# CHECK SHEET Short Change

(To be completed and attached to <u>each</u> application)

	ile No. <u>238</u>	68			Fi	eld Office	No. <u>2</u>	, -	GMD	No. <u>5</u>
1.	Plugging a	agreement	obtained fo	r GMD?	Yes [	No		Non Applica	able 🛛	
			et as current e of Use Ove				s 🛛	No 🗌	Ad	dress Change? <u>NC</u>
			pondent cor						o □ Ad	dress Change? NC
4.	a. Point	of diversio	n computer	ID No(s).	N	Α	for poin	t(s) being c	hanged.	
	b. <b>Show</b>	feet distan	ces from th	e	SE	cor	ner of th	e section fo	or the new poin	t(s) of diversion:
	Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
	NO CHG	3890	NO	24	21S	16W	620	2630	Pawnee	NC S2 S2
	13		F F 1							
	Old PD	DIV ID	Authorized F	Rate gpm/cfs gpm/cfs gpm/cfs	Addi	tional Rate gpr gpr gpr	e / m/cfs _ m/cfs _ m/cfs _	Authorized (	af/mgy af/mgy af/mgy	dditional Quantityaf/mgyaf/mgyaf/mgy
,	d. <b>Name</b>	of <u>Drainag</u>	e Basin		-		15 ti	ilis correcti	, one min m	IS? Yes No
										IIS? ☐ Yes ☐ No
	e. <b>Forma</b>	tion Name					_ Specia	I Use Area		
5. 6. <u>:</u>	e. Forma Distances WATER RI	tion Name from the p	& No	ginal p/d:	<u>rs</u>		_ Specia	N/S		'E/W
5. 6. <u>.</u>	e. Forma Distances	tion Name from the p	& No	ginal p/d:	rs Chang Chang	e Applicat	_ Specia	N / S	ccepted for prio	'E/W
5. 6. <u>1</u>	e. Forma Distances WATER RI 12/11/2017	tion Name from the p	& No	ginal p/d:	Chang Chang Notice	e Applicat e Approve and Proo	_ Specia	N / S	ccepted for prio	' E / W rity)
5. l	e. Forma Distances WATER RI 12/11/2017	tion Name from the p IGHT ACTI Z	& No	ginal p/d:	Chang Chang Notice	e Applicat e Approve and Proo	_ Specia	N / S	ccepted for prio	' E / W rity)
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5. 1 6. <u>1</u>	e. Forma Distances WATER RI 12/11/2017 / L / L METER AC	tion Name from the p IGHT ACTI Z Z / CTION TRA	& No previous/orig	ginal p/d:	Chang Chang Notice Compl	e Applicat e Approve and Proo etion Req Meter Req	Special street of the street o	N / S eived (date a	ccepted for prio	' E / W rity)
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Date Created 12/22/17 by TJS Date Entered by

#### CHECK SHEET ATTACHMENT

Changes to the place of use will be:

File Number 23868

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1. <u>WI</u>	BOX 150	Pe			0445	2			Pers	son ID	#			3				Persor	n ID#					
1	a. <u>Origi</u> b. Origi	Applicant: inal applica inal receipt	(one fo	or <u>each</u>	<u>applic</u>	ation)	2. S a. G a <sub>l</sub> b. O	end to hood, <u>s</u> oproval	RAL IN neadqua cannal and this	arters: ole co s check	py of	applio	cation	and/or	<u>A</u>	Com	e stamp aplete ov	vnership HOTO	and W	/UC cha	nge info			
	<ul><li>Notice</li><li>Water</li><li>Accep</li><li>Water</li><li>Check</li><li>Pink S</li></ul>	e and Proof Meter Spe stable Meter level meas Valve spe Sheet - K.S.	form cification r list sureme cification A. 82a	ons ent tube ons -728 le	e specif	ications Deeds Office	d. G e. M 3. S	ap or a end to cation o	ommen erial ph KDHE of aband	otograp : Lett doned v	oh, if ar er (KD well. TIONS	HE.LT	) advis	sing of	<u>G</u>	Q MD5								
		ONAL AS N			(	Docus Office			int applic			ame on	line.		_									

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

# DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION WATER METER REQUIRED



#### STATE OF KANSAS

10:02am

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

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IL	S Farm	s, PO	3ox 15	06, Gr	eat Be	nd KS	67530	)											
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- 1	Presently authorized point of diversion:				- 1
- 1	One in the Quarter of the				
	of Section, Township	21	South, Range _	16	W,
	in <u>Pawnee</u> County, Kansas, <u>620</u> fe	t North 2,6	30 feet West	of Southeast co	rner of section.
	Authorized Rate 350 gpm Authorized Quantity	60 AF	Depth of well	54	(feet)
	(DWR use only: Computer ID No. 2 GPS _	567	feet North	2,612 feet	West)
	☑This point will not be changed ☐This point will be changed a	follows: No	change, point bett	er described with	GPS as follows:
	Proposed point of diversion: (Complete only if change i				
	One in the Quarter of the				
	of Section, Township				
	in County, Kansas, fe	t North	feet West	of Southeast co	rner of section.
	Proposed Rate Proposed Quantity		Proposed well de	oth (feet)	
	This point is: Additional Well Geo Center List othe	water rights th	at will use this po	oint none	
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6.	Presently authorized point of diversion:				
٠. ا	One in the Quarter of the		Quarter of the		Quarter
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	(DWR use only: Computer ID No GPS _				
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	in County, Kansas, fe				
	Proposed Rate Proposed Quantity		Proposed well de	oth (feet)	
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7.		10- 15 46			
	The changes herein are desired for the following reasons?	<ol> <li>If the profeet of the</li> </ol>	oposea point of ai ne existina point a	version will be re of diversion, indi	cate its location on
		feet of the	ne existing point or ram below in relati	of diversion, indi- on to the existing	cate its location on
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<ul><li>9.</li><li>10.</li><li>11.</li><li>12.</li></ul>	(please be specific) Create P/U overlap with File 22295  and better describe acres based on original application  map. No actual changes to acres outside of a reduction.  If a well, is the test hole log attached? ☐ Yes ☐ No  The change(s) (was)(will be) completed by?  Spring 2018  If the point of diversion is a well:  (a) What are you going to do with the old well?  N/A  (b) When will this be done? N/A  Groundwater Management District recommendation attached? ☑ Yes ☐ No  Assisted by EKF // SFFO	feet of the diagray (PLEAS) represed within or 100 feed diversion For group within or names a	ne existing point of am below in relating to the first presently auto 100 50 100 100 100 100 100 100 100 100	on to the existing on to the existing on to the existing on the content of horized point of the proposed point of the sesses of the own to the existing the proposed point of the p	ate its location on goint of diversion. of diagram below f diversion.)  100  50  Elocated more than existing point of aerial photograph. including domestic. of diversion and the oners. For surface
<ul><li>9.</li><li>10.</li><li>11.</li><li>12.</li></ul>	(please be specific) Create P/U overlap with File 22295  and better describe acres based on original application  map. No actual changes to acres outside of a reduction.  If a well, is the test hole log attached? ☐ Yes ☐ No  The change(s) (was)(will be) completed by?  Spring 2018  If the point of diversion is a well:  (a) What are you going to do with the old well?  N/A  (b) When will this be done? N/A  Groundwater Management District recommendation attached? ☐ Yes ☐ No	feet of the diagram (PLEAS) represed within or names a water s landown	ne existing point of am below in relating to the first presently auto 100 50 100 100 100 100 100 100 100 100	on to the existing on to the existing on to the existing of the content of the co	cate its location on g point of diversion. of diagram below f diversion.)  100  50  East  100  elocated more than e existing point of aerial photograph. including domestic) of diversion and the

PWR 11121 (Revised 07/10/2017)

Page 2

File No. <u>23868</u>

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  Yes No (If no, all owners must sign this application.)
(b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign this application.)
(c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  Yes No (If no, all owners must sign this application.)
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawfu age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application or their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.
Dated at Great Band, Kansas, this 16 day of Novable, 20 17.
do set ve
(Spouse)
(Please Print)  (Please Print)  (Spouse)
* Randall L. Wilson (Please Print)  (Spouse)  (Anita Wilson (Please Print)
(Owner) (Spouse)
(Please Print) (Please Print)
State of Kansas County of SS
hereby certify that the foregoing application was signed in my presence and sworn to before me this day of
LISA FERGUSON Notary Public - State of Kansas My Appt. Expires 1/25 19 Notary Public
My Commission Expires
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed wit accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.
FEE SCHEDULE
Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below. Make checks payable to: Kansas Department of Agriculture  (1) Application to change a point of diversion 300 feet or less

RECEIVED

DWR 1-121 (Revised 07/10/2017)

DEC 11 2017

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	8b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 701 et. seq., and rules and regulations promulgated thereunder, ein, this Summary Order does not change the terms, conditions
1.	A change application was received on	requesting that the place of use and / or point of per be changed as described in the application.
2.	On and after the effective date of this summary order, the armon the topographic map accompanying the application to companying the application to companyin	uthorized place(s) of use shall be located substantially as shown change the place of use. ⊠ Applicable ☐ Not Applicable
3.	The change in point of diversion shall not impair existing righ previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.   Applicable	nts and shall be limited to the same source or sources of water as y this summary order shall be located within a foot le  \overline{\text{Not Applicable}}
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. ☐ Applicable ☐ Not	be located more than feet from the previously t Applicable
5.	As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level accordance with K.A.R. 5-6-13. ☐ Applicable ☒ N	a well with a diversion rate of 100 gallons per minute or more, a measurements shall be installed, operated and maintained in ot Applicable
6.	<b>December 31, 2018,</b> or before the first use of water, we operated and maintained in accordance with K.A.R. 5-1-4	operly install an acceptable water flow meter on or before thichever occurs first. The water flow meter shall be installed, 4 through 5-1-12. As required by K.S.A. 82a-732, as amended, report the reading of the water flow meter and the total quantity of following the end of each calendar year.
7.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20— the application for diversion has been completed, on the form provided by ☐ Applicable ☐ Not Applicable	e completed on or before December 31, 20, or within any cant shall notify the Chief Engineer that construction of the works the Chief Engineer, as required by K.A.R. 5-8-4e.
8.	The completed well log shall be submitted with the requi	ired notice.   Applicable   Not Applicable
9.	with an in-line, automatic, quick-closing check valve capal	foreign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The ined in accordance with K.A.R. 5-3-5c.   Applicable  Not
10.	Additional Conditions are attached. 🔀 Yes 🔲 No	
11.	water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sun Appropriation Law and the Rules and Regulations promu	.R. 5-5-14, all of the owners of the authorized place(s) of use of over are responsible for compliance with its terms, conditions and nmary Order, and with applicable provisions of the <i>Kansas Water</i> algated thereunder. Failure to comply with these provisions may needed, and/or the suspension or revocation and dismissal of the ons authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND
you Eng Agr filed adn day	may request an evidentiary hearing before the Chief inneer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 in pursuant to K.S.A. 77-531. Any request for administrative	By: July Authorized Designee of the Chief Engineer
File	ew must state a basis for review pursuant to K.S.A. 77-527.  any request with <b>Kansas Department of Agriculture,</b>	(Print Name):
Leg 665	pal Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may	Date of Issuance:
pre	clude review under the Kansas Judicial Review Act.	State of Kansas
	For Use by Register of Deeds	County of Chafford ) SS
		Acknowledged before me on 12/22/2011
		by JORF Lanterman
		Signature: Lessoca What heeld
		Notary Public
		JESSICA ENGELBRECHT My Appointment Expires
RE	ECEIVED	My commission expires: August 11, 2021
DIA	Po1 of 24 (Paralleted 0.7/10/2017)	(Notary Seat)

Page 4

File No. 23868

Stafford Field Office Division of Water Resources

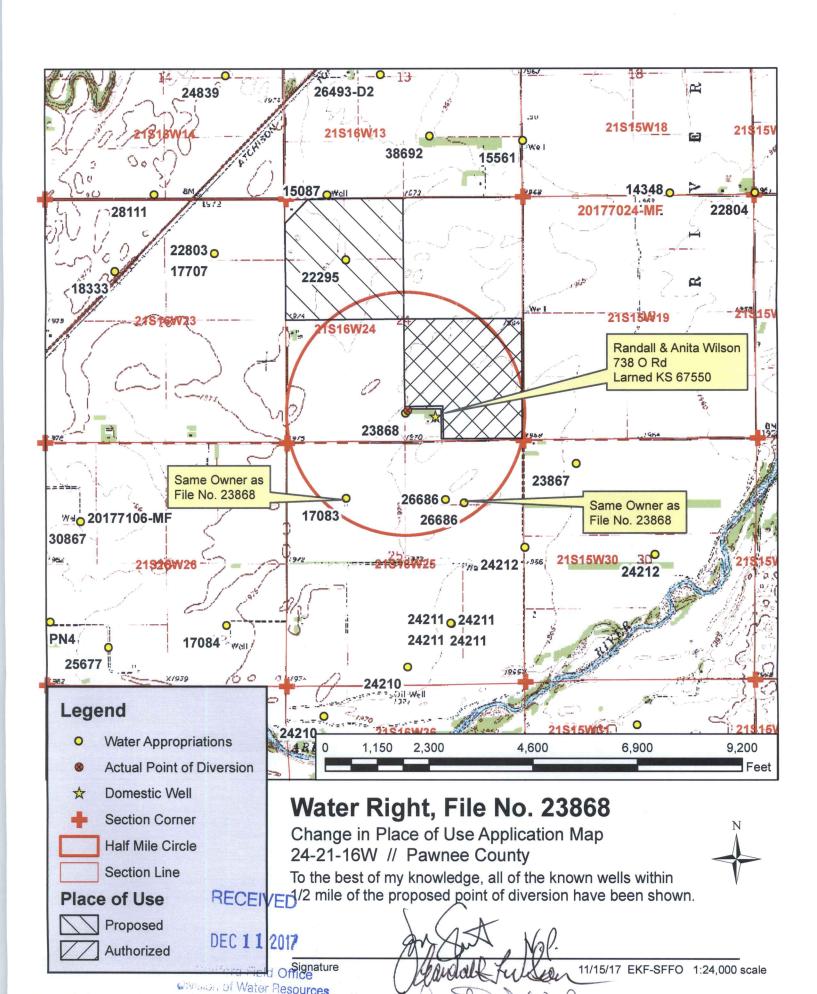
DWR 1121 (Revised 07/10/2017)

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

The effective date of the change approval to change the point of diversion shall be the date this order is executed by the Chief Engineer.

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

Page 5 File No. <u>23868</u>





Phone: (620) 234-5311

www.agriculture.ks.gov

Sam Brownback, Governor

Fax: (620) 234-6900

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

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

December 22, 2017

Bronson Smith ILS Farms PO Box 1506 Great Bend KS 67530

Re: Water Right, File No(s). 23868

Dear Water Right Owner:

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

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

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

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

Sincerely,

Jeff Lanterman

Water Commissioner

**Enclosures** 

pc: Water Rights Section

Groundwater Management District No.5

WFY Holding Company

#### **CERTIFICATE OF SERVICE**

On this **22nd** day of **December, 2017**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **23868**, dated **December 22, 2017** was mailed via Certified U.S. mail to the following:

Bronson Smith ILS Farms PO Box 1506 Great Bend KS 67530

A copy of the letter was sent via First Class U.S. Mail to the following:

GMD #5 WFY Holding Company

Staff Staff



#### KANSAS DEPARTMENT OF AGRICULTURE

#### **Division of Water Resources**

#### **Stafford Field Office**

#### MEMORANDUM

TO: File

DATE: 12/20/2017

FROM: Tyler Saryerwinnie

RE: File Nos. 22295 & 23868

This is a memorandum regarding surrounding well owner notification on irrigation field office PU changes and pertains to decisions made during the Water Commissioner meeting which took place on 11/16/2016 with directive from Lane Letourneau, Program Manager.

This is applicable to field office changes to increase the place of use by 10 acres or 10% (whichever is less) or a change in place of use to create a complete overlap in which no new acres are being irrigated.

During that meeting it was determined that no surrounding well owner notification will be sent under this type of Place of Use change. All well rates and quantities will remain unchanged and the referenced change will not cause impairment or impact surrounding well owners.

The change in place of use applications filed on <u>12/11/2017</u> for the above referenced files meet this criteria and surrounding well owners will not be notified.

#### Saryerwinnie, Tyler [KDA]

From:

Saryerwinnie, Tyler [KDA]

Sent:

Wednesday, December 20, 2017 12:03 PM

To:

Orrin Feril (oferil@gmd5.org)

Cc:

Conant, Cameron [KDA]

Subject:

GMD Recommendation Request - File Nos. 22295 & 23868

**Attachments:** 

22295.23868.Cover Letter.pdf; 22295.Change App.pdf; 23868.Change App.pdf

Orrin,

I have attached a cover letter and copies of two (2) change applications for GMD recommendation. Please provide the GMD recommendation by no later than January 11, 2018.

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

Thank you,

Tyler

Tyler Saryerwinnie, Environmental Scientist

Kansas Department of Agriculture Division of Water Resources Stafford Field Office

Phone: (620)234-5311



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

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Jeff Lanterman, Water Commissioner Fax: (620) 234-6900 www.agriculture.ks.gov Sam Brownback, Governor

Phone: (620) 234-5311

December 20, 2017

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

RE: Place of Use Change Applications, File Nos. 22,295 & 23,868

Dear Mr. Feril,

We are enclosing copies of the applications, as referenced above, for your review and recommendation. At this time the applications appear to be in proper form.

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

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

Sincerely,

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

Enclosure

#### Saryerwinnie, Tyler [KDA]

From:

Orrin Feril <oferil@gmd5.org>

Sent:

Wednesday, December 20, 2017 3:51 PM

To:

Saryerwinnie, Tyler [KDA]

Subject:

Applications for Change, Water Right, File Nos. 22295 & 23868

**Attachments:** 

22295 23868 2017-12-20 Rec.pdf

Tyler,

I'm attaching the recommendation requested by your office in a letter dated December 20, 2017. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

Orrin Feril

Manager

Big Bend GMD#5

Email: oferil@gmd5.org Phone: (620) 234-5352 Mobile: (620) 388-0172 Fax: (620) 234-5718 www.gmd5.org Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Jerry Cullop - Rice
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Bob Standish - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager 125 South Main Street Stafford, Kansas 67578 ph: (620) 234-5352 fx: (620) 234-5718 gmd5@gmd5.org www.gmd5.org

December 20, 2017

Tyler Saryerwinnie Division of Water Resources Kansas Department of Agriculture 300 S Main St Stafford, KS 67578

RE: Water Right File Nos. 22295 & 23868 Change in the Place of Use

Dear Mr. Saryerwinnie,

Big Bend Groundwater Management District #5 has reviewed the above referenced applications to change the places of use. It is the understanding of the District that the intent of these changes is to create an overlap of the places of use between these water right files. Therefore, the applications appear to be consistent with 5-25-20(b) and are recommended for approval.

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

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

Sincerely,

Orrin Feril Manager

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DEC 2 0 2017

Stafford Field Office Division of Water Resources



### **Property Detail Information**

LGIS<sub>V5</sub> THOMSON REUTERS

1 of 3

Generated: 11/15/2017 10:46:41 AM

## NEE County, Kansas

Report for Parcel No. 073-106-24-0-00-005.00-0

(Quick Ref. ID R1903)

#### **Property Physical (Situs) Address**

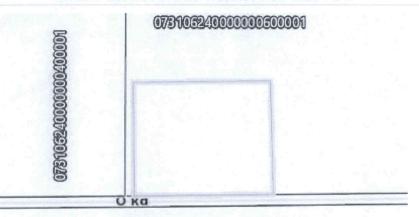
738 O RD, Larned, KS 67550

Owner(s)	Owner Mailing Address
WILSON, RANDALL L &	738 O RD
WILSON, ANITA D - (P)	LARNED, KS 67550

	Property Factors						
Topography	Level - 1						
Utilities	Well - 5 Septic - 6 Gas - 7						
Access	Semi Improved Road - 2						
Fronting	Residential Street - 4						
Location	Neighborhood or Spot - 6						
Parking Type	On and Off Street - 3						
Parking Quantitiy	Adequate - 2						
<b>Parking Proximity</b>	On Site - 3						
<b>Covered Parking</b>	Not Available						
<b>Uncovered Parking</b>	Not Available						

#### **Tract (Legal) Description**

S24, T21, R16, ACRES 13.5, TR COM SW/C SE4 TH E50 POB TH N726.5 E802.68 S726.5 W802.68 POB LESS ROW



Aerial Map 2012, Aerial Map 2014