

# CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 45672

Field Office No. 2

GMD No. 2

1. **Plugging agreement obtained for GMD?** Yes  No  Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
If applicable, list Place of Use Overlap File Nos. 48262
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
Name of Former WUC --- Name of New WUC ---
4. a. **Point of diversion computer ID No(s).** NA for point(s) being changed.
- b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
NO CHG	69517	NO	26	22S	3W	250	5180	Harvey	SW SW SW

- c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**
- | Old PDIV ID | Authorized Rate | Additional Rate | Authorized Quantity | Additional Quantity |
|-------------|-----------------|-----------------|---------------------|---------------------|
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
- d. **Name of Drainage Basin** \_\_\_\_\_ **Is this correctly shown in WRIS?**  Yes  No
- e. **Formation Name & No.** \_\_\_\_\_ **Special Use Area** \_\_\_\_\_
5. **Distances from the previous/original p/d:** \_\_\_\_\_ ' N / S \_\_\_\_\_ ' E / W

**6. WATER RIGHT ACTION TRAIL COMMENTS**

01/12/2017 Change Application Received (date accepted for priority)  
2 / 14 / 17 Change Approved  
 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Notice and Proof by \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Completion Requirement Removed (Change No. C \_\_\_\_\_)

**7. METER ACTION TRAIL COMMENTS**

2 / 14 / 17 DWR Meter Required by 12/31/2017  
 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Anti-Reverse Meter Required by \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Meter Seal Required by \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

8. Base Acres Not determined until Pro cert - No FIR yet CRC 2/14/17 Year will be determined w/ pro-cert & additional review Minimum Reasonable Quantity 1.0 AF/acre  
 Date Created 2/6/17 by TJS  
 Date Entered \_\_\_\_\_ by \_\_\_\_\_

CHECK SHEET ATTACHMENT

File Number 45672

9. Changes to the place of use will be:

Action	Owner Person ID	Place Use ID #	Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
MOD	61502	57586	26	22S	3W	Acres Authorized			40	40		34	7	20	20	36	35	14	32.5	32.5		311
						New Acres			40	40		34	7	20	20	36	35	14	32.5	32.5		
						Acres Authorized																
						New Acres																
						Acres Authorized																
						New Acres																
						Acres Authorized																
						New Acres																

Names and Address:

1. Person ID # <u>61502</u> <u>HARVEY COUNTY CATTLE COMPANY LLC</u> <u>P O BOX 3</u> <u>MEDICINE LODGE KS 67104</u>	2. Person ID # _____ _____ _____ _____ _____	3. Person ID # _____ _____ _____ _____ _____
--	--	--

**GENERAL INSTRUCTIONS**

- |   |   |   |
|---|---|---|
| 1. Give to Applicant:<br>a. <u>Original</u> application/approval<br>b. <u>Original</u> receipt (one for <u>each</u> application)<br>c. Information packet containing:<br><ul style="list-style-type: none"> <li>● Notice and Proof form</li> <li>● Water Meter Specifications</li> <li>● Acceptable Meter list</li> <li>● Water level measurement tube specifications</li> <li>● Check Valve specifications</li> <li>● Pink Sheet - K.S.A. 82a-728 letter</li> <li>● Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)</li> </ul> | 2. Send to headquarters:<br>a. Good, <b>scannable</b> copy of application and/or approval and this check sheet<br>b. Original check and copy of receipt<br>c. Test hole log<br>d. GMD recommendation, if any<br>e. Map or aerial photograph, if any<br>3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. <input type="checkbox"/> | 4. Date stamp received and approved.<br>5. Complete ownership and WUC change information. |
|---|---|---|

CONDITIONS

ADDITIONAL PHOTOCOPIES

HQ \_\_\_\_\_

GMD #2 \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

**DWR FIELD OFFICE  
 APPLICATION FOR APPROVAL  
 TO CHANGE THE PLACE OF  
 USE AND/OR THE  
 POINT OF DIVERSION**



STATE OF KANSAS

**WATER METER REQUIRED**

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

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

RECEIVED  
 9:15am  
 JAN 12 2017

File No. 45672

Stafford Field Office  
 Division of Water Resources

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

Place of Use       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:       Groundwater       Surface water

2. Name and address of Applicant: Harvey County Cattle Co. LLC, Attn: David Chacko, Managing Partner

655 N. Woodlawn, Wichita, KS 67208

Phone Number: (316) 393-2950      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Mark Vogts

1795 Arapaho Road, Moundridge, KS 67107

Phone Number: (620) 345-6616      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: Harvey County Cattle Co. LLC

ADDRESS: PO Box 3, Medicine Lodge, Kansas 67104

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
26	22S	3W			40	40			34	7	20			40	40	40	40					301

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: Harvey County Cattle Co. LLC

ADDRESS: PO Box 3, Medicine Lodge, Kansas 67104

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
26	22S	3W			40	40			34	7	20			20	36	35	14			32.5	32.5	311

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 1052

5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the SW Quarter of the SW Quarter of Section 26, Township 22 South, Range 3W (E/W), in Harvey County, Kansas, 250 feet North 5180 feet West of Southeast corner of section.  
 Authorized Rate 1000 GPM Authorized Quantity 391.30 AF Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 2 GPS - feet North - feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. Why do you need a new point of diversion? NA

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

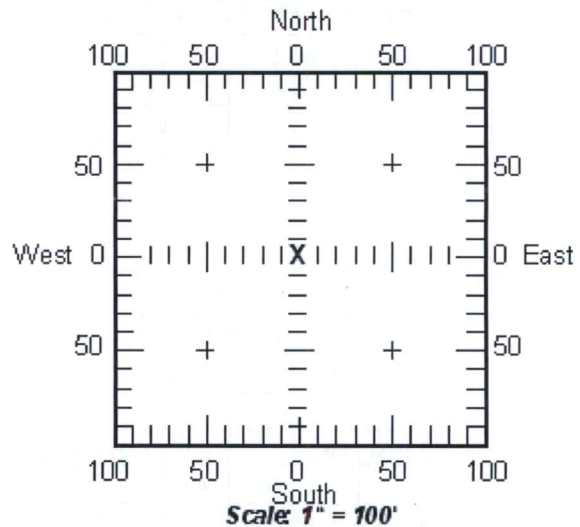
9. When do you propose to complete the new point of diversion?  
NA

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

11. Groundwater Management District recommendation attached?  Yes  No 2/6/17 TJS

12. Assisted by T. Boese, GMD2

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

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14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

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

Dated at Wichita, Kansas, this 4<sup>th</sup> day of January, 2017.

[Signature]  
(Owner)

\_\_\_\_\_  
(Spouse)

David Chacko, Managing Partner, Harvey County Cattle Co. LLC  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of Kansas  
County of Sedgewick } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4<sup>th</sup> day of January, 2017.



[Signature]  
Notary Public

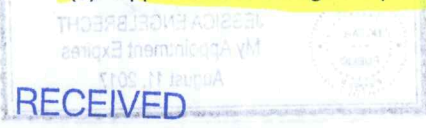
My Commission Expires \_\_\_\_\_

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200



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

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 45,672.

1. A change application was received on 1/12/17 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_ foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.  Applicable  Not Applicable
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
7. **Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_**, or within any authorized extension of time. By March 1, 20\_\_\_\_ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable  Not Applicable
8. **The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.  Applicable  Not Applicable
10. Additional Conditions are attached.  Yes  No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

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

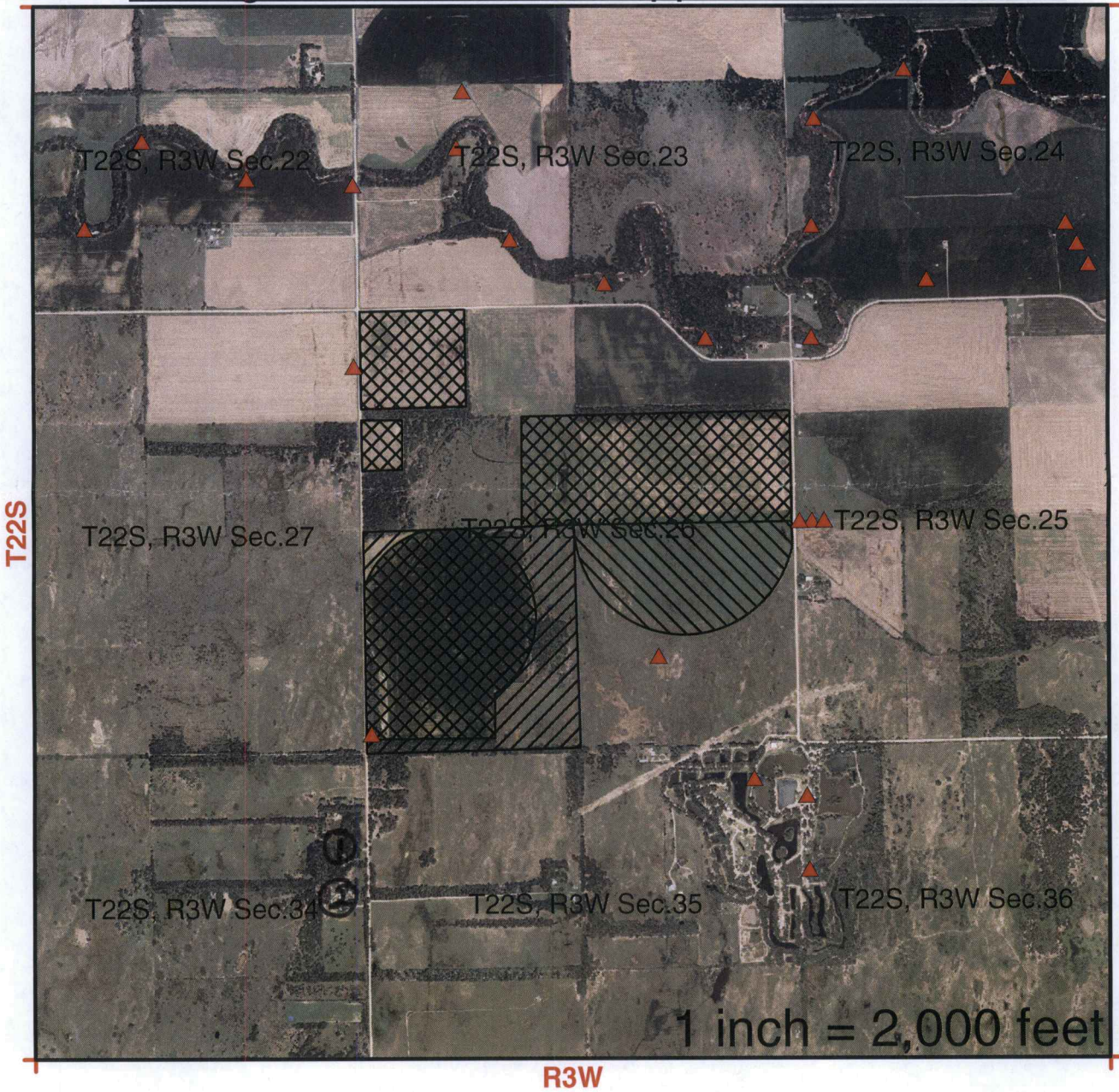
*For Use by Register of Deeds*

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

By: Cameron R. Conant  
Duly Authorized Designee of the Chief Engineer  
(Print Name): Cameron R. Conant  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: 2/14/17  
State of Kansas )  
County of Stafford ) SS  
Acknowledged before me on 2/14/17  
by Cameron Conant  
Signature: Jessica R. Engelbrecht  
Notary Public  
JESSICA ENGELBRECHT  
My Appointment Expires  
August 11, 2017  
My commission expires \_\_\_\_\_  
(Notary Seal)

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# Change in Place of Use Application No. 45672



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

*[Signature]*  
Signature

1-3-16  
Date

- New Application
- Application No. 45672 To Change:
  - Point of Diversion
  - Place of Use
  - Use Made of Water

- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

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JAN 12 2017

Stafford Field Office  
Division of Water Resources

See attached list for surrounding well owners

File No. 45672

Water Wells Within ½ Mile

1. Domestic Well  
Richard Stucky & Allyson Hughes  
4513 N. Sand Hill Road  
Burrton, KS 67020
  
2. Domestic Well  
William Toews  
4361 N. Sand Hill Road  
Burrton, KS 67020

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JAN 12 2017

Stafford Field Office





Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

February 14, 2017

Harvey County Cattle Company LLC  
PO Box 3  
Medicine Lodge KS 67104

Re: Water Right, File No(s). 45672

Dear Water Right Owner:

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Ground Water Management District 2

## CERTIFICATE OF SERVICE

On this **14 February 2017**, I hereby certify that the attached Change in Place of Use, File No. 45672 dated February 14, 2017 was mailed to the following:

Harvey County Cattle Company LLC  
PO Box 3  
Medicine Lodge KS 67104

pc: Water Rights Section  
GMD #2

  
-----  
Staff



## KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

### MEMORANDUM

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**TO:** File

**DATE:** 01/17/2017

**FROM:** Tyler Saryerwinnie

**RE:** File No. 45,672

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.

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 filed on 01/12/17 for the above referenced file meets this criteria and surrounding well owners will not be notified.

**Saryerwinnie, Tyler**

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**From:** Saryerwinnie, Tyler  
**Sent:** Tuesday, January 17, 2017 9:44 AM  
**To:** Rebecca Wilson (rwilson@gmd2.org)  
**Cc:** Conant, Cameron  
**Subject:** Recommendation Request - File Nos. 45672 & 48262  
**Attachments:** 45672.48262.Cover Letter.pdf; 45672.Change App.pdf; 48262.Change App.pdf

Rebecca,

I have attached a cover letter and a copies of two (2) place of use applications for GMD review and recommendation. Please provide the GMD recommendation by no later than February 6<sup>th</sup>, 2017.

Please let me know if you have any questions or concerns.

**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

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

January 17, 2017

Tim Boese  
Equus Beds – GMD No. 2  
313 Spruce Street  
Halstead, KS 67056

RE: Place of Use Change Applications, File No(s). 45672 & 48262

Dear Mr. Boese,

We are enclosing copies of the applications, as referenced above, for your review and recommendations. 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 recommendations concerning the applications. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Saryerwinnie".

Tyler Saryerwinnie  
Environmental Scientist  
Stafford Field Office  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

Enclosures: Two (2) Change Applications

## Saryerwinnie, Tyler

---

**From:** Rebecca Wilson <[rwilson@gmd2.org](mailto:rwilson@gmd2.org)>  
**Sent:** Monday, February 06, 2017 12:08 PM  
**To:** Saryerwinnie, Tyler  
**Cc:** Engelbrecht, Jessica; Stephen Flaherty  
**Subject:** RE: Recommendation Request - File Nos. 45672 & 48262  
**Attachments:** 45672, 48262 Change App Approval.pdf

Good Afternoon, Tyler!

Attached is a Change Application Approval Letter from Manager Tim Boese for #45672 and #48262.

Please let me know if you have any difficulty opening the attachment!

Thanks!

*Rebecca Wilson*

Rebecca Wilson  
Administrative Assistant  
Equus Beds GMD2  
313 Spruce Street  
Halstead, KS 67056  
316-835-2224  
316-835-2225 Fax  
[rwilson@gmd2.org](mailto:rwilson@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

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**From:** Saryerwinnie, Tyler [<mailto:Tyler.Saryerwinnie@ks.gov>]  
**Sent:** Monday, February 06, 2017 11:09 AM  
**To:** Rebecca Wilson; Stephen Flaherty  
**Subject:** RE: Recommendation Request - File Nos. 45672 & 48262

Rebecca and Steve,

I am just checking on the status of this recommendation request. Please let me know if you are needing anything.

Thank you,  
Tyler

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**From:** Rebecca Wilson [<mailto:rwilson@gmd2.org>]  
**Sent:** Tuesday, January 17, 2017 9:58 AM  
**To:** Saryerwinnie, Tyler  
**Cc:** Conant, Cameron  
**Subject:** RE: Recommendation Request - File Nos. 45672 & 48262

Thanks, Tyler! I'll make sure Steve gets the applications for review!

Thanks!

*Rebecca Wilson*

Rebecca Wilson  
Administrative Assistant  
Equus Beds GMD2  
313 Spruce Street  
Halstead, KS 67056  
316-835-2224  
316-835-2225 Fax  
[rwilson@gmd2.org](mailto:rwilson@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

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**From:** Saryerwinnie, Tyler [<mailto:Tyler.Saryerwinnie@ks.gov>]  
**Sent:** Tuesday, January 17, 2017 9:45 AM  
**To:** Rebecca Wilson ([rwilson@gmd2.org](mailto:rwilson@gmd2.org))  
**Cc:** Conant, Cameron  
**Subject:** Recommendation Request - File Nos. 45672 & 48262

Rebecca,

I have attached a cover letter and a copies of two (2) place of use applications for GMD review and recommendation. Please provide the GMD recommendation by no later than February 6<sup>th</sup>, 2017.

Please let me know if you have any questions or concerns.

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

FRED SEILER, PRESIDENT  
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## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

February 6, 2017

Chief Engineer, Division of Water Resources  
Attn: Tyler Saryerwinnie  
300 S. Main Street  
Stafford, KS 67578-1521

Re: Place of Use Change Application, File Nos. 45672 & 48262

Dear Mr. Saryerwinnie:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use applications on February 6, 2017 using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

Under the change applications, the place of use will be increased from 301 acres to 311 acres and an identical place of use overlap will exist between Water Permit Nos. 45672 & 48262.

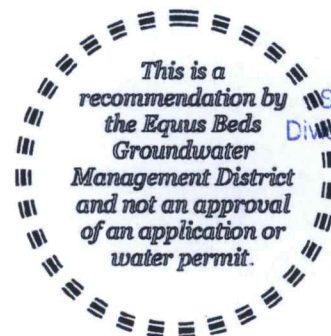
The referenced change applications comply with the District's Management Program and Rules and Regulations and the applications are recommended for approval by the Equus Beds Groundwater Management District No. 2.

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12.

Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/STF



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FEB 06 2017

Stafford Field Office  
Division of Water Resources

pc: David Chacko, Managing Partner, Harvey County Cattle Co. LLC, Applicant & Landowner



## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2 FINAL APPLICATION REVIEW CHECKLIST

1) Application No. 45672 Date filed: January 12, 2017  
 2) Applicant: Harvey Co. Cattle Co., LLC County: Harvey  
 3) Proposed maximum quantity: 391.30 acre-feet/year Rate: 1000 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: SWSWSW 26-22S-3W Geo Center: North 250 ft, West 5180 ft  
 6) Number and type of points of diversion listed on the application 1 Well

7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8?  Yes  No, Why \_\_\_\_\_  
 8) Meets change app requirements K.A.R. 5-22-8?  Yes  No  N/A  
 9) Overlapping PU File No. 48262  
 10) Overlapping PD File No. 0  
 11) Authorized Acres 301 Acres  
 12) Base Acres 301 Acres

13) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 1.26 acre-feet / acre  
 (b) Stockwater max quantity: \_\_\_\_\_ GPD \_\_\_\_\_ unit  
 (c) Industry max quantity: \_\_\_\_\_ Acre \_\_\_\_\_  
 Industry standard: \_\_\_\_\_  
 14) Reasonable rate for intended use?  Yes  No  N/A  
 15) Depth to water: 21 bls at observation well: EB104A

16) Date reviewed: February 6<sup>th</sup> 2017 *Reviewed 2-6-17*  
 17) Reviewed by: S. Flaherty Title: Hydrogeologist  
 18) District recommendation:  Approve  Deny  Other, see comment

### 19) Comments and Calculations:

Application for a change in place of use filed by Harvey County Cattle Co. LLC.  
 Harvey, McPherson, Sedgwick Counties max acre feet per acre = 1.3 AF/A  
 391.3 acre feet and 311 proposed acres = 1.26 acre feet per acre  
 Proposed expansion by 10 acres of authorized 301 acres. Water permit is not yet certified, so base acres = 301 acres  
 Acreage is being reconfigured to accommodate for pivots (see map).  
 Proposed identical overlapping place of use with change application filed on Water Permit No. 48262 and separate point of diversion.

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FEB 06 2017

Stanford University  
Division of Water Resources

# Equus Beds Groundwater Management District No. 2

Place of Use Map # 45672 & 48262  
 301 Authorized Acres Increase to 311 Acres

Prepared By: Stephen Flaherty Date: 2/6/2017



## Map Legend

- |                         |                               |                             |  |
|-------------------------|-------------------------------|-----------------------------|--|
| ● Observation Well      | ● Proposed Point of Diversion | Burton IGUCA                |  |
| ■ Bedrock               | ▲ Authorized Location         | Hollow Nickel SWQUA         |  |
| Authorized Place of Use |                               | McPherson IGUCA             |  |
| Proposed Place of Use   |                               | Enhanced Well Spacing Area  |  |
|                         |                               | Application Suspension Area |  |

Equus Beds Groundwater Management District No. 2  
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