

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: March 7, 2017

FROM: Alex Whitesell

RE: Appropriation of Water,
File No. 49,564

Arlen Becker has filed the above referenced application on February 16, 2016, proposing 207.22 acre-feet of water for irrigation use in Harvey County, located within the Groundwater Management District 2 boundaries.

On April 19, 2016 the application was sent to GMD No. 2 for their recommendation.

On September 14, 2016 the GMD recommended the application for denial for failure to meet the requirements of the Districts Revised Management Plan.

On September 20, 2016 the applicant was given a deadline of October 5, 2016 to provide information before the application was denied. No information was received before the deadline.

Based on the above discussion and the available information, it is recommended that the referenced application be denied and dismissed.



Alex Whitesell
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

Governor Sam Brownback

March 23, 2017

FILE COPY

MARK VOGTS
1795 ARAPAHO ROAD
MOUNDRIDGE KS 67107

RE: Appropriation of Water
File No. 49,564

Dear Mr. Vogts:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,564 for failure to comply with the Districts Revised Management Program (effective May 1, 1995).

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. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-71 1(c) and K.S.A. 82a-1 90 1(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.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Division of Water Resources

BAT:ajw

Enclosures

pc: Stafford Field Office
Groundwater Management District 2



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

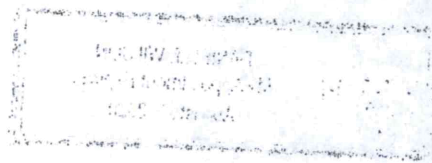
DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER
IN THE MATTER OF THE
DISMISSAL OF APPLICATION
FILE NO. 49,564**

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

1. That on February 16, 2016, the Chief Engineer received an application from Mark Vogts for permit to appropriate ground water for beneficial use, assigned File No. 49,564, proposing the appropriation of 207.22 acre-feet of water, at a maximum requested diversion rate of 800 gallons per minute, for irrigation use. The specific location for the proposed point of diversion would be a battery of two wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, more particularly described as being near a point 2,130 feet North and 2,610 feet West of the Southeast corner of said section, in Township 22 South, Range 2 West, Harvey County, Kansas.
2. That on April 19, 2016, a copy of the application was submitted to GMD No. 2 to provide a recommendation by May 4, 2016.
3. That in a letter dated September 14, 2016, GMD No. 2 recommended denial of the application for failure to comply with the District's Revised Management Program, effective May 1, 1995.
4. That on September 20, 2016, a letter was mailed to the applicant stating that the application was recommended for denial by the GMD No. 2, and that the application would be submitted to the Chief Engineer with a recommendation that it be denied and dismissed. The applicant was provided 15 days, until October 5, 2016 to either submit additional information to our office or request additional time, prior to final action on the application.
5. That the applicant, has not submitted additional information for consideration, nor requested an extension of time for Application, File No. 49,564 by the October 5, 2016 deadline.
6. That the application should be denied and dismissed and its priority forfeited for failure to comply with the District's Revised Management Program.



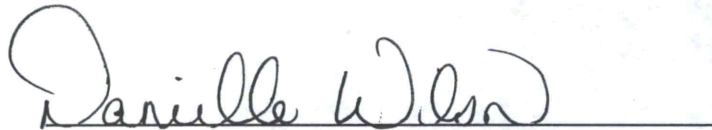
CERTIFICATE OF SERVICE

On this 20th day of March, 2017, I hereby certify that the foregoing Dismissal of Application, File No. 49,564, dated March 20, 2017 was mailed postage prepaid, first class, US mail to the following:

MARK VOGTS
1795 ARAPAHO ROAD
MOUNDRIDGE KS 67107

With photocopies to:

Stafford Field Office

A handwritten signature in cursive script that reads "Daniella Wilson". The signature is written in black ink and is positioned above a solid horizontal line.

Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,564
This item to be completed by the Division of Water Resources.

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APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

FEB 16 2016

12:48
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): Mark Vogts
Address: 1795 Arapaho Road
City: Moundridge State KS Zip Code 67107
Telephone Number: (620) 345-6373

2. The source of water is: surface water in _____ (stream)
OR groundwater in Little Arkansas River Basin - Equus Beds Aquifer (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 207.22 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):

- (a) Artificial Recharge
- (b) Irrigation
- (c) Recreational
- (d) Water Power
- (e) Industrial
- (f) Municipal
- (g) Stockwatering
- (h) Sediment Control
- (i) Domestic
- (j) Dewatering
- (k) Hydraulic Dredging
- (l) Fire Protection
- (m) Thermal Exchange
- (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:							
F.O. <u>2</u>	GMD <u>02</u>	Meets K.A.R. 5-3-1 (YES / NO) <u>YES</u>	Use <u>IRR</u>	Source <u>G/S</u>	County <u>HV</u>	By <u>ADW</u>	Date <u>2/16/16</u>
Code <u>RE1</u>	Fee \$ <u>300</u>	TR # <u>1608714</u>	Receipt Date <u>2/16/16</u>	Check # <u>3585</u>			

SCANNED

2/23/2016 ULM

HV 55

190

- 5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

Geo-Center

(A) One in the NW quarter of the NW quarter of the SE quarter of Section 10, more particularly described as being near a point 2130 feet North and 2610 feet West of the Southeast corner of said section, in Township 22 South, Range 2W East/West (circle one), Harvey County, Kansas.

South well

(B) One in the SW quarter of the NW quarter of the SE quarter of Section 10, more particularly described as being near a point 1840 feet North and 2610 feet West of the Southeast corner of said section, in Township 22 South, Range 2W East/West (circle one), Harvey County, Kansas.

North well

(C) One in the NW quarter of the NW quarter of the SE quarter of Section 10, more particularly described as being near a point 2420 feet North and 2610 feet West of the Southeast corner of said section, in Township 22 South, Range 2W East/West (circle one), Harvey County, Kansas.

(D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

- 6. The owner of the point of diversion, if other than the applicant is (please print):

Edward W. Vogts Trust, 1903 Rose Vlg, Moundridge, KS 67107. 620-345-8173

(name, address and telephone number)

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on Jan 29, 2016. Mark Vogts
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

- 7. The proposed project for diversion of water will consist of One battery of 2 wells
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) 5/1/2017
(Month/Day/Year - each was or will be completed)

- 8. The first actual application of water for the proposed beneficial use was or is estimated to be 6/1/2017
(Mo/Day/Year)

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

- 11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

None

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13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled		3-10-15		
Total depth of well		107'		
Depth to water bearing formation		37'		
Depth to static water level		29'		
Depth to bottom of pump intake pipe		NA		

14. The relationship of the applicant to the proposed place where the water will be used is that of

Tenant

(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Edward W. Vogts Trust, 1903 Rose Vlg, Moundridge, KS 67107. 620-345-8173
(name, address and telephone number)

Aaron M. Vogts, 8122 N. Halstead Road, Moundridge, KS 67107
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Halstead, Kansas, this 29th day of January, 2016.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by T. Boese

GMD2/Manager
(office/title)

Date: 1-29-16

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WATER RESOURCES
DEPARTMENT

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

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IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,564

Name of Applicant (Please Print): Mark Vogts

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Edward W. Vogts Trust

ADDRESS: 1903 Rose Vlg, Moundridge, KS 67107

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
10	22	2W														24.7	23.5	32	39	119.2	

Landowner of Record NAME: Aaron M. Vogts

ADDRESS: 8122 N. Halstead Road, Moundridge, KS 67107

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
14	22	2W						34.2	6												40.2

Landowner of Record NAME: _____

ADDRESS: _____

159.4

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			

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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Crete Silt Loam</u>	<u>62</u>	<u>0.06-0.20</u>	<u>3</u>
<u>Ladysmith silty clay loam</u>	<u>11</u>	<u>0.0-0.06</u>	<u>1</u>
<u>Smolan silty clay loam</u>	<u>22</u>	<u>0.06-0.20</u>	<u>3</u>
<u>Tobin silt loam</u>	<u>5</u>	<u>0.6-2.0</u>	<u>5</u>
<u>Total:</u>	<u>100 %</u>		

b. Estimate the average land slope in the field(s): 1 %

Estimate the maximum land slope in the field(s): 2 %

c. Type of irrigation system you propose to use (check one):

Center pivot
 Center pivot - LEPA
 "Big gun" sprinkler
 Gravity system (furrows)
 Gravity system (borders)
 Sideroll sprinkler

Other, please describe: Subsurface Drip Irrigation

d. System design features:

i. Describe how you will control tailwater: Will schedule and apply irrigation to eliminate run-off

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn, soybeans, milo, wheat

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation). Contract with crop consultant

You may attach any additional information you believe will assist in informing the Division of the need for your request.

2/8/16

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application File No. 49,564

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Mark Vogts
Signature of Applicant

State of Kansas)
County of McPherson) ss

Mark Vogts
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 8th day of February, 2016.

Kylie Goering
Notary Public

My Commission Expires:



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**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

WATER DIVISION
KANSAS DEPARTMENT OF REVENUE
1985



Wells Within 1/2 Mile

- * 1. Municipal Well - Water Right Nos. 23036 & 46650
City of Hesston
PO Box 100
Hesston, KS 67062
- 2. Domestic Well
Gwendolyn F. Schlender Trust
1809 Carnation VLG
Moundridge, KS 67107
- 3. Domestic Well
Bryan D. Plenert
12524 W. Dutch Ave
Moundridge, KS 67107
- 4. Domestic Well
Jack E. & Wanda K. Salmans
12510 W. Dutch Ave
Moundridge, KS 67107
- 5. Domestic Well
Roy J. & Janet A. Kaufman
12429 W. Dutch Ave
Moundridge, KS 67107
- * 6. Municipal Well - Water Right No. 15166
City of Hesston
PO Box 100
Hesston, KS 67062
- * 7. Municipal Well - Water Right No. 25229
City of Hesston
PO Box 100
Hesston, KS 67062
- 8. Domestic Well
Clyde A. & Silvia G. Henson
12334 W. Dutch Ave
Moundridge, KS 67107
- 9. Domestic Well
Jay & Sara B. Unruh
8935 N. Halstead Rd
Moundridge, KS 67107
- 10. Irrigation Well – Water Right No. 47114
Joyce C. Kreutziger Trust
13314 NW 72nd Street
Moundridge, KS 67107

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KS DEPT OF AGRICULTURE

49,564

Darling Drilling Company
 Telephone (620) 662-7901 3916 W. 56th Ave.
 Hutchinson, Ks, 67501

DRILLER'S TEST LOG

Date: 3-10-2015
Name: Mark Vogts
Address: Moundridge, Ks.
County: Harvey
Quarter: SE **Section:** 10 **Township:** 22S **Range:** 2W

DRILLED FOOTAGE		DESCRIPTION OF STRATA	N	E
From	To			
0	3	Top soil		
3	29	Brown clay		
29	37	Light green and brown clay		
37	54	Fine sand w/pcs. of clay		
54	62	Brown clay		
62	63	Caliche hard		
63	78	Brown clay		
78	97	Fine small sand		
97	98	Clay streak		
98	106	Fine small sand		
106	107	Green shale		

S

Static water level: 29'
 Depth of well: 107'
 Type & size of casing: 160# 4"
 Plain: 0 to 87'
 Perf: 87' to 107'
 Gravel pack intervals: 107' to 20'
 Grout material: 20' to 0
 Contamination: n/a
 Direction from well:
 Casing above surface: 16"
 Bore hole: 7"
 Remarks: Estimate 400-500GPM
 Latitude: 38.15014
 Longitude: 097.52771
 Elevation 1447
 1845' N
 2611' W from SE corner of section

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Water Rights and Points of Diversion Within 2.00 miles of point defined as:

2130 ft N and 2610 ft W of the SE Corner of Section 10, T 22S, R 2W

Located at: 97.527676 West Longitude and 38.150899 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A_ 4793	00	IND	NK	G	7916	--	NW	NW	NE	4829	2273	22	22	2W	7	G	2	13.00	13.00	AF
Same					7877	--	NW	NW	NE	4880	2066	22	22	2W	5	B	2			
Same					7960	--	NW	NW	NE	4779	2481	22	22	2W	8	B	2			
A_ 4823	00	IRR	NK	G	9556	--	SW	SW	NE	3182	2557	22	22	2W	6		74.00	74.00	AF	
A_ 15166	00	MUN	NK	G	2442	--	NE	NW	NE	5185	1660	15	22	2W	1		299.12	299.12	AF	
Same					2945	--	NE	NW	NE	4645	1665	15	22	2W	2		283.96	283.96	AF	
A_ 19669	00	IRR	NK	G	7014	--	--	--	--	3730	3940	3	22	2W	1		141.00	141.00	AF	
A_ 23036	00	MUN	NK	G	2686	--	SE	SW	SW	120	4392	10	22	2W	1		157.23	36.36	AF	
Same					2917	--	NW	SW	SW	745	5177	10	22	2W	2		250.10	57.84	AF	
A_ 25229	00	MUN	NK	G	1695	--	SE	SW	SE	620	1839	10	22	2W	3		126.06	126.06	AF	
A_ 27455	00	MUN	NK	G	9470	--	SE	SW	SE	111	1396	33	21	2W	1		137.61	137.61	AF	
Same					10558	--	--	--	--	5094	3824	4	22	2W	2		166.18	126.01	AF	
A_ 40690	00	IND	NK	G	7916	--	NW	NW	NE	4829	2273	22	22	2W	7	G	2	53.89	53.89	AF
Same					7877	--	NW	NW	NE	4880	2066	22	22	2W	5	B	2			
Same					7960	--	NW	NW	NE	4779	2481	22	22	2W	8	B	2			
A_ 44982	00	MUN	KE	G	9470	--	SE	SW	SE	111	1396	33	21	2W	1		222.58	96.56	AF	
A_ 44995	00	MUN	KE	G	10558	--	--	--	--	5094	3824	4	22	2W	2		194.01	.00	AF	
A_ 46649	00	MUN	KE	G	2917	--	NW	SW	SW	745	5177	10	22	2W	2		346.49	346.49	AF	
A_ 46650	00	MUN	KE	G	2686	--	SE	SW	SW	120	4392	10	22	2W	1		296.18	296.18	AF	
A_ 47114	00	IRR	NK	G	2043	--	SW	NW	NE	4173	2647	10	22	2W	4	G	2	162.00	162.00	AF
Same					1788	--	NW	SE	NE	3918	2651	10	22	2W	5	B	2			
Same					2298	--	SW	NW	NE	4428	2643	10	22	2W	6	B	2			
A_ 48765	00	IRR	KE	G	4731	NC	E2	W2	NE	3960	1630	9	22	2W	1	G	4	155.50	155.50	AF
Same					4466	--	--	NC	NE	3960	1340	9	22	2W	2	B	4			
Same					4999	--	NC	W2	NE	3960	1920	9	22	2W	3	B	4			
Same					4852	--	SE	NW	NE	4250	1630	9	22	2W	4	B	4			
Same					4626	--	NE	SW	NE	3670	1630	9	22	2W	5	B	4			
A_ 49023	00	IRR	AY	G	9788	--	--	--	NW	3960	3960	4	22	2W	4		212.00	212.00	AF	
A_ 49099	00	IRR	AY	G	8069	--	--	--	SW	1320	3960	4	22	2W	5		298.50	298.50	AF	
A_ 49564	00	IRR	AY	G	0	--	NW	NW	SE	2130	2610	10	22	2W	7	G	2	207.22	207.22	AF
Same					290	--	SW	NW	SE	1840	2610	10	22	2W	8	B	2			
Same					290	--	NW	NW	SE	2420	2610	10	22	2W	9	B	2			
T_ 20127202	MF	IRR	GY	G	7014	--	--	--	--	3730	3940	3	22	2W	1		523.60	.00	AF	
D_ 20153002	TD	DOM	AY	G	10217	--	--	--	SE	2680	300	5	22	2W	2		15.00	15.00	AF	

15K6

27455

27455+44982

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	732.72	.00
Total Permitted Amount (AF) =	894.73	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1510.85	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3138.30	.00

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

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

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

97.527676 West Longitude and 38.150899 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 4793 00 IND NK G

> ARTIS MARIE KNOWLES

>

> 7105 E ZIMMERLY ST

> WICHITA KS 67207

>-----

A__ 4823 00 IRR NK G

> NATHAN SIMMONS

>

> 3 EMBER WAY CIR

> HESSTON KS 67062

>-----

A__ 15166 00 MUN NK G

> CITY OF HESSTON

>

> PO BOX 100

> HESSTON KS 67062

>-----

A__ 19669 00 IRR NK G

> GARY A REGIER ET AL

>

> 1742 ARAPAHO RD

> MOUNDRIDGE KS 67107

>-----

A__ 23036 00 MUN NK G

> CITY OF HESSTON

>

> PO BOX 100

> HESSTON KS 67062

>-----

A__ 25229 00 MUN NK G

> CITY OF HESSTON

>

> PO BOX 100

> HESSTON KS 67062

>-----

A__ 27455 00 MUN NK G

> CITY OF MOUNDRIDGE

>

> BOX 636

> MOUNDRIDGE KS 67107

>-----

A__ 40690 00 IND NK G

> ARTIS MARIE KNOWLES

>
> 7105 E ZIMMERLY ST
> WICHITA KS 67207

A__ 44982 00 MUN KE G
> CITY OF MOUNDRIDGE
>
> BOX 636
> MOUNDRIDGE KS 67107

A__ 44995 00 MUN KE G
> CITY OF MOUNDRIDGE
>
> BOX 636
> MOUNDRIDGE KS 67107

A__ 46649 00 MUN KE G
> CITY OF HESSTON
>
> PO BOX 100
> HESSTON KS 67062

A__ 46650 00 MUN KE G
> CITY OF HESSTON
>
> PO BOX 100
> HESSTON KS 67062

A__ 47114 00 IRR NK G
> WILLIS D & JOYCE K KREUTZIGER REVOCABLE LIVING TRUST
>
> 13314 NW 72ND ST
> MOUNDRIDGE KS 67107

A__ 48765 00 IRR KE G
> JOSH & EMILY REGIER
>
> 525 PARK PL
> MOUNDRIDGE KS 67107

A__ 49023 00 IRR AY G
> JOSH & EMILY REGIER
>
> 525 PARK PL
> MOUNDRIDGE KS 67107

A__ 49099 00 IRR AY G
> CIRCLE S FARM
>
> 14030 NW 96TH
> MOUNDRIDGE KS 67107

A__ 49564 00 IRR AY G

> MARK VOGTS

>

> 1795 ARAPAHO RD

> MOUNDRIDGE KS 67107

>-----

T_20127202 MF IRR GY G

> GARY A REGIER ET AL

>

> 1742 ARAPAHO RD

> MOUNDRIDGE KS 67107

>-----

D_20153002 TD DOM AY G

> DELBERT "KEITH" & JAN POLLET

>

> 10117 N SPRING LAKE RD

> MOUNDRIDGE KS 67107

>-----

=====

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

September 20, 2016

FILE COPY

MARK VOGTS
1795 ARAPAHO ROAD
MOUNDRIDGE KS 67107

RE: Application
File No. 49,564

Dear Mr. Vogts:

We have received a recommendation from the Equus Beds Groundwater Management District No. 2 that the referenced Application for Permit to Appropriate Water for Beneficial Use be denied. This recommendation has been based upon the groundwater management program adopted by the District and approved by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

We are advising you of this recommendation in order to allow you an opportunity to consult with the District regarding their recommendation if you have not already done so. If you have already contacted the District regarding this recommendation, then we are allowing you this opportunity to submit to this office any additional information you wish to have considered before the Chief Engineer.

We will delay any further action on the referenced application until **October 5, 2016**, at which time the application will be submitted to the Chief Engineer for a final decision.

If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office
Groundwater Management District No. 2

SCANNED

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

September 20, 2016

FILE COPY

BRYAN D PLENERT
12524 W DUTCH AVE
MOUNDRIDGE KS 67107

Re: Pending Application
File No. 49,564

Dear Mr. Plenert:

This will acknowledge receipt of your letter dated March 24, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Mark Vogts under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture
Division of Water Resources - Stafford Field Office
300 S. Main Street
Stafford, KS 67578

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Pc: Stafford Field Office
GMD 2

SCANNED



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

September 20, 2016

FILE COPY

JOYCE C KREUTZIGER TRUST
13314 NW72ND STREET
MOUNDRIDGE KS 67107

Re: Pending Application
File No. 49,564

Dear Sir or Madam:

This will acknowledge receipt of your letter dated March 24, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Mark Vogts under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture
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If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Pc: Stafford Field Office
GMD 2

SCANNED

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

September 20, 2016

FILE COPY

JACK SALMANS
12510 W DUTCH AVE
MOUNDRIDGE KS 67107

Re: Pending Application
File No. 49,564

Dear Mr. Salmans:

This will acknowledge receipt of your letter dated March 24, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Mark Vogts under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture
Division of Water Resources - Stafford Field Office
300 S. Main Street
Stafford, KS 67578

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If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Pc: Stafford Field Office
GMD 2

SCANNED

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

September 20, 2016

JAY & SARA B UNRUH
8935 N HALSTEAD RD
MOUNDRIDGE KS 67107

FILE COPY

Re: Pending Application
File No. 49,564

Dear Mr. and Mrs. Unruh:

This will acknowledge receipt of your letter dated March 24, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Mark Vogts under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture
Division of Water Resources - Stafford Field Office
300 S. Main Street
Stafford, KS 67578

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Pc: Stafford Field Office
GMD 2

SCANNED

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

September 20, 2016

CLYDE A & SLIVIA G HENSON
12334 W DUTCH AVE
MOUNDRIDGE KS 67107

FILE COPY

Re: Pending Application
File No. 49,564

Dear Mr. and Mrs. Henson:

This will acknowledge receipt of your letter dated March 24, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Mark Vogts under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture
Division of Water Resources - Stafford Field Office
300 S. Main Street
Stafford, KS 67578

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Pc: Stafford Field Office
GMD 2

SCANNED

FRED SEILER, PRESIDENT
VIN KISSICK, VICE PRESIDENT
JEFF WINTER, SECRETARY
MIKE MCGINN, TREASURER
TIM BOESE, MANAGER
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:
DAVID BOGNER
ALAN BURGHART
JOE PAJOR
BOB SEILER
DAVID STROBERG

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

September 14, 2016

Chief Engineer, Division of Water Resources
Attn: Alex Whitesell
1320 Research Park Dr.
Manhattan, KS 66502

WATER RESOURCES
RECEIVED

SEP 15 2016

KS DEPT OF AGRICULTURE

Re: Application 49564 – Mark Vogts

Dear Mr. Whitesell:

The Equus Beds Groundwater Management District reviewed the referenced application on September 14, 2016, 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.

The review found that the application complies with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. However, the application does not comply with the District's Revised Management Program, as the application area is experiencing a long term groundwater decline trend.

The District's approved Management Program dictates, "It is the goal of the District to manage the groundwater supplies within its boundaries by balancing groundwater withdrawals with annual recharge to prevent groundwater mining and protect the natural water quality of the aquifer and remediate groundwater contamination." The District's review found that the proposed application is inconsistent with the District's Management Program goal to balance groundwater withdrawals with annual recharge and approval of the application is not in the public's interest due to the declining groundwater levels in the application area. The additional pumping proposed by the application will increase the rate of groundwater decline and further exacerbate the groundwater mining problem occurring in the application area.

Therefore, the application is recommended for denial by the Equus Beds Groundwater Management District.

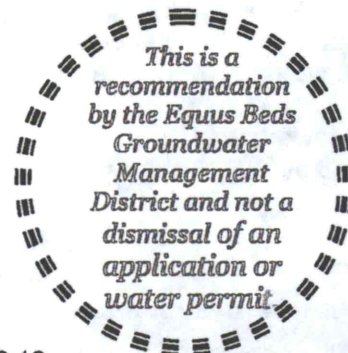
A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12. Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese,
Manager
TDB/STF

Enclosures

pc: Mark Vogts, Applicant and Landowner, with copy of K.A.R. 5-22-12
Aaron Vogts, Landowner
Jeff Lanterman, Division of Water Resources, Stafford
Clyde & Silvia Henson, Willis & Joyce Kreutziger, Bryan D. Plenert, Roy & Janet Kaufman,
Jack & Wanda Salmans, Jay & Sara B. Unruh, Nearby well owners



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

- 1) Application No. 49564 Date filed: February 16, 2016
 2) Proposed maximum quantity: 207.22 acre-feet/year Rate: 800 GPM
 3) Proposed Use: Irrigation
 4) P/D location: NWNWSE 10-22S-2W Geo Center: North 2130 ft, West 2610 ft
 5) Number and type of points of diversion listed on the application 2 Well Battery

- 6) Is the well location on the app the same on the evaluation sheet? Yes No
 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) Meets Safe Yield K.A.R. 5-22-7? Yes No N/A
 9(b) Safe yield total allowable appropriations: 3913.50 af/yr
 9(a) Safe yield analysis total existing appropriations: 3063.51 af/yr
 9(c) Total appropriations for small user exemptions: 0.00 af/yr
 9(d) Total appropriations for non-consumptive use: 0.00 af/yr
 9(e) Total appropriations for consumptive use: 3063.51 af/yr
 (total existing appropriations) - (non-consumptive appropriations)
 9(f) exempt from regulation? Yes No,
 Cite exemption:

- 10) Meets Well Spacing K.A.R. 5-22-2? Yes No N/A
 10(a) POD in enhanced well spacing area? Yes No
 10(b) Domestic well spacing interval: >960 ft
 10(c) Non-Domestic well spacing interval: >1620 ft

- 11) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 11(a) Irrigation max quantity: 1.3 acre-feet / acre
 application paragraph 3 value (acre-feet) / proposed acres = Q
 11(b) Stockwater max quantity: GPD unit
 11(c) Industry max quantity: Acre
 Industry standard:
 11(d) Municipal max quantity: GCD
 Lesser of either 200 GCD or
 $1.10 * (X - Y) * 365 d * (z + t)$
 X - Average of last three years usage in Gallons per Capita per Day (GCD)
 Y - water usage for industries that use over 200,000 gal/yr (GCD)
 Z - Projected population in 20 years
 T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)
 11(e) Pond max quantity is
 (Net evap + seepage)/12 x pond area + any initial fill
 11(f) Groundwater pit max Q:
 Net evap * pit area/12

- 12) Reasonable rate for intended use? Yes No N/A
 13) Depth to water: 17 bls at observation well: AN52B

- 14) Date reviewed: 9/14/16 *Renewal 9-14-16*
 15) Reviewed by: S. Flaherty Title: Hydrogeologist
 16) District recommendation: Approve Deny Other, see comment *TD*

17) Comments and Calculations:

Review Completed for a new application submitted by Mark Vogts for Irrigation use in Harvey County..

Item #11(a) - 207.22 acre-feet / 159.4 acres = 1.3 acre-feet / acre
 Drillers log indicates: 44 feet of discontinuous fine sands mixed with clay; 29 feet to water; and 106 feet to bedrock.
 Long term declining water level trend evident in AN52
 Recommend denial, not compliant with:
 Aquifer Management Program Goals

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

April 19, 2016

EQUUS BEDS GMD NO 2
313 SPRUCE STREET
HALSTEAD KS 67056-1925

Re: Application
File No. 49,564

Dear Sir or Madam:

We are enclosing a copy of the application referred to above which appears to be in proper form.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning this application.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me a 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)
pc: Stafford Field Office

SCANNED

WATER RESOURCES
RECEIVED

March 24, 2016

APR 04 2016

KS DEPT OF AGRICULTURE

Alex Whitesell
Environmental Specialist
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Re: File No. 49,564

Dear Alex Whitesell:

This letter is in response to a notification we recently received from a Kansas Department of Agriculture regarding the well application filed by Mr. Mark Vogts, File #49,564. We have concerns and unanswered questions regarding this application. First, the City of Hesston has three water wells in our immediate area already impacting the groundwater level. Second, how will an agriculture pump, pumping up to 800 gallons per minute, impact our water supply? Significant drawdown of the water level can be expected over the next several years, possibly requiring us to drill deeper wells to maintain an adequate water supply for our homes. Third, is how will drilling impact the quality of our water. Unlike Mr. Vogts, we rely on our wells for drinking water, cooking, etc. It's imperative our water supply isn't negatively impacted, by quality or quantity, with the addition of yet another large pump in the immediate area.

We appreciate the opportunity to express our concerns and look forward to receiving your response.

Sincerely,

Jack Schum
12510 W. Dutch Ave.

Bryan Stewart
12524 W. Dutch Ave.

Sarah Beth Ulrich
8935 N. Holstead Rd.

Cybil Hader
1233 1/2 W. Dutch Ave
13314 W. 72

Weller Kroutzger

[Signature]

SCANNED

Kansas Dept of Research
900 SW Jackson, Room 456
Topeka, KS. 66612

Mrs Joyce Kreutziger
13314 NW 72nd St
Moundridge, KS 67107
March 21, 2016

WATER RESOURCES
RECEIVED

MAR 31 2016

Ref: Application File No. 49,564

KS DEPT OF AGRICULTURE

Dear Sir,

I have concerns with the water table in the area. As the summer goes on it drops enough we need to closely monitor how we water our field to keep from sucking air from the well.

With all the wells the City of Heaton has, one inside the circled area and three more very near just outside the circle, it could be a real problem. We have heard the City of Heaton has gotten an increase in the amount of water they can pump.

With all the wells already in the area the residences living in the area may also experience well problems.

With the addition of one or two wells, how do we guarantee we don't drop the water table so low everyone is affected?

It doesn't seem right or fair that you can pump water from one section clear over to include another separate section of ground, instead of having to get a separate well in that area to support that section. They should be required to get a separate permit to irrigate the other section of ground.

Willis Kreutziger (Operator)

Sincerely,
Joyce K. Kreutziger

SCANNED

WATER RESOURCES
RECEIVED

MAR 25 2016

KS DEPT OF AGRICULTURE

Kansas Dept of Agriculture
1320 Research Park Dr.
Manhattan, KS. 66502

Mrs Joyce Krentzger
13314 NW 72nd St,
Moundridge, KS 67107
March 21, 2016

Ref: Application File No. 49,564

Dear Sir,

I have concerns with the water table in the area. As the summer goes on it drops enough we need to closely monitor how we water our field to keep from sucking air from the well.

With all the wells the City of Hesston has, one inside the circled area and three more very near just outside the circle, it could be a real problem. We have heard the City of Hesston has gotten an increase in the amount of water they can pump.

With all the wells already in the area the rip residences living in the area may also experience well problems.

With the addition of another one or two wells, how do we guarantee we don't drop the water table so low everyone is affected?

It doesn't seem right or fair that you can pump water from one section clear over to include another separate section of ground, instead of having to get a separate well in that area to support that section. They should be required to get a separate permit to irrigate the other section of ground.

Sincerely,
Joyce K. Krentzger

Willis Krentzger (Operator)

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

March 10, 2016

CLYDE A & SLIVIA G HENSON
12334 W DUTCH AVE
MOUNDRIDGE KS 67107

Re: Application
File No. 49,564

Dear Sir or Madam:

This is to advise you that Mark Vogts has filed the application referred to above for permit to appropriate 207.22 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of two (2) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, more particularly described as being near a point 2,130 feet North and 2,610 feet West of the Southeast corner of said section, in Township 22 South, Range 2 West, Harvey County, Kansas.

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If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2



0 0.25 0.5 0.75 1 Miles



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

March 10, 2016

GWENDOLYN F SCHLENDER TRUST
1809 CARNATION VLG
MOUNDRIDGE KS 67107

Re: Application
File No. 49,564

Dear Sir or Madam:

This is to advise you that Mark Vogts has filed the application referred to above for permit to appropriate 207.22 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

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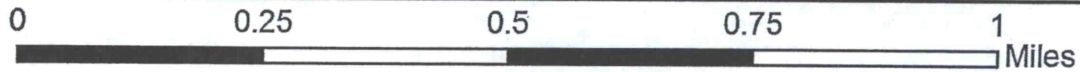
Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2

SCANNED



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

March 10, 2016

ROY J & JANET A KAUFMAN
12429 W DUTCH AVE
MOUNDRIDGE KS 67107

Re: Application
File No. 49,564

Dear Sir or Madam:

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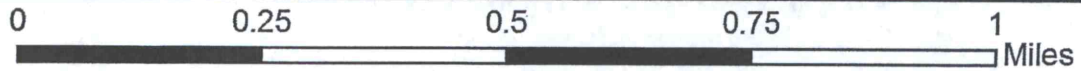
If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2



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

March 10, 2016

CITY OF HESSTON
PO BOX 100
HESSTON KS 67062

Re: Application
File No. 49,564

Dear Sir or Madam:

This is to advise you that Mark Vogts has filed the application referred to above for permit to appropriate 207.22 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

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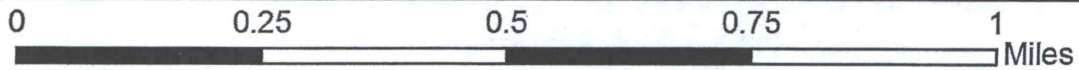
Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2

File No. 49,564



AJW/DWR
Date: 3/4/2016

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

March 10, 2016

JOYCE C KREUTZIGER TRUST
13314 NW 72ND STREET
MOUNDRIDGE KS 67107

Re: Application
File No. 49,564

Dear Sir or Madam:

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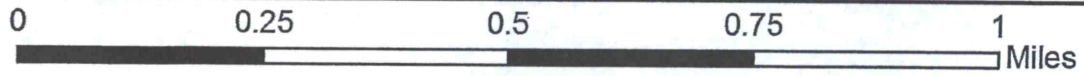
Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2

File No. 49,564



AJW/DWR
Date: 3/4/2016

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Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

March 10, 2016

BRYAN D PLENERT
12524 W DUTCH AVE
MOUNDRIDGE KS 67107

Re: Application
File No. 49,564

Dear Sir or Madam:

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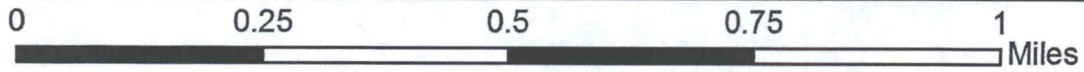
Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2

File No. 49,564



AJW/DWR
Date: 3/4/2016

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

March 10, 2016

JACK E & WANDA K SALMANS
12510 W DUTCH AVE
MOUNDRIDGE KS 67107

Re: Application
File No. 49,564

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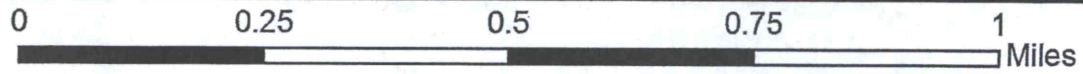
Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2

File No. 49,564



AJW/DWR
Date: 3/4/2016

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Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

March 10, 2016

JAY & SARA B UNRUH
8935 N HALSTEAD RD
MOUNDRIDGE KS 67107

Re: Application
File No. 49,564

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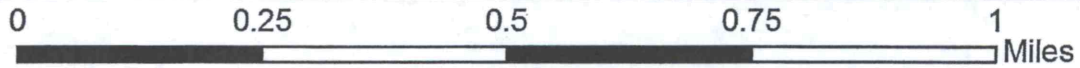
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Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2





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

February 17, 2016

MARK VOGTS
1795 ARAPAHO ROAD
MOUNDRIDGE KS 67107

RE: Application
File No. 49564

Dear Sir or Madam:

Your application for permit to appropriate water in 10-22S-2W in Harvey County, was received and has been assigned the file number noted above.

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. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. 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) 564-6634. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kenneth A. Kopp, P.G.
New Application Unit Supervisor
Water Appropriation Program

KAK: DLW
pc: STAFFORDField Office
GMD

SCANNED

Application Map - File No. 49,564



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.

Mark Yoshko
Signature

1/29/16
Date

New Application

Application No. _____ 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

WATER RESOURCES
RECEIVED

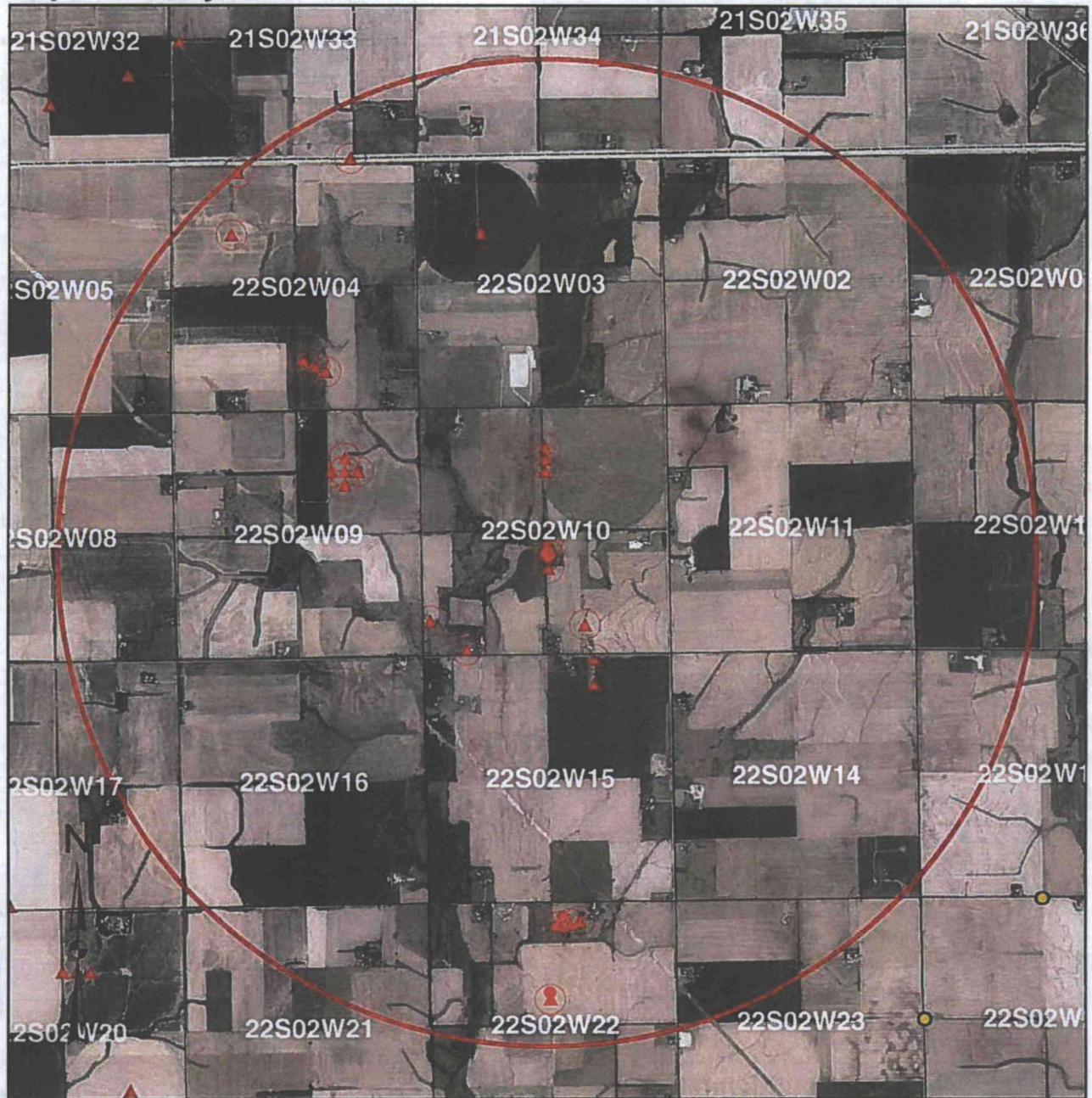
FEB 16 2016

SCANNED

KS DEPT OF AGRICULTURE

See Attached for Points of Diversion
within 1/2 mile of proposed point

Equus Beds Groundwater Management District No. 2
 Safe Yield Evaluation No. 49564 - Mark Vogts
 NWNWSE (2130'N & 2610'W) 10-22S-02W, Harvey County
 Prepared By: T. Boese Date: 9/14/2016



	Proposed Point of Diversion		Map Legend Major Highway		Burrton IGUCA
	Area of Consideration Boundary		Other Roadway		Hollow Nickel SWQUA
	Monitoring Wells		Major Stream		McPherson IGUCA
	Points of Diversion		Other Water Feature		Enhanced Well Spacing Area
	District Boundary		County Boundary		Permian Surface Bedrock
			City Boundary		

WATER RESOURCES RECEIVED
 SEP 15 2016
 Equus Beds Groundwater Management District No. 2
 313 Conroe Street, Halstead, KS 67056
 316-835-2224, equusbeds@gm2.org

SCANNED

SAFEYIELD EVALUATION - NO. 49564 - MARK VOGTS
LOCATION: NWNWSE (2130'N & 2610'W) 10-22S-02W, Harvey County

SPECIAL USE AREA: None

EVALUATION DATE:- 9/14/2016

Total Areas: 8,042 acres; Area in 3 inch discharge zone: 430 acres; Area in 6 inch discharge zone: 7,612 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A02745500	1740	21S	02W	33	1111396	MUN	137.6
A02745500	1741	22S	02W	4	50943824	MUN	126.03
A01516600	7	22S	02W	15	46451665	MUN	283.96
A01516600	8	22S	02W	15	51851660	MUN	299.12
A04498200	2923	21S	02W	33	1111396	MUN	96.56
A04499500	2926	22S	02W	4	50943824	MUN	0
A04069000	3531	22S	02W	22	48292273	IND	54
A00479300	1851	22S	02W	22	48802066	IND	0
A00479300	1852	22S	02W	22	47792481	IND	0
A04711400	3563	22S	02W	10	39182651	IRR	0
A04711400	3564	22S	02W	10	44282643	IRR	0
A04956400P	4871	22S	02W	10	21302610	IRR	207.22
A04956400P	4872	22S	02W	10	18402610	IRR	0
A04711400	3522	22S	02W	10	41732647	IRR	162
A04664900	3434	22S	02W	10	7455177	MUN	346.49
A04665000	3435	22S	02W	10	1204392	MUN	296.18
A04069000	344	22S	02W	22	48802066	IND	0
A04069000	345	22S	02W	22	47792481	IND	0
A01966900	624	22S	02W	3	37303940	IRR	141
A00482300	247	22S	02W	22	32022729	IRR	74
A04956400P	4873	22S	02W	10	24202610	IRR	0
A02303600	1415	22S	02W	10	1204392	MUN	94.2
A02303600	1416	22S	02W	10	7455177	MUN	0
A02522900	1110	22S	02W	10	6201839	MUN	126.05
A04876500	4135	22S	02W	9	39601630	IRR	155.5
A00479300	4162	22S	02W	22	48292273	IND	13
A04876500	4165	22S	02W	9	39601340	IRR	0
A04876500	4166	22S	02W	9	39601920	IRR	0
A04876500	4167	22S	02W	9	42501630	IRR	0
A04876500	4168	22S	02W	9	36701630	IRR	0
A04902300	4225	22S	02W	4	37613993	IRR	201.7
A04909900	4254	22S	02W	4	9342237	IRR	248.9
A04909900	4264	22S	02W	4	10522487	IRR	0
A04909900	4265	22S	02W	4	8151995	IRR	0
Allowable Appropriations		3,913.50			Total Existing Appropriation		3,063.51
Small User Quantity		0			Non Consumptive Appropriations		0
Remaining SUQ		45			Consumptive Appropriations		3,063.51
Note- Values are in acre-feet					Available Appropriations		849.99

WATER RESOURCES
 DIVISION

KRUPAL CHANDRAN

Equus Beds Groundwater Management District No. 2

Spacing Evaluation #49564 - Mark Vogts
NWNWSE (2130'N & 2610'W) 10-22S-02W, Harvey County

Prepared By: Stephen Flaherty Date: 4/28/2016



Map Legend

WATER RESOURCES RECEIVED

● Observation Well
SEP 15 2016

KS DEPT OF AGRICULTURE

● Proposed Point of Diversion

■ Bedrock

▲ Points of Diversion

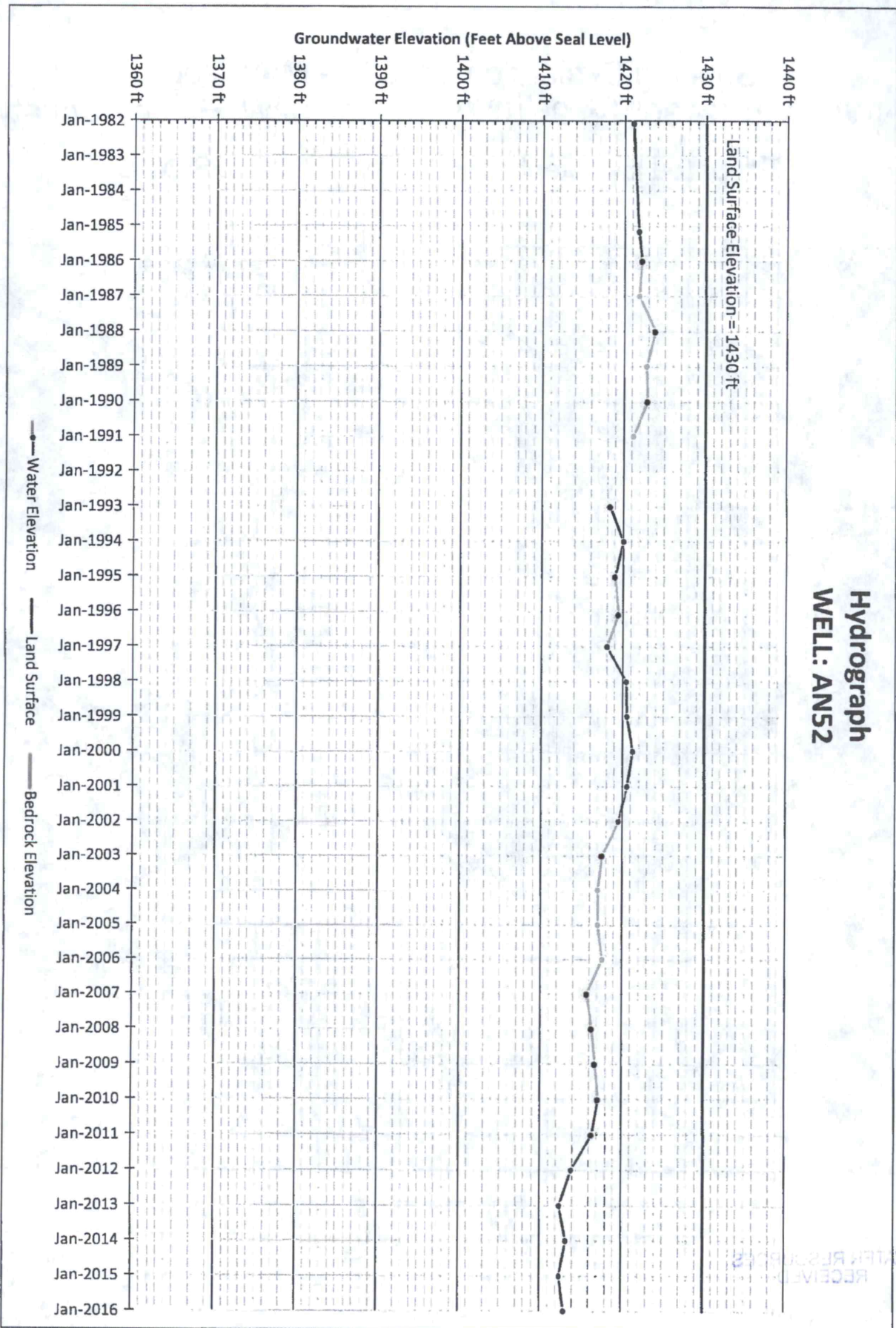
Burton IGUCA
Hollow Nikkel SWQUA
McPherson IGUCA
Enhanced Well Spacing Area

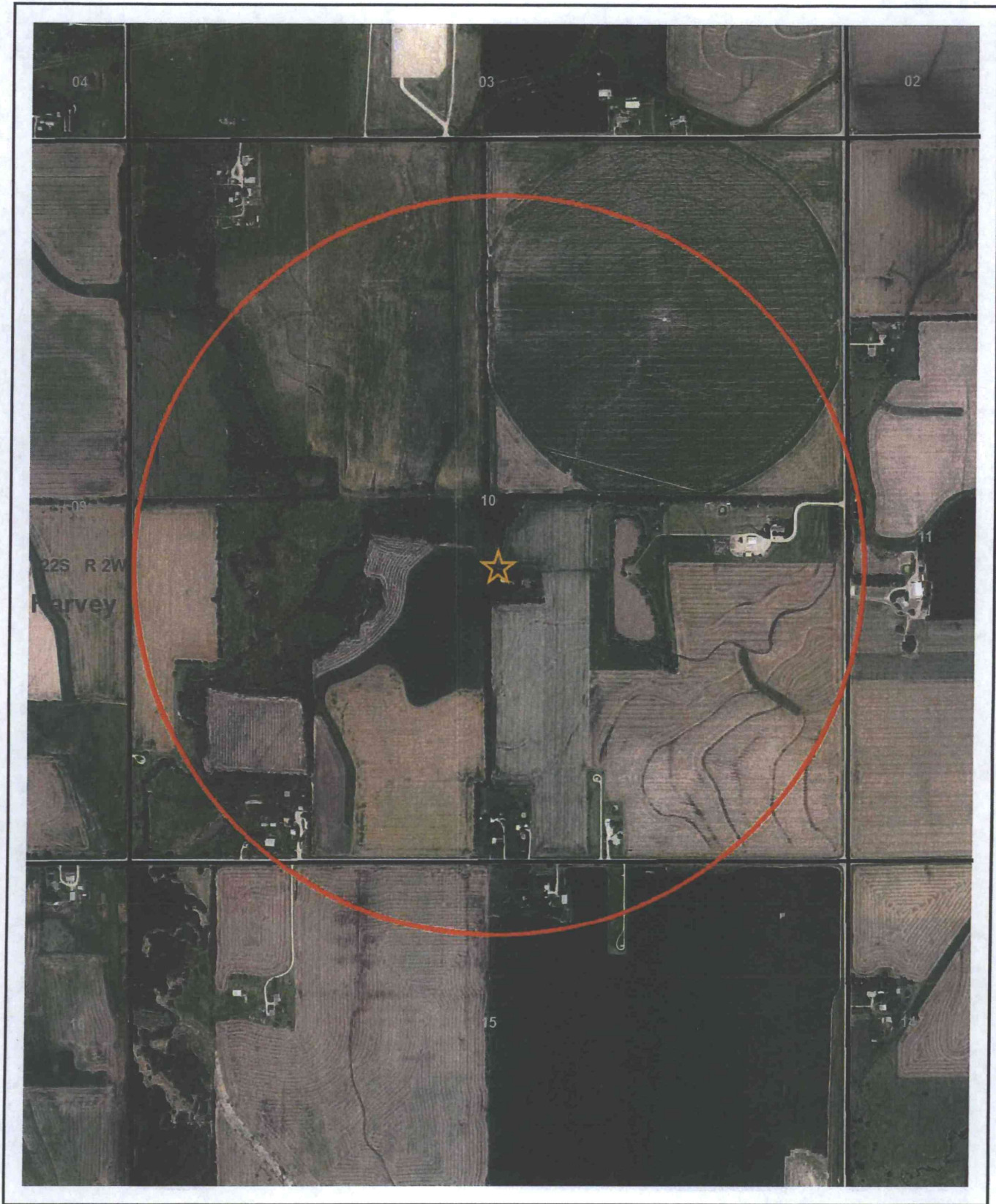


Equus Beds Groundwater Management District No. 2
313 Spruce Street, Halstead, KS 67056
316-835-2224, equusbeds@gmd2.org

SCANNED

Hydrograph WELL: AN52





0 0.25 0.5 0.75 1 Miles



AJW/DWR
Date: 3/4/2016