appear the requested waiver of spacing will not result in impairment to the wells less that the generally recommended 1,320 feet of well to well spacing. **A waiver of part (d) of K.A.R 5-4-4**, has been prepared for File No. 21,697.

Jeff Lanterman, Water Commissioner was sent a copy of this memorandum for comments and a recommendation on the proposed changes and waiver. He indicated in an e-mail dated August 8, 2016, that he recommends approval of the changes and supports the reduction in rate under File No. 376 and waiver of K.A.R. 5-4-4.

Water flowmeters will be required according to KSA 82a-706c. A check valve will be required if chemigating. Water level measurement tubes and WWC-5 logs will not be conditions of the approvals. The owner will be required to submit notice of completion for the changes.

Based on the above discussion, that the waiver of regulation is approved, the changes appear to be reasonable as impairment to existing water rights is unlikely, and there will be no change in the local source of supply, and the requirements of the Walnut IGUCA have been met.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

September 13, 2016

Governor Sam Brownback

JAMIE T & GRETCHEN C HOLOPIREK
222 W 6TH ST
LARNED KS 67550-3023

FILE COPY

RE: Water Right, File Nos. 376; 11,637 & 21,697

Dear Mr. & Mrs. Holopirek:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under File Nos. 11,637 and 21,697 and the requested reduction for File No. 376.

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 an acceptable water flowmeter must be installed on the diversion works authorized. Please return the required, Notification of the Completion of the Diversion Works, prior to December 31, 2016.

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.

The applications are adding an additional point of diversion therefor are 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 applications were filed (September 21, 2015).

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 564-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent A. Turney".

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

BAT:LI:li:

Enclosures

pc: Stafford Field Office
Perry L. & Karla Holopirek



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, 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. 21,697**

FILE COPY

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Jamie T. & Gretchen C. Holopirek, 222 W. 6th Street, Larned, Kansas 67550-3023, along with Perry L. & Karla Holopirek, PO Box 304, Otis, Kansas 67565-0304, received in this office on September 21, 2015, 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 order of the Chief Engineer dated April 12, 2006, approving the application to change the authorized point of diversion, and by the order of the Chief Engineer dated December 21, 2010, approving the application to change the authorized place of use and better define the location of the authorized point of diversion, and by the orders of the Chief Engineer dated April 2, 2013 and September 25, 2015, approving the applications to change the authorized place of use, 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.

This order effectively reduces the maximum rate of diversion to 515 gallons per minute (1.15 c.f.s).

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 Northeast Quarter of the Southeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 28, more particularly described as being near a point 3,329 feet North and 3,246 feet West of the Southeast corner of said section, at a diversion rate not in excess of 400 gallons per minute (0.89 c.f.s.) and in a quantity not to exceed 26.0 acre-feet per calendar year, and

one (1) well located Northeast Quarter of the Northwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 28, more particularly described as being near a point 2,578 feet North and 4,541 feet West of the Southeast corner of said section, at a diversion rate not in excess of 115 gallons per minute (0.26 c.f.s.) and in a quantity not to exceed 34 acre-feet per calendar year,

both in Township 18 South, Range 17 West, Rush County, Kansas,

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

Installation of the works for diversion of water shall be completed on or before December 31, 2016 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.

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.

The application, therefore, is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (September 21, 2015) to add the additional well.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 21,697, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 16, 1998, as modified and amended by the aforementioned orders.

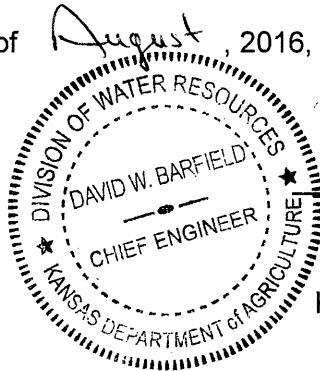
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Summary Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 – 6777.

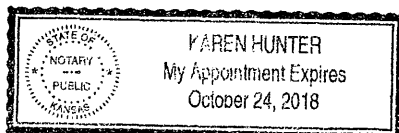
Ordered this 29th day of August, 2016, at Topeka, Shawnee County, Kansas.



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 29th day of August, 2016, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter
Notary Public

CERTIFICATE OF SERVICE

On this 12th day of September, 2016, I hereby certify that the attached Approval of Application for Change in Point of Diversion, Water Right, File No. 21,697, dated August 29, 2016 was mailed postage prepaid, first class, US mail to the following:

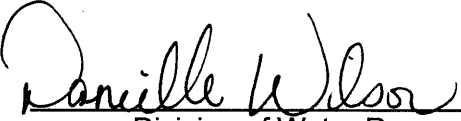
Jamie T. & Gretchen C. Holopirek
222 W. 6th Street
Larned, KS 67550-3023

With a True & Correct Copy to:

Perry L. & Karla Holopirek
PO Box 304
Otis, KS 67565-0304

With a Photocopy to:

Stafford Field Office



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

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

WATER RESOURCES
RECEIVED

MAY 17 2016

11:13

File No. 21697

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

SEP 21 2015

12:43

KS DEPT OF AGRICULTURE

2. Name of applicant: Jamie Holopirek

Address: 222 W 6th St

City, State and Zip: Larned KS 67550-3023

Phone Number: (620)923-5001

E-mail address: _____

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

Name of water use correspondent: Jamie Holopirek

Address: 222 W 6th St

City, State and Zip: Larned KS 67550-3023

Phone Number: (620) 923-5001

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): The proposed changes will help balance out the authorized quantities between three wells on the place of use

The change(s) will completed by May 1, 2016

(Date)

For Office Use Only:

F.O. 2 GMD 0 Meets K.A.R. 5-5-1 (YES) Use RR Source (G) S County RH By LI Date 9/21/15
Code CBT Fee \$ 200 TR # 16008908 Receipt Date 9/21/15 Check # 3046

9/28/2015 LLM

4. The presently authorized place of use is:

Owner of Land — NAME: Jamie & Gretchen Holopirek

ADDRESS: 222 W 6th St, Larned KS 67550-3023

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	
28	18S	17W																	48

List any other water rights that cover this place of use. 376 & 11637

Owner of Land — NAME: Perry L & Karla Holopirek (Water Right Owner File No. 11637 & 21697)

ADDRESS: PO Box 304, Otis KS 67565-0304

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	
28	18S	17W	11	17			24			32									84

List any other water rights that cover this place of use. 376 & 11637

(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

MAY 17 2016

SEP 21 2015

SCANNED

6. The presently authorized point(s) of diversion is one well
(Provide description and number of points)

7. The proposed point(s) of diversion are two wells
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NE Quarter of the SE Quarter of the NW Quarter of Section 28, Township 18 South, Range 17 W, in Rush County, Kansas, 3329 feet North 3246 feet West of Southeast corner of section.
 Authorized Rate 615 gpm Authorized Quantity 60 AF
 (DWR use only: Computer ID No. 147 GPS 3329 feet North 3246 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the NE Quarter of the SE Quarter of the NW Quarter of Section 28, Township 18 South, Range 17 W, in Rush County, Kansas, 3329 feet North 3246 feet West of Southeast corner of section.
 Proposed Rate 400 gpm Proposed Quantity 26 AF
 This point is: Additional Well Geo Center List other water rights that will use this point none 11,637

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (EW), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested) ID 15* GPS coordinate 5/12/16
 One in the NE Quarter of the NW Quarter of the SW Quarter of Section 28, Township 18 South, Range 17 W, in Rush County, Kansas, 2575 feet North 4532.49 feet West of Southeast corner of section.
 Proposed Rate 115 gpm (limited to 300 gpm w/ File 376) Proposed Quantity 34 AF
 This point is: Additional Well Geo Center List other water rights that will use this point 376

MA 5-12-16
gh 5-12-16
pg 5-17-16
KH 5-13-16

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (EW), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (EW), 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 _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. not applicable

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

MAY 17 2016

SEP 21 2015

SCANNED

12. The presently authorized use of water is for Irrigation purposes.
It is proposed that the use be changed to No Change purposes.

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

Not Applicable

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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). 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.

Please see attached documentation.

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.

The existing well does not meet spacing to a domestic well owned by the landowner. This domestic well is the old irrigation well that was authorized under File No. 21697. In addition, the additional well does not meet spacing to the well authorized by File No. 220. Documentation is provided to show impairment is not likely.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL INFORMATION AS NECESSARY

WATER RESOURCES

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RECEIVED

SEP 21 2015

MAY 17 2016

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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 Larned, Kansas, this 15 day of September, 20 15.

Jamie Holopirek
(Owner)

Gretchen Holopirek
(Spouse)

Jamie Holopirek
(Please Print)

Gretchen Holopirek
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

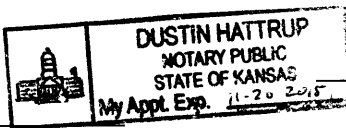
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Pownee } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15 day of September, 20 15.



[Signature]
Notary Public

My Commission Expires 11-20-2015

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

MAY 17 2016

WATER RESOURCES RECEIVED

SEP 21 2015

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KS DEPT OF AGRICULTURE

SCANNED

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 Great Bend, Barton, Kansas, this 16th day of September, 20 15.

<p>X <u>Perry L. Holopirek</u> (Owner)</p> <p>X <u>Perry L. Holopirek</u> (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>X <u>Karla K. Holopirek</u> (Spouse)</p> <p>X <u>Karla K. Holopirek</u> (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
--	---

State of Kansas }
County of Barton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16th day of September, 20 15.

Jennifer Keener
Notary Public

My Commission Expires 8-24-19

 **State of Kansas - Notary Public**
Jennifer Keener
My Commission Expires 8-24-19

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

WATER RESOURCES RECEIVED

SEP 21 2015

MAY 17 2016

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Lee Wheeler Engineering

Water is Life Use it Wisely

101 Willow Ln.
Hesston, KS 67062
620-327-2295 office/fax
316-706-0867 cell
Skype; Wheels007
leeawheeler@gmail.com

Ms. Elizabeth K. Fitch,
Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office

September 14, 2015

Dear Elizabeth,

Allow me to share some water level, well information and flow rates on 3 wells for Jamie Holopirek near Timken. It is in regards to Change requests for his new pivot well, as well as for the two existing SDI irrigation wells you assisted with corrections in place of use several years ago for the NRCS EQIP design certification review I conducted.

The main objective of summer testing of the 3 wells was to determine if there was any significant influence from for his and adjacent wells. To do so we measured static water levels for background reference as they change during the pumping season. We then created two pumping scenarios to see what effect 1) pumping both SDI wells had on the static water level in the pivot well. 2) Then the reverse was done with the pumping of the pivot well and observing the static water levels in the two SDI wells.

It is also important to realize that the pivot well is farthest from the Walnut Creek, just north of the farm on north side of Hwy 96 and the East SDI is closest. The ground surface elevation of the pivot and West SDI are about the same, while the East SDI is about 4 ft. lower and next to a small tributary creek.

As far as well performance measured by specific capacity, the West SDI is the best well.

The Pivot well is 2,900 ft. SW of the East SDI and the West SDI is about in the middle, 1500 ft. from the Pivot well. One would expect the influence of the Pivot well pumping to have more influence on the closest well, the West SDI and it does, though it is less than 1 ft.

On August 11th, with the pivot well pumping to the point of some cascading water/air there was a 0.3 ft. drop in the static at the East SDI and 0.6 ft. in the West SDI.

On September 10th the two SDI wells were pumped for a short while (12 hours) and the effect on the Pivot well's static was only 0.4 ft.

It appears then at significantly lower pumping rates than the current water rights' permits the influence on neighboring wells is quite minimal (< 1.0 ft.).

Another observation from the summer testing was that the Walnut Creek replenished or maintained the aquifer water level better, for the closer well, East SDI. Notice in the table below that the summer decline in the East SDI was only 2.6 ft., while for the West SDI it was 5.2 ft. and for the Pivot it was 7.6 ft.

The following table helps to demonstrate the above observations.

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Holopirek Farms - Timken

Irrigation Wells #376(pivot), #11637 (East SDI), #21697 (West SDI)

Static, Pumping water levels

	Drilled Well Log	WWC5 Well Log	NRCS EQUIP Testing	Dec. 2012	June 28,2015	August 3,2015	August 11,2015	Sept 9,2015	Sept 10,2015
East SDI	Depth 55								
SWL	(1988) 31			30	30	32	32.3	32.6	
PWL				47					41
				456 gpm					275 gpm
West SDI	Depth 65								
SWL	(2006) 28			35	31	35	35.6	36.2	
PWL		52		47					44
		748 gpm		600 gpm					375 gpm
Pivot	Depth 63								
SWL	(2008) 23				31	35.1		37.6	38
PWL		46					47.2		
		600 gpm					238 gpm old pump (27% overall efficiency)		SDI wells ON for 12 hours
							SDI wells OFF 12 hours		
							Pivot OFF 3 weeks		
							SDI wells OFF 1.5 days		
							Pivot well ON 6 days		

Sincerely,

Lee Wheeler, PE
 Agricultural Engineer, PE
 Kansas license 17418

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CURRENT FILE #
PDI # 112 #

Holopirek Farms - Timken

Irrigation Wells #376(pivot), #11637 (East SDI), #21697 (West SDI)

Static, Pumping water levels

DEPTH TO WATER

	Drilled Well Log	WWCS Well Log	NRCS EQIP Testing	Dec. 2012	June 28, 2015	August 3, 2015	August 11, 2015	Sept 9, 2015	Sept 10, 2015
East SDI	Depth 55								
	SWL (1988) 31			30	30	32	32.3	32.6	
PWL				47					41
				456 gpm					275 gpm
West SDI	Depth 65								
	SWL (2006) 28			35	31	35	35.6	36.2	
PWL		52		47					44
		748 gpm		600 gpm					375 gpm
Pivot	Depth 63								
	SWL (2008) 23			31	35.1			37.6	38
PWL		46				47.2			
		600 gpm				238 gpm old pump			
						SDI wells OFF 12 hours			SDI wells ON for 12 hours
						Pivot OFF 3 weeks			
						SDI wells OFF 1.5 days			
						Pivot well ON 6 days			

11637 #9

21697 #14

376 #17

Sincerely,

Lee Wheeler, PE
Agricultural Engineer, PE
Kansas license 17418

FILE NO. 220 IS 866' FROM PIVOT WELL. AUTHORIZED BY FILE NO. 376.
FILE NO. 21,697 WILL MOVE 34 AF TO FILE NO. 376.
MOVE OF 34AF IS 1491 FEET

FILE NO.	376	21697	11637
QUANTITY AUTHORIZED	30	60	60
PROPOSED	64	52	34
RATE AUTHORIZED	600	615	555
PROPOSED	300	400 @ 26 AF	350 w/ 34 AF. 205. 26 AF

NO RATE INCREASE ABOVE WHAT IS AUTHORIZED AT THE WELLS SHOULD MAINTAIN 215 GPM

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FILE NO. RH 028-

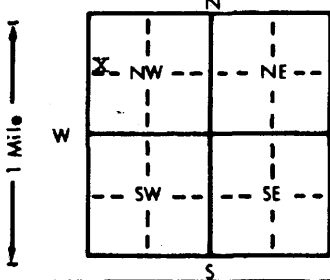
1] LOCATION OF WATER WELL: County: Rush Fraction: SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section Number: 28 Township Number: T 18 S Range Number: R 17 **EW**

Distance and direction from nearest town or city, street address of well if located within city?

Timken 2W 1S

2] WATER WELL OWNER: Ed OBozny Jr.
 RR#, St. Address, Box #: R.R.1 box 70
 City, State, ZIP Code: Bison, Ks. 67520
 Board of Agriculture, Division of Water Resources
 Application Number: Vested Rights RH 028

3] LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:



4] DEPTH OF COMPLETED WELL: 75 ft. ELEVATION: unknown
 Depth(s) Groundwater Encountered: 1. 33 ft. 2. _____ ft. 3. _____ ft.
 WELL'S STATIC WATER LEVEL: 33 ft. below land surface measured on mo/day/yr 3-9-89
 Pump test data: Well water was 65 ft. after 3 hours pumping 750 gpm
 Est. Yield _____ gpm: Well water was _____ ft. after _____ hours pumping _____ gpm
 Bore Hole Diameter: 30 in. to 75 ft., and _____ in. to _____ ft.
 WELL WATER TO BE USED AS:
 1 Domestic 3 Feedlot 5 Public water supply 8 Air conditioning 11 Injection well
 2 Irrigation 4 Industrial 6 Oil field water supply 9 Dewatering 12 Other (Specify below) _____
 7 Lawn and garden only 10 Monitoring well
 Was a chemical/bacteriological sample submitted to Department? Yes _____ No ; If yes, mo/day/yr sample was submitted _____
 Water Well Disinfected? Yes _____ No

5] TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued Clamped _____
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) _____ Welded _____
 7 Fiberglass Threaded _____
 Blank casing diameter: 30 in. to 55 ft., Dia. _____ in. to _____ ft., Dia. _____ in. to _____ ft.
 Casing height above land surface: 18 in., weight 16.15 lbs./ft. Wall thickness or gauge No. sch. 40
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 10 Asbestos-cement
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 11 Other (specify) _____
 12 None used (open hole) _____
 SCREEN OR PERFORATION OPENINGS ARE:
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 None (open hole) _____
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes
 7 Torch cut 10 Other (specify) _____
 SCREEN-PERFORATED INTERVALS: From 55 ft. to 75 ft., From _____ ft. to _____ ft.
 From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 GRAVEL PACK INTERVALS: From 20 ft. to 75 ft., From _____ ft. to _____ ft.
 From _____ ft. to _____ ft., From _____ ft. to _____ ft.

6] GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other _____
 Grout Intervals: From 0 ft. to 20 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below) _____
 13 Insecticide storage no known source
 Direction from well? none How many feet? --

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	35	top soil and clay			
35	75	sand and gravel			

7] CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 3-9-89 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 186 This Water Well Record was completed on (mo/day/yr) 5-21-89 under the business name of Kelly's Water Well Service by (signature) [Signature]

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water Protection, Topeka, Kansas 66620-7320. Telephone: 913-296-5514. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY

Display Programs Updated July 2, 2014
Data added continuously.

WATER WELL RECORD

Form WWC-5

Division of Water Resources; App. No.

21697

1 LOCATION OF WATER WELL: County: <u>Rush</u>	Fraction <u>NC</u> W <u>SE</u> ¼ <u>NW</u> ¼	Section Number <u>28</u>	Township Number <u>T 18 S</u>	Range Number <u>R 17</u> W
---	--	-----------------------------	----------------------------------	--

Distance and direction from nearest town or city street address of well if located within city?
½ South, 1 3/4 West of Timken

Global Positioning Systems (decimal degrees, min. of 4 digits)
Latitude: _____
Longitude: _____
Elevation: _____
Datum: _____
Data Collection Method: _____

2 WATER WELL OWNER: Alvin Holopirek
RR#, St. Address, Box # : RR2, Box 8233
City, State, ZIP Code : Timken, Ks, 67575

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:

N

	NW	NE	
W	X		E
	SW	SE	

S

4 DEPTH OF COMPLETED WELL 65 ft.

Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.
WELL'S STATIC WATER LEVEL..... 30 ft. below land surface measured on mo/day/yr. 5-25-06
Pump test data: Well water was... 50ft. 2" ft. after... 3½ hours pumping... 697 gpm
Est. Yield... 748 ...gpm: Well water was... 51ft. 9" ft. after... 4 hours pumping... 748 gpm

WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
2 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well

Was a chemical/bacteriological sample submitted to Department? Yes No X.....; If yes, mo/day/yr
Sample was submitted..... Water well disinfected? Yes HTH.. No

5 TYPE OF CASING USED: 5 Wrought Iron 8 Concrete tile CASING JOINTS: Glued... X... Clamped.....
1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded.....
2 PVC 4 ABS 7 Fiberglass Threaded.....

Blank casing diameter 16 in. to 65 ft., Diameter. 16 in. to 40 ft., Diameter in. to ft.
Casing height above land surface..... 36 in., Weight..... sch 40 lbs./ft. Wall thickness or guage No.

TYPE OF SCREEN OR PERFORATION MATERIAL:
1 Steel 3 Stainless Steel 5 Fiberglass 7 PVC 9 ABS 11 Other (Specify)
2 Brass 4 Galvanized Steel 6 Concrete tile 8 RM (SR) 10 Asbestos-Cement 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
1 Continuous slot 3 Mill slot 5 Guazed wrapped 7 Torch cut 9 Drilled holes 11 None (open hole)
2 Louvered shutter 4 Key punched 6 Wire wrapped 8 Saw Cut 10 Other (specify)

SCREEN-PERFORATED INTERVALS: From..... 60 ft. to 40 ft., From ft. to ft.
From..... ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From..... 65 ft. to 20 ft., From ft. to ft.
From..... ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other hole plug.....
Grout Intervals: From ft. to ft., From ft. to ft., From 20 ft. to 0 ft.

What is the nearest source of possible contamination:
1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 13 Insecticide Storage 16 Other (specify below)
2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 14 Abandoned water well
3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer Storage 15 Oil well/gas well

Direction from well? East How many feet? 700

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	35	Clay			
35	59	Sand, gravel, & clay mixed			
59	65	Shale			
WATER RESOURCES RECEIVED					
SEP 21 2015					
KS DEPT OF AGRICULTURE					

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 6-9-06 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 134 This Water Well Record was completed on (mo/day/year) 6-22-06 under the business name of Rosencrantz- Bemis by (signature) John Adams

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. Visit us at <http://www.kdhe.state.ks.us/geo/waterwells>.

On this 8th day of March, 2013

MICROFILMED

IRENE HOLOPIREK, A SINGLE PERSON

("Grantor(s)") QUITCLAIM(S) to

PERRY L. HOLOPIREK and KARLA HOLOPIREK

("Grantee(s)") as JOINT TENANTS and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of death of either, all of the following-described real estate in RUSH County, Kansas:

STATE OF KANSAS, RUSH COUNTY, S.S.
THIS INSTRUMENT WAS FILED FOR RECORD ON
THE 8 DAY OF Mar A.D.
2013 AT 3:57 O'CLOCK P.M. AND
DULY RECORDED IN BOOK 60 OF Deeds
AT PAGE 263
Debi Whurst
REGISTER OF DEEDS

INDEXED G ✓ N ✓
281 \$ 800

GRANTOR conveys without limitation all of Grantor's vested and appropriation water rights with full authority being granted unto Grantees to make application for and to use said rights and to make application for a point of diversion and place of use determined by Grantees discretion specifically in regards to Water Appropriation File No. 21697, covering the:

The East Half of the Northwest Quarter (E/2 NW/4) of Section Twenty-eight (28), Township Eighteen (18) South, Range Seventeen (17) West of the 6th P.M., Rush County, Kansas

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APR 05 2013

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INCLUDING AN EASEMENT WITH RIGHT OF INGRESS AND EGRESS ACROSS THE ABOVE DESCRIBED PROPERTY FOR ACCESS TO SAID IRRIGATION SYSTEM

For the sum of --- to clear title

SUBJECT TO: Easements, restrictions, highway right of ways and right of ways of record, if any.

Irene M. Holopirek
Irene M. Holopirek
RECEIVED

MAR 26 2013

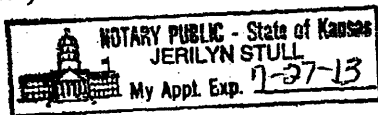
STATE OF KANSAS, COUNTY OF Rush, ss:

Stafford Field Office
Division of Water Resources

BE IT REMEMBERED, That on this 8th day of March, 2013, the undersigned, a notary public in and for the County and State aforesaid, came Irene M. Holopirek, a single person, personally known to me to be the same person(s) who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official SEAL, the day and year last above written.

(SEAL)



Jerilyn Stull
Printed Name: Jerilyn Stull
Notary Public

My commission expires: 7-27-2013

A Kansas Sales Validation Questionnaire is not required due to Exception No. 12.

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 376 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 376 00 IRR

Water Right and Points of Diversion Within 1.00 miles of point defined as:

2575 Feet North and 4532 Feet West of the Southeast Corner of Section 28 T 18S R 17W

GROUNDWATER ONLY

PROPOSED WELL AS ADDITIONAL WELL UNDER 21, 637.

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__	220	00	IRR	NK	G	866	-	SW	SW	NW	3105	5217	28	18	17W	13	68.00	68.00	AF
A__	376	00	IRR	NK	G	0	--	NE	NW	SW	2575	4532	28	18	17W	15	30.00	30.00	AF
A__	2864	00	IRR	NK	G	4161	--	NW	SE	SE	925	1050	20	18	17W	3	52.50	52.50	AF
A__	3754	00	IRR	NK	G	4829	--	CW	NW	SW	2005	5230	21	18	17W	14	41.00	41.00	AF
A__	8298	00	IRR	NK	G	4161	--	NW	SE	SE	925	1050	20	18	17W	3	47.00	47.00	AF
A__	10507	00	IRR	NK	G	2997	--	NW	SW	NE	3800	1800	28	18	17W	5	41.00	41.00	AF
A__	11539	00	IRR	NK	G	5132	--	SW	NW	NW	-----	-----	27	18	17W	3	90.00	90.00	AF
A__	11637	00	IRR	NK	G*	2951	--	SW	NW	NE	4300	2143	28	18	17W	9	60.00	60.00	AF
A__	16116	00	IRR	NK	G	3328	--	SW	SE	SW	500	3835	21	18	17W	16	60.00	60.00	AF
A__	20655	00	IRR	NK	G	4829	--	CW	NW	SW	2005	5230	21	18	17W	14	55.00	55.00	AF
A__	21697	00	IRR	NK	G*	1491	--	NE	SE	NW	3329	3246	28	18	17W	14	60.00	60.00	AF
A__	26176	00	IRR	NK	G	2137	--	NE	NW	SE	2550	1360	29	18	17W	6	64.00	64.00	AF
A__	27109	00	IRR	NK	G	4117	NC	W2	W2	SW	1320	5015	21	18	17W	10	93.00	.00	AF
A__	31363	00	IRR	NK	G	3031	--	NW	NE	NE	4750	1265	29	18	17W	5	84.00	84.00	AF
VRH	21	00	IRR	AA	G	4409	--	SW	SW	SE	330	2310	20	18	17W	9	93.00	93.00	AF
VRH	22	D2	IRR	AA	G	4535	--	SW	SE	SE	406	1237	21	18	17W	13	87.00	87.00	AF
VRH	25	00	IRR	AA	G	4718	--	SW	NW	SE	1455	2370	21	18	17W	15	75.00	75.00	AF
VRH	28	00	IRR	AA	G	1908	--	SW	NW	NW	4353	5250	28	18	17W	10	39.00	39.00	AF

AF 15 FEET MOVE 21697

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) =	752.50	.00
Total Vested Amount (AF) =	294.00	.00
TOTAL AMOUNT (AF) =	1046.50	.00

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under 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:

2575 Feet North and 4532 Feet West of the Southeast Corner of Section 28 T 18S R 17W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__	220	00	IRR NK G
>	MARGARET J & EDWARD J OBORNY		
>			
>	2122 CR 320		
>	BISON KS 67520		
>	-----		

ADDITIONAL WELL LETTER LIST IN FILE NO. 11637.

SHOWING EXEMPTED UNDER 21697

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE
METER FLOW RATE/VOLUME TEST

FILE NO. 21697 Date: 4/28/16 Tester: Don Mies Tested 1 of 1 installations
 Point of Diversion: NE SE NW Sec. 28, T. 18S, R. 17W
 Approximately 3329 ft. North and 3246 ft. West of SE corner of Sec 28.
 How were distances determined? 6/22/15 CI Latitude --- Longitude ---
 Person(s) present at the test: Jamie Holoprek Relationship(s) to owner: owner/tenant
 TEST METER INFORMATION: Test meter location at well Last verified N/A
 Manufacturer Panametrics Model # PT878 Serial # 09641
 Sensor has ~50" in of upstream spacing from check valve
 Sensor has ~50" in of downstream spacing from pipe bend

Non-Intrusive Meter Test Meter Type Panometrics Meter Serial No. 09641

Test #1	Test #2
Ending <u>2749.804</u> gal.	Ending <u>---</u> gal.
Beginning <u>0</u> gal.	Beginning <u>---</u> gal.
Difference <u>2749.804</u> gal.	Difference <u>---</u> gal.
Time <u>322.4 seconds or 5.37</u> min.	Time <u>---</u> min.
Rate <u>511.75</u> gpm.	Rate <u>---</u> gpm.
Meas. O.D. <u>6.63"</u>	Meas. Wall <u>0.212"</u>
XDCR Setting <u>143.093</u> mm	Average Rate <u>---</u>
Material Type <u>pvc</u>	

SDT 512 - WANT 515

Diagnostics:(test#1)
 Signal Strength SS up: 69.1 SS dn: 69.1 (Should be over 55 highest on PVC, up and dn should be close to the same)
 SNDSP: 4869.0 (Should be close to book value for the soundspeed at measured temp) Temp 56 F
 Delta T (<Delta>): --- Is this number stable? (Yes / No) If no please explain: ---
 T up: 235.97 T dn: 235.76 (Bad: continuous large fluctuations of 1 microsecond or more)
 Signal Quality: Q up 4139 Q dn 3926 (Should be + - 300 or greater)
 AMPup: 28.4 AMPdn: 27.7 (Should be 20 - 28 fluctuations)
 P#up: 440 P#dn: 438 (100 to 900, closest to 500 is best)
 Nfup: --- Nfdn: --- (Should Be 0.85 to 1.0)

Installed Meter Test Manufacturer Netafim Serial # 13-22581 Model # WST Type propeller
 Units gallons Multiplier Factor x10,000 Chamber w/ vane req? Y Present? Y Security Seal Present? Y Labeled no label
 Distance Upstream: 72" check valve to sensor Distance Downstream: 26.4" sensor to pipe bend Installed Properly? Y
 Sealed to Pipe by DWR? N KDA/DWR Seal No. N/A AR Gears? N Rate Needle N/A
 Outside Diameter (Stamped) N/A inches (Measured) unknown inches
 Inside Diameter (Stamped) N/A inches (Measured) unknown inches

Test #1 (0.72% Low)	Test #2 (---% High/Low)
Ending <u>0,024,438,100</u> gal.	Ending <u>---</u> gal./AF
Beginning <u>0,024,436,000</u> gal.	Beginning <u>---</u> gal./AF
Difference <u>2,100</u> gal.	Difference <u>---</u> gal./AF
Time <u>4:08</u> min.	Time <u>---</u> min.
Rate <u>508.06</u> gpm.	Rate <u>---</u> gpm.
Average Rate <u>---</u>	

% Error Calculation: $\frac{\text{Test} - \text{Meter}}{\text{Test}} \times 100$ % error -0.72%

Other Flowmeter Use Supplemental Sheet (include meter identification, data and calculations).

COMMENTS: Crop duster started on this field, so some items did not get written down. This was a 6" pipe setup wiith ~5 pipe diameters up and down. This was not a perfect test, but it is adequate and acceptable.
 Typed by EKF/SFFO

- Good Test
- Adequate Test
- Unacceptable Comparison

Reviewed by *Amber R. Coof* Date 5/12/16 Entered by *Jessica M. [Signature]* Date 5/12/16

See supplemental page 2 for additional pictures.

SCANNED

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 02 G.M.D. No. _____ County Rush

File No. 21697 Overlap P/U only File No(s). 11637

Agency KDA/DWR Inspector Jessica Osner

In Compliance/ Date	
<input checked="" type="checkbox"/>	Yes <u>6/22/15</u>
<input type="checkbox"/>	No, see comments _____
<input type="checkbox"/>	Re-investigation _____

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other _____

Date of Order 4/2/13 Date of N of C Ack _____ Chg No. C2&3 Date completed _____ If PD chg, old PD ID _____

Current Landowner Irene M Holopirek Phone No. _____

Address 113 N Locust St. Timken KS 67575-7638
Additional landowners and addresses identified in remarks section.

Water Use Correspondent Jamie Holopirek Phone No. 620-923-5001

Authorized Water Use Classification: Domestic Industrial Irrigation Municipal Hydraulic Dredging
 Recreation Stockwatering Water Power Artificial Recharge Contamination Remediation
 Dewatering Fire Protection Thermal Exchange Sediment Control Other _____

Water currently being used for irrigation

Source: Groundwater Surface Water Basin Walnut Creek

Authorized Point of Diversion: NE SE NW Sec. 28, T. 18S, R. 17W ID No. 14

Approximately 3329 ft. North and 3246 ft. West of SE corner of Sec 28.

Actual Point of Diversion: NE SE NW Sec. 28, T. 18S, R. 17W

Approximately 3329 ft. North and 3246 ft. West of SE corner of Sec 28.

How were distances determined? 6/21/12 CI Latitude _____ Longitude _____

Distance from old pd _____ ft (N/S) and _____ ft (E/W) Old well: plugged capped equipped other: _____?

Location (site) map attached? **YES** Sketch or Map below

Comments: _____

INPUTS	
Target Section Definition	
Section	28
Township	18
Range	17
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-99.213610
Target Latitude	38.457230

Load Data and Compute

Instructions

1. Enter values for section, township, range and range direction.
2. Enter *NAD27* or *NAD83* longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

Water Right, File 376
est. acc. 6.5' meas. count 600

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	38.45031516	-99.21667289
NW	38.46494812	-99.21670357
NE	38.46482608	-99.19831585
SE	38.45016311	-99.19813312
Degrees Longitude per Foot		3.49196411E-06
Degrees Latitude per Foot		2.74587636E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	2518	-877
NW	-2811	-886
NE	-2766	4380
SE	2574	4432

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	38.45030200	-99.21629300
NW	38.46493500	-99.21632400
NE	38.46481300	-99.19793700
SE	38.45015000	-99.19775400
Degrees Longitude per Foot		3.49196348E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	2523	-768
NW	-2806	-777
NE	-2761	4488
SE	2578	4541

Ireland, Leslie

From: Barfield, David
Sent: Wednesday, August 17, 2016 9:51 AM
To: Ireland, Leslie
Subject: RE: PD Changes Holopirek

Ok. At 300 gpm, it is not like to cause much problem. I am good with it.

Karen, go ahead and date the approval yesterday.

David

David W. Barfield, P.E.
Chief Engineer
Kansas Department of Agriculture, Division of Water Resources
1320 Research Park Drive, Manhattan, KS 66502
785-564-6670
<http://agriculture.ks.gov/dwr>

From: Ireland, Leslie
Sent: Wednesday, August 17, 2016 9:31 AM
To: Barfield, David <David.Barfield@ks.gov>
Subject: RE: PD Changes Holopirek

David,

I looked and looked in the files.... the study was in the waiver file. Attached. It is not my favorite proposal or waiver. During the review also looked at some of the water transfers that had occurred. Most allowed for more water to be pumped at 21697. These started occurring in 2011 and I didn't see any comments in the nearby files, RH 28, 220 or 26167, about pumping issued. File No. 376 also pumped some transferred water, but not as much. I also believe that because these are in the Walnut Creek IGUCA, which has major protection of the stream, and the recharge flows are occurring. The rate at 300 is low and I know it will be checked. This is my rational.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

Leslie

From: Barfield, David
Sent: Wednesday, August 17, 2016 9:04 AM
To: Ireland, Leslie
Subject: RE: PD Changes Holopirek

My question was on the hydrologic check to make sure this change was not going to create any problems with the neighbors. There was reference to some work being done but I did not see it in the file. I did not study the distances and rates being moved but noted that the saturated thickness was about 25 feet. So I wanted to just be sure we were comfortable with the change.

David

My e-mail address has changed to David.Barfield@ks.gov

David W. Barfield, P.E.
Chief Engineer
Kansas Department of Agriculture, Division of Water Resources
1320 Research Park Drive, Manhattan, KS 66502
785-564-6670
<http://agriculture.ks.gov/dwr>

From: Ireland, Leslie
Sent: Wednesday, August 17, 2016 9:00 AM
To: Barfield, David <David.Barfield@ks.gov>
Subject: PD Changes Holopirek

David,

Karen brought me these files and said you had a question. I've attached the summary memo and work map. I'm here.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

Ireland, Leslie

From: Lanterman, Jeff
Sent: Thursday, August 04, 2016 3:31 PM
To: Ireland, Leslie
Cc: Conant, Cameron
Subject: FW: Recommendations for Change in Point of Diversion, File Nos. 11,327 & 21,697
Holopirek
Attachments: Holopirek DWR letter Sept 2015.doc; 376_reduc_11637_21697_PD 5-4-4 waiver irr IGUCA_2__0.doc

Leslie;

See Cameron's edits below for your memo.

I know you know how much I dislike waiving spacing. Especially if we are moving quantity or rate to a well that never had that before. I think this one is OK since we are cutting rate to the well currently authorized by 376.

But generally I am going to ask for a geologists report to prove that the additional rate or quantity is not going to impair the well we are waiving spacing to. I don't think that what Lee did here necessarily fits what we need to waive spacing. Especially with such thin saturated thickness. Additionally it appears as if this round of changes will allow him to install some drip irrigation and become more efficient with his water.

Anyway I think with the rate limitation these are OK to approve.

Let me know if you need anything else.

Jeff

From: Conant, Cameron
Sent: Wednesday, August 3, 2016 11:32 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendations for Change in Point of Diversion, File Nos. 11,327 & 21,697 Holopirek

Jeff, this is a packet of change applications/reduction in the Walnut IGUCA. The changes were filed to help balance out the authorized quantities between all wells within the authorized place of use.

These application were filed under the additional well reg. They are not actually drilling new wells, but they are going from 1 authorized pd to 2 on both file 11637 & 21697. The second point on each application is an existing well already included with the current place of use. The total quantity of 150AF will still be authorized, just re-apportioned between existing wells.

The rate tests were completed by Don and the applications seem to accurately reflect the new rates based on the recent tests. *(Leslie, the tests were completed by Don Mies, reviewed by Cameron, can you please correct the memo)*

Lee Wheeler submitted a brief report showing that his study concluded the impacts with these lower rate wells will be minimal (<1' of decline to surrounding wells). The report was completed in part to help show that the proposed changes will not impair nearby wells. A waiver of spacing between proposed 21967(existing File No. 376) and File No. 220 owned by Margaret and Edward Oborny (I show ~960' apart) was requested. Also a waiver of spacing between 21967 and a domestic well owned by Irene Holopirek was requested. A domestic spacing consent letter was received for this one.

Hearing no responses from nearby owners, most notably, File No. 220, and with the understanding that the well currently authorized by File No. 376 will be allowed to pump less rate but more quantity. It appears this application can be recommended for approval of waivers of spacing to the nearby domestic well and the Irrigation well authorized by

File No. 220. There is most certainly some interaction that has always occurred between File No. 376 and File No. 220. Neither owner of the water rights has brought concerns to DWR about any interaction between the wells or potential impairment. It would have been helpful if Mr. Wheelers study made specific reference to potential impacts of the decreased rate and increased quantity of File 376 had on File 220. But, when looking at the <1' decline Mr. Wheeler calculated from 376 to 21697, it can be inferred that the impact will be a little more at File No. 220, but still not enough to impair the use of water with ~25-30' of apparent saturated thickness.

Please pass on to Leslie if you agree with this determination.

Cameron

From: Ireland, Leslie

Sent: Friday, July 01, 2016 1:00 PM

To: Lanterman, Jeff; Conant, Cameron

Subject: Recommendations for Change in Point of Diversion, File Nos. 11,327 & 21,697 Holopirek

Jeff & Cameron,

Please let me know if you could recommend these changes. A waiver of 5-4-4 is needed for File No. 21697 due to the proposed existing well being close to a nearby irrigation well.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

May 9, 2016

JAMIE T & GRETCHEN C HOLOPIREK
222 W 6TH ST
LARNED KS 67550-3023

RE: Water Right, File No. 11,637 & 21,697

Dear Mr. & Mrs. Holopirek:

Reference is made to the applications for approval of the Chief Engineer to change the point of diversion under the above referenced file numbers which were received in the office of the Chief Engineer on September 21, 2015. Upon review of the applications, we find that additional information is needed.

According to the applications, it appears that you are proposing to change the point of diversion which will add an additional point of diversion beyond what is presently authorized by each right, therefore, the applications will be subject to K.A.R. 5-5-16, *Additional wells*.

This regulation requires that the combined rate of diversion for the authorized and proposed well not exceed the rate of diversion of a single well at the currently authorized location, and that said rate of diversion be determined by either:

- (A) a current **water flow rate** test done on the point or points of diversion; **or**
- (B) a value based on a **valid hydraulic analysis** submitted by the applicant showing the current capacity of the aquifer to yield water at the currently authorized point or points of diversion.

If you choose to use method (A) as described above, we would like to have the water flow rate tests completed during the irrigation season. In order to complete the tests, our field office staff has agreed to conduct the testing. To schedule an appointment please contact Cameron Conant, Assistant Water Commissioner of the Stafford Field Office;

105 N Main Street, Drawer F
Stafford, KS 67578 -1342
Phone: (620)234-5311

FILE COPY

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Upon conclusion of the determination of the rates of diversion, the additional well regulation requires the **assignment of a maximum instantaneous rate of diversion** and quantity of water for each well authorized under the right. The applications as received do assign the authorized rates and quantities. However, should the wells' tested rates of diversion be **less than authorized** the applications will need to be modified. The rate of diversion will be required to be reduced and the tested rate will need to be recorded in part No. 15 of the corresponding application. Additionally, if the tested rate obtained per right is less than the rate authorized, the rate of diversion listed in part Nos. 8 & 9 of each application will need to be modified to reflect the total tested rate obtained for that right. **All modifications to the applications will need to be initialed and dated by all owners.**

The regulation further requires that the rate and quantity that will move to the well that will become the additional well for the referenced file, have the priority date of the date the application for change was filed. In this case the additional wells that will be authorized by each of the referenced files will have the priority date of September 21, 2015. Furthermore, the Chief Engineer specifically retains jurisdiction to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by the two (2) wells authorized by the approval of the application for change is exceeding the total annual quantity of water that could have been physically withdrawn. The Chief Engineer retains the authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

Your applications for change are being returned so that you may comply with the above instructions. In order that the applications retain their priority of filing, the enclosed original applications and attachments must be returned, with the requested information to this office by June 8, 2016, or any requested and authorized extension thereof.

You have a period of **30 days, until June 8, 2016**, to supply the requested information, modify and return the applications, to our office. Should you wish to request additional time, you must do so in writing, before the 30 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

According to law, default in the returning of the applications as outlined above within the time allowed or any authorized extension of time, shall cause dismissal of the applications for change under the above referenced files.

If you have any questions, feel free to contact me at (785)564-6633 or Brent Turney, Change Application Unit Supervisor 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,



Leslie Ireland
Environmental Scientist
Water Appropriation Program

FILE COPY

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LI:li
Enclosures
pc: Stafford Field Office

WATER WELL RECORD

Form WWC-5

Possibility well ID 15
21,697 - PROPOSED ADDITIONAL WELL
Division of Water Resources; App. No.

376

1 LOCATION OF WATER WELL: County: Rush Fraction NW 1/4 NE 1/4 SW 1/4 Section Number 28 Township Number T 18 S Range Number R 17 EW
Distance and direction from nearest town or city street address of well if located within city? 3/4 South, 1 3/4 West of Timken

2 WATER WELL OWNER: Harlan Burgardt RR#, St. Address, Box # : 210 Lafayette St. City, State, ZIP Code : Holdrege, Ne 68949
Global Positioning Systems (decimal degrees, min. of 4 digits) Latitude: Longitude: Elevation: Datum: Data Collection Method:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: N W E S
4 DEPTH OF COMPLETED WELL 63..... ft.
Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.
WELL'S STATIC WATER LEVEL... 23..... ft. below land surface measured on mo/day/yr... 4-3-08...
Pump test data: Well water was... 46..... ft. after..... 4..... hours pumping... 600..... gpm
Est. Yield.. 700... gpm: Well water was... 49 1/2..... ft. after..... 4 1/2..... hours pumping... 700..... gpm
WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
2 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well
Was a chemical/bacteriological sample submitted to Department? Yes No X.....; If yes, mo/day/yr Sample was submitted..... Water well disinfected? Yes HHH.. No

5 TYPE OF CASING USED: 5 Wrought Iron 8 Concrete tile CASING JOINTS: Glued... X.. Clamped.....
1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded.....
2 PVC 4 ABS 7 Fiberglass Threaded.....
Blank casing diameter 16..... in. to 40..... ft., Diameter. 16..... in. to 63..... ft., Diameter in. to ft.
Casing height above land surface..... 24..... in., Weight ..Sch. 40.... lbs./ft. Wall thickness or gauge No.
TYPE OF SCREEN OR PERFORATION MATERIAL:
1 Steel 3 Stainless Steel 5 Fiberglass 7 PVC 9 ABS 11 Other (Specify)
2 Brass 4 Galvanized Steel 6 Concrete tile 8 RM (SR) 10 Asbestos-Cement 12 None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
1 Continuous slot 3 Mill slot 5 Gauzed wrapped 7 Torch cut 9 Drilled holes 11 None (open hole)
2 Louvered shutter 4 Key punched 6 Wire wrapped 8 Saw cut 10 Other (specify)
SCREEN-PERFORATED INTERVALS: From..... 60..... ft. to 40..... ft., From ft. to ft.
GRAVEL PACK INTERVALS: From..... 60..... ft. to 20..... ft., From ft. to ft.
From..... ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other hole plug.....
Grout Intervals: From ft. to ft., From ft. to ft., From 20..... ft. to 0..... ft.
What is the nearest source of possible contamination:
1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 13 Insecticide storage 16 Other (specify below)
2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 14 Abandoned water well below)
3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 15 Oil well/gas well None
Direction from well? How many feet?

Table with columns: FROM, TO, LITHOLOGIC LOG, FROM, TO, PLUGGING INTERVALS. Rows include Clay, Sand & gravel small to med, and Shale. Includes date stamp SEP 21 2015 and KS DEPT OF AGRICULTURE.

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) ... 6-3-08..... and this record is true to the best of my knowledge and belief.
Kansas Water Well Contractor's License No. 134..... This Water Well Record was completed on (mo/day/year) 6-18-08.....
under the business name of Rosencrantz- Bemis by (signature) John Bemis

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. Visit us at http://www.kdheks.gov/waterwell/index.html.

WATER WELL RECORD

Form WWC-5

Possibility well ID 14
 Division of Water Resources; App. No.

21697

1 LOCATION OF WATER WELL: County: <u>Rush</u>	Fraction <u>NC ½ SE ¼ NW ¼</u>	Section Number <u>28</u>	Township Number <u>T 18 S</u>	Range Number <u>R 17 E/W</u>
---	-----------------------------------	-----------------------------	----------------------------------	---------------------------------

Distance and direction from nearest town or city street address of well if located within city?
½ South, 1 3/4 West of Timken

2 WATER WELL OWNER: Alvin Holopirek
 RR#, St. Address, Box # : RR2, Box 8233
 City, State, ZIP Code : Timken, Ks, 67575

Global Positioning Systems (decimal degrees, min. of 4 digits)
 Latitude: _____
 Longitude: _____
 Elevation: _____
 Datum: _____
 Data Collection Method: _____

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:

N

--NW--	X	--NE--	
W			E
--SW--		--SE--	
	S		

4 DEPTH OF COMPLETED WELL 65 ft.

Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.
 WELL'S STATIC WATER LEVEL..... 30 ft. below land surface measured on mo/day/yr. 5-25-06
 Pump test data: Well water was... 50 ft. 2" ft. after... 3½ hours pumping... 697 gpm
 Est. Yield... 748 gpm: Well water was... 51 ft. 9" ft. after... 4 hours pumping... 748 gpm

WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 2 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well

Was a chemical/bacteriological sample submitted to Department? Yes No X.....; If yes, mo/day/yr
 Sample was submitted..... Water well disinfected? Yes HTH.. No

5 TYPE OF CASING USED:

1 Steel	3 RMP (SR)	6 Asbestos-Cement	9 Other (specify below)	CASING JOINTS: Glued... <u>X</u> ... Clamped.....
2 <u>PVC</u>	4 ABS	7 Fiberglass		Welded.....
				Threaded.....

Blank casing diameter 16 in. to 65 ft., Diameter. 16 in. to 40 ft., Diameter in. to ft.
 Casing height above land surface..... 36 in., Weight..... sch 40 lbs./ft. Wall thickness or gauge No.

TYPE OF SCREEN OR PERFORATION MATERIAL:

1 Steel	3 Stainless Steel	5 Fiberglass	7 <u>PVC</u>	9 ABS	11 Other (Specify)
2 Brass	4 Galvanized Steel	6 Concrete tile	8 RM (SR)	10 Asbestos-Cement	12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:

1 <u>Continuous slot</u>	3 Mill slot	5 Guazed wrapped	7 Torch cut	9 Drilled holes	11 None (open hole)
2 Louvered shutter	4 Key punched	6 Wire wrapped	8 Saw Cut	10 Other (specify)	

SCREEN-PERFORATED INTERVALS: From..... 60 ft. to 40 ft., From ft. to ft.
 From..... ft. to ft., From ft. to ft.
 GRAVEL PACK INTERVALS: From..... 65 ft. to 20 ft., From ft. to ft.
 From..... ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other... hole plug.....

Grout Intervals: From ft. to ft., From ft. to ft., From 20 ft. to 0 ft.

What is the nearest source of possible contamination:

1 Septic tank	4 Lateral lines	7 Pit privy	10 Livestock pens	13 Insecticide Storage	16 Other (specify below)
2 Sewer lines	5 Cess pool	8 Sewage lagoon	11 Fuel storage	14 Abandoned water well	
3 Watertight sewer lines	6 Seepage pit	9 Feedyard	12 Fertilizer Storage	15 <u>Oil well/gas well</u>	

Direction from well? East How many feet? 700

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	35	Clay			
35	59	Sand, gravel, & clay mixed			
59	65	Shale			
					WATER RESOURCES RECEIVED
					SEP 21 2015
					KS DEPT OF AGRICULTURE

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 6-9-06..... and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 134..... This Water Well Record was completed on (mo/day/year) 6-22-06..... under the business name of Rosenkrantz- Bemis by (signature) Alvin Holopirek

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. Visit us at <http://www.kdhe.state.ks.us/geo/waterwells>.



1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

JAMIE HOLOPIREK
222 W. 6TH ST
LARNED KS 67550

September 24, 2015

RE: File No. 21697

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...

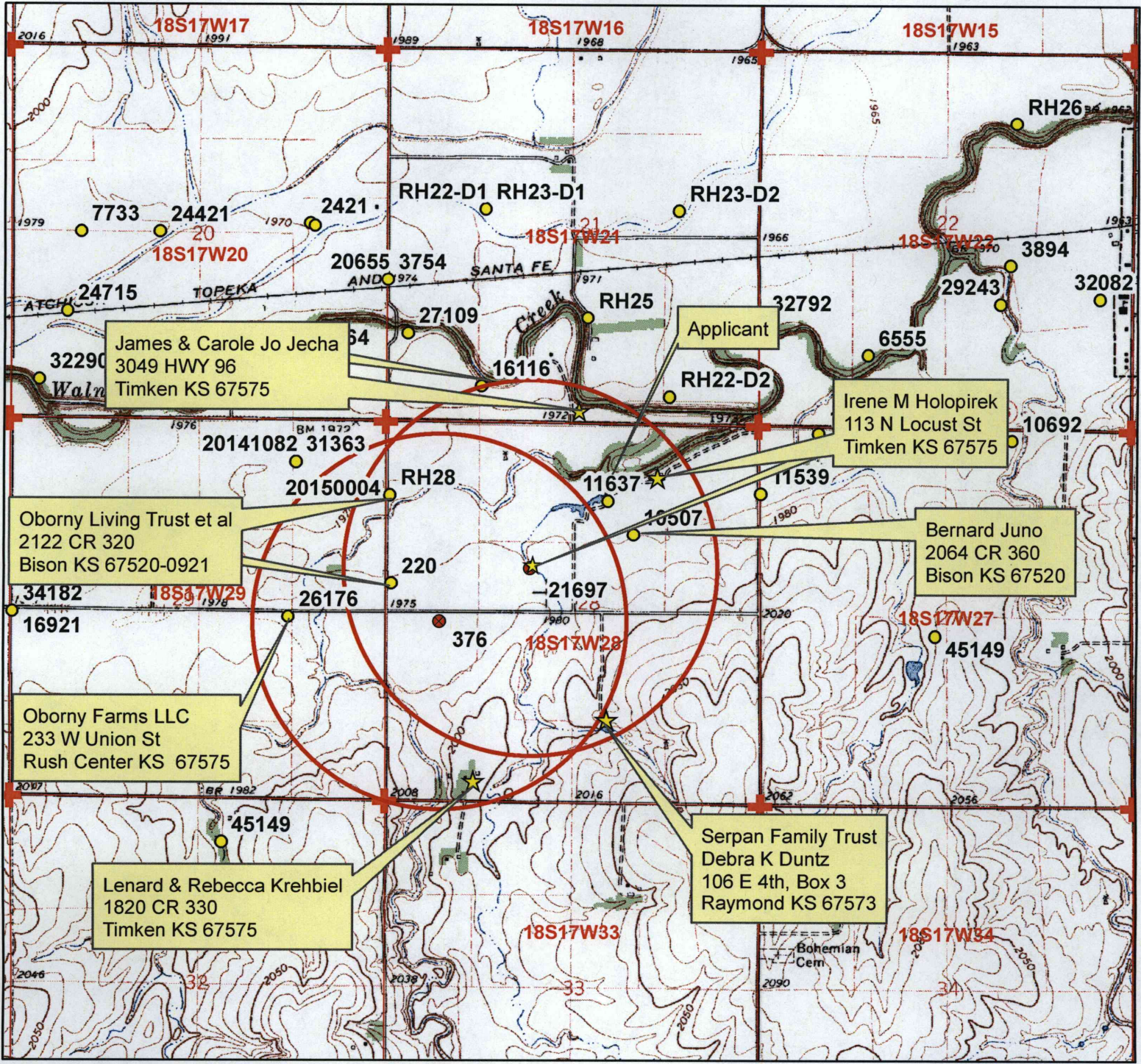
A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

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 A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STAFFORD Field Office
0

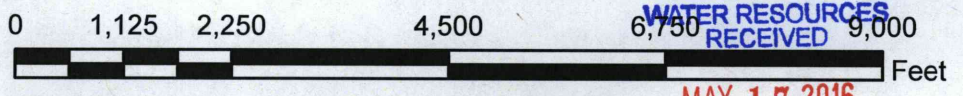


Legend

- Water Appropriations
- Proposed Points of Diversion
- ⊕ Section Corner
- Half Mile Circle
- Section Line

N

9/11/15 EKF-SFFO



MAY 17 2016

Water Right, File No. 21697

Change in Point of Diversion Application Map
 Additional Well Application / 28-18S-17W / Rush County

To the best of my knowledge, all wells within 1/2 mile are shown.

Signature *Jamie Holopirek* **SCANNED**

SEP 21 2015

KS DEPT OF AGRICULTURE