

Kansas Department of Agriculture
Division of Water Resources

PERMIT OF NEW APPLICATION WORKSHEET & NAME CHANGE

1. File Number: <p style="text-align: center;">49703</p>	2. Status Change Date: <p style="text-align: center;">6/14/2017</p>	3. Field Office: <p style="text-align: center;">02</p>	4. GMD: <p style="text-align: center;">02</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
7a. Applicant(s) New to system <input type="checkbox"/>		7c. Landowner(s) New to system <input type="checkbox"/>	
DONALD L BOGNER 19019 S HAVEN RD HAVEN KS 67543		DUANE J. BOGNER TRUST DUANE J. BOGNER TRUSTEE, 23401 S WORTHINGTON RD MOUNT HOPE, KS 67108 (name change)	
7b. Landowner(s) New to system <input type="checkbox"/>		7d. Landowner New to system <input type="checkbox"/>	
DONALD L BOGNER TRUST DONALD L BOGNER TRUSTEE 19019 S HAVEN RD HAVEN KS 67543 (name change)		DAVID J. & MARSHA G. BOGNER 13114 E. PRETTY PRAIRIE ROAD MOUNT HOPE, KS 67108 (name change)	
8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No		9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____	
8. WUR Correspondent Person ID 30939 Add Seq# 1 Notarized WUC Form		7b. Landowner(s) Person ID 30939 Add Seq# 1	
10. Completion Date: <u>12/31/18</u> 11. Perfection Date: <u>12/31/22</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: 5/12/2017 By: LI Date Entered: <u>6/20/2017</u> By: <u>LLM</u>			

File No. 49703	15. Formation Code: 190	Drainage Basin: ARKANSAS RIVER	County: SG	Special Use: NA	Stream: NA																
16. Points of Diversion √ MOD DEL PDIV ENT Qualifier S T R ID 'N 'W MOD			17. Rate and Quantity																		
			Authorized	Additional																	
			Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files														
CK 82043 BATT ID 1664 GEO CENTER			800	171.6	0	42.9	48788														
CK 82044 BATT ID 1664																					
CK 82045 BATT ID 1664																					
18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																					
19. Limitation: 171.6 af/yr at 800 gpm (1.78 cfs) when combined with file number(s) 48788																					
Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																					
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by <u>12/31/2017 12/31/18</u> Date Acceptable Meter Installed _____																					
21. Place of Use √ MOD DEL ENT PUSE S T R ID		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CK 65078 29 25S 3W 4										33	33	33	33					132	7 b. c. & d.	No	48788
Comments:																					

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: May 26, 2017

FROM: Leslie Ireland

RE: Appropriation of Water, File No. 48,788
Application, File No. 49,703

Donald Bogner along with Duane Bogner both as trustees along with David and Marsha Bogner as owners of the above referenced appropriation have filed an application to change the irrigated place of use and Donald Bogner completed a new application to overlap the existing right. Both applications were received in the office of the Chief Engineer on September 12, 2016. The applicant was assisted by Tim Boese, Equus Beds Groundwater Management District No. 2 .

The referenced appropriation had a Notice of Completion submitted on June 29, 2015, and does not appear to be abandoned as per K.S.A. 82a-718. The application for change complies with K.A.R. 5-3-2ab, *Complete change application*. The Sedgwick County property database indicates Donald, Duane and David Bogner as owners.

The currently authorized place of use under the existing appropriation is 99 acres under a pac-man pivot in the Southwest Quarter of Section 29, in Township 25 South, Range 3 West, Sedgwick County. The currently authorized point of diversion is a battery of two(2) wells located along the Southwest side of the section. It would appear that 99 acres are the "base acres" that have been developed.

The proposed change is to add 33 acres to make a full pivot authorizing a total of 132 acres to be authorized by the referenced files. The reasonable quantity for Sedgwick County as specified by K.A.R. 5-3-24, *Reasonable quantity for irrigation use* is 1.3 acre-feet per acre. The new appropriation, File No. 49,703, is proposed to divert a limited quantity and rate of 171.5 acre-feet at 800 gallons per minute from the existing battery. The quantity will provide an additional 42.9 acre-feet, with zero additional rate, resulting in the quantity and rate limited when combined with File No. 48,788. The Safe Yield determination completed for File No. 48,788 in 2014 indicated 45 acre-feet remaining, further review found no other permits had been issued in the area. It appears there is quantity available for the new permit that will be authorized from the geographic center of the battery of two wells located 550 feet North and 5,230 feet West of the Southeast corner of Section 29, located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 29, Township 25 South, Range 3 West, Sedgwick County. As the new appropriation will be approved it appears the change in place of use meets part No. 6 of the regulation, *No increase in historic net consumptive use* of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*. The additional quantity will assure that the historical consumptive use under File No. 48,788 will not increase and the proposal complies with K.A.R. 5-5-3, *Change in consumptive use*.

A water conservation plan meeting the guidelines of the Kansas Water Office will not be required as there appears to be sufficient quantity authorized for irrigation use.

The applicant identified two(2) domestic wells within one-half (½) mile of the proposed geographic center of the battery wells. The required notification letters were sent out on March 1, 2017. A phone call was received from domestic well owner Robert Dick who said he was against the approval of the application, but did not submit a written comment. His domestic is located approximately 970 feet to the South. According to the WRIS database, the nearest non-domestic point of diversion under File No. 6,244, is authorized for irrigation use, is approximately 3,103 feet away. The previous review for File No. 48,788, found the proposed point of diversion meets the well to well spacing of 1,620 feet to all other non-domestic wells and 960 feet to domestic wells as specified in Part (b) of K.A.R. 5-22-2, *Well spacing requirements*.

A test hole log was submitted with File No. 48,788, and will not be a condition of the new approval. The source of supply will remain Equus Beds, (Code 190).

Tim Boese, Manager, of Equus Beds Groundwater Management District No. 2 recommendation as detailed in his letter of May 3, 2017 that the District Board of Directors had recommended approval of File No. 49,703 and the change under File No. 48,788. The District further required the application of the Rules and Regulations K.A.R 5-22-1 through 5-22-17, be applicable to the change approval, and informed the application of their review and conditions in a letter dated May 5, 2017.

In an email dated May 25, 2017, Jeff Lanterman, Water Commissioner of the Stafford Field Office recommended approval of the new appropriation and application for change.

If the applicant is proposing to chemigate, an approved check valve will be required on the diversion works. An approved flow meter will be required on the diversion works in accordance K.S.A 82a-706c, and will be required to meet the GMDs meter regulations. Water level measurement tubes and WWC-5s will not be conditions of the change, but a water level measurement tube will be a condition of the permit.

Based on the above discussion, that water is available for the new appropriation, that consumptive use will not substantially increase, impairment to existing water appropriation is unlikely, the applications have been recommended for approval.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

SAFEYIELD EVALUATION No. 48788 - Donald Bogner
LOCATION: SWSWSW (400'N & 5230'W) 29-25S-03W, Sedgwick County
SPECIAL USE AREA: None
EVALUATION DATE:- 4/17/2014

Total Areas: 4,401 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 4,401 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A04878800	4152	25S	03W	29	4005230	IRR	128.7
A04878800	4154	25S	03W	29	6905230	IRR	0
A044962A0	2921	25S	03W	33	13562662	IRR	72
A03556200	532	25S	03W	21	28004930	IND	1.53
A03537700	516	25S	03W	28	13003880	IRR	102
A03063800	1318	25S	03W	20	13203980	IRR	194
A01331900	317	25S	03W	33	26004920	IRR	58
A02966200	1545	25S	03W	28	39603970	IRR	185
A02903700	686	25S	03W	29	39601320	IRR	216
A01968200	1607	25S	03W	28	13003880	IRR	114
A00624400	703	25S	03W	29	SWNWSE	IRR	216
A03906000	940	25S	04W	24	21301130	IRR	150
A00546100	1309	25S	03W	28	38941309	IRR	78
A00449100	845	26S	03W	4	NENENW	IRR	165
A04283300	2472	25S	03W	33	13562662	IRR	87
A00611400	227	25S	03W	20	NCNW	IRR	145
A02938800	191	25S	03W	21	13205200	IRR	90
A02969900	326	25S	03W	28	16402610	IRR	150
Allowable Appropriations		2,200.50			Total Existing Appropriation		2,152.23
Small User Quantity		0			Non Consumptive Appropriations		0
Remaining SUQ		45			Consumptive Appropriations		2,152.23
<i>Note- Values are in acre-feet</i>					Available Appropriations		48.27

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

550 ft N and 5230 ft W of the SE Corner of Section 29, T 25S, R 3W

Located at: 97.683089 West Longitude and 37.840957 North Latitude

GROUNDWATER ONLY

PROPOSED GEO CENTER
FILE NO. 49,703.

File Number	Use	ST	SR	Dist (mi)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 4491	00	IRR	NK	G	1.92	--	NE	NE	NW	-----	-----	4	26	3W	1	165.00	165.00	AF
A_ 5461	00	IRR	NK	G	1.86	--	NW	SE	NE	3894	1309	28	25	3W	6	78.00	78.00	AF
A_ 6114	00	IRR	NK	G	1.68	--	--	NC	NW	-----	-----	20	25	3W	3	145.00	145.00	AF
A_ 6244	00	IRR	NK	G	.59	--	SW	NW	SE	-----	-----	29	25	3W	1	216.00	216.00	AF
A_ 13319	00	IRR	NK	G	1.22	--	NW	NW	SW	2600	4920	33	25	3W	1	58.00	58.00	AF
A_ 19682	00	IRR	NK	G	1.27	--	--	NC	SW	1300	3880	28	25	3W	5	114.00	114.00	AF
A_ 26508	00	IRR	NK	G	.75	--	SW	NE	NE	4295	985	30	25	3W	5	106.00	106.00	AF
A_ 27726	00	IRR	NK	G	.87	--	SE	NE	NW	4130	2750	30	25	3W	2	95.00	95.00	AF
Same					.81	--	SW	SE	NW	2750	3550	30	25	3W	3	25.00	25.00	AF
A_ 29037	00	IRR	NK	G	.98	--	--	NC	NE	3960	1320	29	25	3W	2	216.00	216.00	AF
A_ 29388	00	IRR	NK	G	1.53	--	--	CW	SW	1320	5200	21	25	3W	1	90.00	90.00	AF
A_ 29662	00	IRR	NK	G	1.40	--	--	NC	NW	3960	3970	28	25	3W	3	185.00	185.00	AF
A_ 29699	00	IRR	NK	G	1.51	--	SW	NW	SE	1640	2610	28	25	3W	4	150.00	150.00	AF
A_ 30638	00	IRR	NK	G	1.18	--	--	NC	SW	1320	3980	20	25	3W	4	194.00	194.00	AF
A_ 32604	00	IRR	NK	G	1.61	--	--	NC	W2	2640	4000	19	25	3W	1	130.00	130.00	AF
A_ 35377	00	IRR	NK	G	1.27	--	--	NC	SW	1300	3880	28	25	3W	5	102.00	102.00	AF
A_ 35562	00	IND	NK	G	1.78	--	SW	SW	NW	2800	4930	21	25	3W	3	1.53	1.53	AF
A_ 38987	00	IRR	NK	G	1.97	--	NC	N2	NW	4814	3961	19	25	3W	2	94.00	94.00	AF
A_ 39060	00	IRR	NK	G	1.81	--	NW	NE	SE	2130	1130	24	25	4W	2	150.00	150.00	AF
A_ 42833	00	IRR	NK	G	1.71	--	--	CE	SW	1356	2662	33	25	3W	3	87.00	87.00	AF
A_ 44962	A	IRR	NK	G	1.71	--	--	CE	SW	1356	2662	33	25	3W	3	72.00	14.00	AF
A_ 48788	00	IRR	KE	G*	.00	--	SW	SW	SW	550	5230	29	25	3W	3 G 2	128.70	128.70	AF
Same					.05	--	SW	SW	SW	260	5230	29	25	3W	4 B 2			
Same					.05	--	NW	SW	SW	840	5230	29	25	3W	5 B 2			
A_ 49703	00	IRR	AY	G	.00	--	SW	SW	SW	550	5230	29	25	3W	3 G 2	171.60	.00	AF
Same					.05	--	SW	SW	SW	260	5230	29	25	3W	4 B 2			
Same					.05	--	NW	SW	SW	840	5230	29	25	3W	5 B 2			
T_20127239	MF	IRR	GY	G	1.61	--	--	NC	W2	2640	4000	19	25	3W	1	636.35	.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	128.70	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2415.53	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2544.23	.00

PU - SW 1/4 29-25-3W 132A
 48788 - 99 acres / 128.7 AF
 PU ↑ by 33 acres: MAINTAINS 1.3 AF/A RATIO.
 FOLLOWED BY KSA 5-3-24-

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.

PERMITTING UNDER 48788
 INDICATED 45 AF REMAINING

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

97.683089 West Longitude and 37.840957 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

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

June 21, 2017

DONALD L BOGNER
19019 S HAVEN RD
HAVEN KS 67543

FILE COPY

RE: Appropriation of Water, File No. 49,703

Dear Mr. Bogner:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a 301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit, specifically condition number 19. A water meter is required on the diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

RE: Appropriation of Water, File No. 49,703

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. 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,



Kristen A. Baum

New Application Unit Supervisor
Water Appropriation Program

KAB:LI:li

Enclosures

pc: Stafford Field Office

Groundwater Management District No. 2

Duane J. Bogner

David J. & Marsha G. Bogner



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,703** of the applicant

**DONALD L. BOGNER
19019 S HAVEN RD
HAVEN KS 67543**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

That the priority date assigned to such application is **September 12, 2016**.

2. That the water sought to be appropriated shall be used for irrigation use on land described in the application as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
29	25S	3W								33.0	33.0	33.0	33.0					132.0	

a total of 132 acres in Section 29, in Township 25 South, Range 3 West, Sedgwick County, Kansas.

3. That the authorized source from which the appropriation shall be made is groundwater from the Equus Beds aquifer, to be withdrawn by means of a battery of two (2) wells, with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼ SW¼) of Section 29, more particularly described as being near a point 550 feet North and 5,230 feet West of the Southeast corner of said section, in Township 25 South, Range 3 West, Sedgwick County, located substantially as shown on the topographic map accompanying the application.

4. That this appropriation shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **171.6 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

18. That this permit is further limited such that both wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply and shall be limited to a maximum diversion rate of four hundred (400) gallons per minute (0.89 c.f.s.) per well.

19. That the quantity of water and rate of diversion approved under this permit is further limited to the quantity and rate which combined with Appropriation of Water, File No. 48,788, will provide a total not to exceed **171.6 acre-feet** of water per calendar year to be diverted at a maximum diversion rate not in excess of **800 gallons per minute** (1.78 c.f.s.) from the point of diversion described herein.

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-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

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

Ordered this 14th day of June, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.
 Program Manager
 Water Appropriation Program
 Division of Water Resources
 Kansas Department of Agriculture

State of Kansas)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 14th day of June, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
 Notary Public

CERTIFICATE OF SERVICE

On this 21st day of June, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,703, dated June 14, 2017 was mailed postage prepaid, first class, US mail to the following:

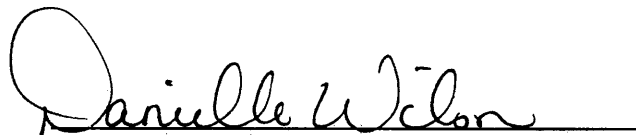
Donald L. Bogner Trust
Donald L. Bogner, Trustee
19019 S. Haven Road
Haven, KS 67543

With photocopies to:

Duane J. Bogner Trust
Duane J. Bogner Trustee,
23401 S Worthington Rd
Mount Hope, KS 67108

David J. & Marsha G. Bogner
13114 E. Pretty Prairie Road
Mount Hope, KS 67108

Stafford Field Office
Groundwater Management District No. 2



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 49,703
This item to be completed by the Division of Water Resources.

WATER RESOURCES
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APPLICATION COMPLETE
5/8/17
Reviewer KAB for H

**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.)

SEP 12 2016
12:33
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): Donald L. Bogner
Address: 19019 S. Haven Road
City: Haven State KS Zip Code 67543
Telephone Number: (316) 465-7764

2. The source of water is: surface water in _____ (stream)
OR groundwater in 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. **Limited to 171.6 AF & 800 GPM when combined with # 48788*

3. The maximum quantity of water desired is 171.6 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>2</u>	Meets K.A.R. 5-3-1 (YES / NO) <u>YES</u>	Use <u>IRP</u>	Source <u>@/S</u> County <u>St</u>	By <u>AJW</u> Date <u>9/12/16</u>
Code <u>PEZ</u>	Fee \$ <u>300</u>	TR # _____	Receipt Date <u>9/12/16</u>	Check # <u>2461</u>	

APPLICATION COMPLETE
5/8/17
Reviewer HE

SCANNED

9/13/2016 UM

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 SW quarter of the SW quarter of the SW quarter of Section 29, more particularly described as being near a point 550 feet North and 5230 feet West of the Southeast corner of said section, in Township 25 South, Range 3W East/West (circle one), Sedgwick County, Kansas.

South well

(B) One in the SW quarter of the SW quarter of the SW quarter of Section 29, more particularly described as being near a point 260 feet North and 5230 feet West of the Southeast corner of said section, in Township 25 South, Range 3W East/West (circle one), Sedgwick County, Kansas.

North well

(C) One in the NW quarter of the SW quarter of the SW quarter of Section 29, more particularly described as being near a point 840 feet North and 5230 feet West of the Southeast corner of said section, in Township 25 South, Range 3W East/West (circle one), Sedgwick 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):

Donad L. Bogner, Duane J. Bogner, David J. Bogner; 19019 S. Haven Road, Haven, KS 67543. 620-465-7764

(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 9-8, 2016. Donad L Bogner Trustee
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 Battery of 2 wells

(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) Completed on 6/16/2015 under No. 48788

(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 June 1, 2017
(Mo/Day/Year)

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		10/28/14	10/28/14	
Total depth of well		70'	70'	
Depth to water bearing formation		39'	39'	
Depth to static water level		44'	44'	
Depth to bottom of pump intake pipe				

14. The relationship of the applicant to the proposed place where the water will be used is that of Co-Owner
(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):
Donald L. Bogner, Duane J. Bogner, David J. Bogner, 19019 S. Haven Road, Haven, KS 67543. 620-465-7764
(name, address and telephone number)

(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 Andale, Kansas, this 8 day of Sept, 2016.
(month) (year)

Donald L. Bogner Trustee
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by T. Boese GMD2/Manager Date: 9-2-16
(office/title)

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- 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 NA
 - If no, explain here why a Water Structures permit is not required NA
-
-

- 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.

Water Permit No. 48788 - Same PD, partial place of use overlap. Change application being filed on
48788 to create identical place of use overlap.

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,703

Name of Applicant (Please Print): Donald L. Bogner

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: Donald L. Bogner, Duane J. Bogner, David J. Bogner

ADDRESS: 19019 S. Haven Road, Haven, KS 67543.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29	25S	3W									33	33	33	33					132

Landowner of Record NAME: _____

ADDRESS: _____

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

Landowner of Record NAME: _____

ADDRESS: _____

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

WATER RESOURCES
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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>Avans Loam</u>	<u>18</u>	<u>0.60-2.00</u>	<u>7</u>
<u>Blanket Silt Loam</u>	<u>44</u>	<u>0.20-0.60</u>	<u>3</u>
<u>Vanoss Silt Loam</u>	<u>38</u>	<u>0.60-2.00</u>	<u>5</u>
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): 0-1 %

Estimate the maximum land slope in the field(s): 1 %

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: _____

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: 40 psi

(2) What is the sprinkler package design rate? 750 ~~700~~ 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? 5 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). Crop consultant

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

Water Wells Within ½ Mile

1. Domestic Well
Robert & Kathleen Dick
29311 W. 85th Street North
Mount Hope, KS 67108

2. Domestic Well
Winterland LLC
25930 W. 77th Street North
Mount Hope, KS 67108

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WATER WELL RECORD

Form WWC-5

Division of Water Resources App. No.

48,788

<p>1 LOCATION OF WATER WELL: County: Harvey</p> <p>Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here <input type="checkbox"/> W 85th St N and N 295th St W WELL #1</p>	<p>Fraction $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ SW $\frac{1}{4}$</p>	<p>Section Number 29</p>	<p>Township No. T 25 S</p>	<p>Range Number R 3 <input type="checkbox"/> E <input checked="" type="checkbox"/> W</p>					
<p>2 WATER WELL OWNER: Boerner Dairy RR#, Street Address, Box #: 19019 S. Haven City, State, ZIP Code : Haven, KS 67543</p>		<p>Global Positioning System (GPS) information: Latitude: (in decimal degrees) Longitude: (in decimal degrees) Elevation: Datum: <input type="checkbox"/> WGS 84, <input type="checkbox"/> NAD 83, <input type="checkbox"/> NAD 27 Collection Method: <input type="checkbox"/> GPS unit (Make/Model:) <input type="checkbox"/> Digital Map/Photo, <input type="checkbox"/> Topographic Map, <input type="checkbox"/> Land Survey Est. Accuracy: <input type="checkbox"/> <3 m, <input type="checkbox"/> 3-5 m, <input type="checkbox"/> 5-15 m, <input type="checkbox"/> >15 m</p>							
<p>3 LOCATE WELL WITH AN "X" IN SECTION BOX: N</p> <table border="1" style="width:100%; text-align: center; border-collapse: collapse;"> <tr> <td style="width:25%;">NW</td> <td style="width:25%;">NE</td> <td style="width:25%;">E</td> </tr> <tr> <td style="width:25%;">SW</td> <td style="width:25%;">SE</td> <td style="width:25%;">S</td> </tr> </table> <p style="text-align: center;"> -----1 mile----- </p>	NW	NE	E	SW	SE	S	<p>4 DEPTH OF COMPLETED WELL 70 ft. Depth(s) Groundwater Encountered (1) 44 ft. (2) ft. (3) ft. WELL'S STATIC WATER LEVEL 44 ft. below land surface measured on mo/day/yr Pump test data: Well water was ft. after hours pumping gpm EST. YIELD 300 gpm. Well water was ft. after hours pumping gpm Bore Hole Diameter 30 in. to 70 ft., and in. to ft. WELL WATER TO BE USED AS: <input type="checkbox"/> Public water supply <input type="checkbox"/> Geothermal <input type="checkbox"/> Injection well <input type="checkbox"/> Domestic <input type="checkbox"/> Feedlot <input type="checkbox"/> Oil field water supply <input type="checkbox"/> Dewatering <input type="checkbox"/> Other (Specify below) <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic-lawn & garden <input type="checkbox"/> Monitoring well Was a chemical/bacteriological sample submitted to Department? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, mo/day/yr sample was submitted Water well disinfected? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
NW	NE	E							
SW	SE	S							
<p>5 TYPE OF CASING USED: <input type="checkbox"/> Steel <input checked="" type="checkbox"/> PVC <input type="checkbox"/> Other CASING JOINTS: <input checked="" type="checkbox"/> Glued <input type="checkbox"/> Clamped <input type="checkbox"/> Welded <input type="checkbox"/> Threaded Casing diameter 16 in. to 70 ft., Diameter in. to ft., Diameter in. to ft. Casing height above land surface 12 in., Weight 16 lbs./ft., Wall thickness or gauge No. SCH40 TYPE OF SCREEN OR PERFORATION MATERIAL: <input type="checkbox"/> Steel <input type="checkbox"/> Stainless Steel <input checked="" type="checkbox"/> PVC <input type="checkbox"/> Other (Specify) <input checked="" type="checkbox"/> Brass <input type="checkbox"/> Galvanized Steel <input type="checkbox"/> None used (open hole) SCREEN OR PERFORATION OPENINGS ARE: <input type="checkbox"/> Continuous slot <input type="checkbox"/> Mill slot <input type="checkbox"/> Gauze wrapped <input type="checkbox"/> Torch cut <input type="checkbox"/> Drilled holes <input type="checkbox"/> None (open hole) <input type="checkbox"/> Louvered shutter <input type="checkbox"/> Key punched <input type="checkbox"/> Wire wrapped <input checked="" type="checkbox"/> Saw cut <input type="checkbox"/> Other (specify) SCREEN-PERFORATED INTERVALS: From 50 ft. to 70 ft., From ft. to ft. From ft. to ft., From ft. to ft. GRAVEL PACK INTERVALS: From 20 ft. to 70 ft., From ft. to ft. From ft. to ft., From ft. to ft.</p>									
<p>6 GROUT MATERIAL: <input type="checkbox"/> Neat cement <input type="checkbox"/> Cement grout <input checked="" type="checkbox"/> Bentonite <input type="checkbox"/> Other Grout Intervals: From 3 ft. to 20 ft., From ft. to ft., From ft. to ft. What is the nearest source of possible contamination: <input type="checkbox"/> Septic tank <input type="checkbox"/> Lateral lines <input type="checkbox"/> Pit privy <input type="checkbox"/> Livestock pens <input type="checkbox"/> Insecticide storage <input checked="" type="checkbox"/> Other (specify below) <input type="checkbox"/> Sewer lines <input type="checkbox"/> Cesspool <input type="checkbox"/> Sewage lagoon <input type="checkbox"/> Fuel storage <input type="checkbox"/> Abandoned water well <input type="checkbox"/> Watertight sewer lines <input type="checkbox"/> Seepage pit <input type="checkbox"/> Feedyard <input type="checkbox"/> Fertilizer storage <input type="checkbox"/> Oil well/gas well NONE - OPEN FIELD Direction from well Distance from well</p>									
FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS				
0	39	Clay							
39	45	Fine Sand							
45	67	Medium Sand w/few clay layers							
67	70	Shale							
<p>WATER RESOURCES RECEIVED</p> <p>SEP 12 2016</p> <p>KS DEPT OF AGRICULTURE</p>									
<p>7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was <input checked="" type="checkbox"/> constructed, <input type="checkbox"/> reconstructed, or <input type="checkbox"/> plugged under my jurisdiction and was completed on (mo/day/year) 10/28/2014 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 238 This Water Well Record was completed on (mo/day/year) 10/30/2014 under the business name of Premier Pump & Well Service, Inc. by (signature) <i>W. S. ...</i></p>									
<p>INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send one copy to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5524. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of \$5.00 for each constructed well. Visit us at http://www.kdheks.gov/waterwell/index.html</p>									

WATER WELL RECORD

Form WWC-5

Division of Water Resources App. No.

48,788

1 LOCATION OF WATER WELL: County: <u>Harvey</u>	Fraction $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ SW $\frac{1}{4}$	Section Number <u>29</u>	Township No. T <u>25</u> S	Range Number R <u>3</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W
---	--	-----------------------------	-------------------------------	---

Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here .
W 85th St N and N 295th St W
 WELL #2

Global Positioning System (GPS) information:
 Latitude: (in decimal degrees)
 Longitude: (in decimal degrees)
 Elevation:
 Datum: WGS 84, NAD 83, NAD 27
 Collection Method:
 GPS unit (Make/Model:)
 Digital Map/Photo, Topographic Map, Land Survey
 Est. Accuracy: <3 m, 3-5 m, 5-15 m, >15 m

2 WATER WELL OWNER: Boqner Dairy
 RR#, Street Address, Box #: 19019 S. Haven
 City, State, ZIP Code : Haven, KS 67543

3 LOCATE WELL WITH AN "X" IN SECTION BOX:
 N

W	--NW--	--NE--	E
	--S--	--SE--	

S
 |-----1 mile-----|

4 DEPTH OF COMPLETED WELL 70 ft.
 Depth(s) Groundwater Encountered (1) 44 ft. (2) ft. (3) ft.
 WELL'S STATIC WATER LEVEL 44 ft. below land surface measured on mo/day/yr.
 Pump test data: Well water was ft. after hours pumping gpm
 EST. YIELD 300 gpm. Well water was ft. after hours pumping gpm
 Bore Hole Diameter 30 in. to 70 ft., and in. to ft.
 WELL WATER TO BE USED AS: Public water supply Geothermal Injection well
 Domestic Feedlot Oil field water supply Dewatering Other (Specify below)
 Irrigation Industrial Domestic-lawn & garden Monitoring well
 Was a chemical/bacteriological sample submitted to Department? Yes No
 If yes, mo/day/yr sample was submitted.....
 Water well disinfected? Yes No

5 TYPE OF CASING USED: Steel PVC Other
 CASING JOINTS: Glued Clamped Welded Threaded
 Casing diameter .16 in. to .70 ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface .12 in., Weight .16 lbs./ft., Wall thickness or gauge No. SCH40
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel PVC Other (Specify)
 Brass Galvanized Steel None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE:
 Continuous slot Mill slot Gauze wrapped Torch cut Drilled holes None (open hole)
 Louvered shutter Key punched Wire wrapped Saw cut Other (specify)
 SCREEN-PERFORATED INTERVALS: From 50 ft. to 70 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.
 GRAVEL PACK INTERVALS: From 20 ft. to 70 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: Neat cement Cement grout Bentonite Other
 Grout Intervals: From 3 ft. to 20 ft., From ft. to ft., From ft. to ft.
 What is the nearest source of possible contamination:
 Septic tank Lateral lines Pit privy Livestock pens Insecticide storage Other (specify below)
 Sewer lines Cesspool Sewage lagoon Fuel storage Abandoned water well
 Watertight sewer lines Seepage pit Feedyard Fertilizer storage Oil well/gas well NONE - OPEN FIELD
 Direction from well Distance from well

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	39	Clay			
39	45	Fine Sand			
45	67	Medium Sand w/few clay layers			
67	70	Shale			
WATER RESOURCES RECEIVED					
SEP 12 2016					
KS DEPT OF AGRICULTURE					

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo/day/year) 10/28/2014 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 238 This Water Well Record was completed on (mo/day/year) 10/30/2014 under the business name of Premier Pump & Well Service, Inc. by (signature) [Signature]

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send one copy to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5524. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>

49,703

A & B Tool Sales
=====

Receipt # 43208

DATE OF PAYMENT: 09/08/2016

CUSTOMER

AUTHORIZED DEALER

Acct# 1344
SHOP: 96 AG
TANNER EMERICK
214 S PPLAR
WICHITA KS 67211
316-390-9346

Brian Unruh
A & B Tool Sales
2630 W 58TH CT N
WICHITA KS 67204
316-253-6429

Account Type : Time Payment
Method : Check
TP Min. Payment: \$11.17 (Every 7 Days)
NEXT WEEKLY PAYMENT DUE \$11.17

BALANCE SUMMARY

Account	Opening	Payment	Closing
Time Payment/Open Account	249.85	75.00	174.85
Extended Credit	0.00	0.00	0.00
	249.85	75.00	174.85

SCANNED

49,703

96 Agri Sales Inc

316.661.2281

10400 N. 247th St. W

Ht Hope, KS 67108

Date: 1/5/2015

Chart No: Bogner Bros, Mt. Hope, 750GPM, IWOB

Page 2

Dealer:

96 AGRI-SALES, INC.
MT. HOPE, KS
6079-10

Customer:

Bogner Bros
Mt. Hope
750GPM

Comments:

Machine

Mfg: Lindsay
Flow: 750.00 gpm
Pivot Pressure: 28.67 psi
Base Press: 33.23 psi
End Pressure: 20.00 psi
Spacing: Span dependent
Length: 1281.53 ft
GPM / Acre: 5.89 gpm
Average Drop: 10.0 ft
End Gun: P85A Single 21/32
End Gun Throw: 61.0 ft
Booster pump: None

Pipes

C Factor: 140
Pipe 1: 1236.7 ft, 6.39 inch ID
Pipe 2: 44.9 ft, 5.37 inch ID

Elevation

Difference above(+) pivot 0.00
Difference below(-) pivot 0.00
Elevation Rise included in calculation

Sprinklers

170 IWob UP3
(170)Low Ang 9



Regs

Position : Bottom
170 PSR-10

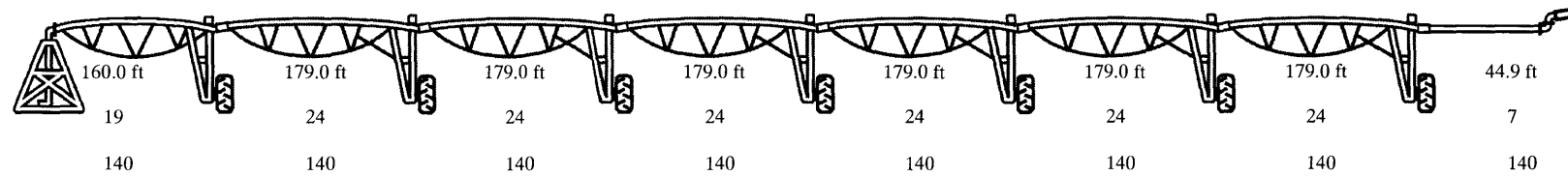
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Spans # 7



33.23 psi

49,703

96 Agri Sales Inc

316.661.2281

10400 N. 247th St. W

Ht Hope, KS 67108

Date: 1/5/2015

Chart No: Bogner Bros, Mt. Hope, 750GPM, IWOB

Page 5

Dealer:

96 AGRI-SALES, INC.
MT. HOPE, KS
6079-10

Customer:

Bogner Bros
Mt. Hope
750GPM

Comments:

Precipitation

Delivered Flow:	752.81 gpm
Length:	1281.53 ft
Area:	127.29 acre
Distance to last tower:	1236.66 ft
Speed of last tower:	11.11 ft
GPM / Acre: (360)	5.89 gpm
Time for coverage:	11.66Hrs
Tire Size	NFT
Motor loaded speed (RPM)	1725
Center gear box reduction (RATIO)	40:1
Wheel gear box reduction (RATIO)	50:1
End Gun Throw:	61.0 ft

Circle Degree 360

<u>Depth</u>	<u>Timer</u>	<u>Rotation</u>
0.15 inch	100.00%	11.7hrs
0.20 inch	75.87%	15.4hrs
0.30 inch	50.58%	23.0hrs
0.40 inch	37.94%	30.7hrs
0.50 inch	30.35%	38.4hrs
0.60 inch	25.29%	46.1hrs
0.70 inch	21.68%	53.8hrs
0.80 inch	18.97%	61.5hrs
0.90 inch	16.86%	69.1hrs
1.00 inch	15.17%	76.8hrs
1.25 inch	12.14%	96.0hrs
1.50 inch	10.12%	115.2hrs
2.00 inch	7.59%	153.6hrs
2.50 inch	6.07%	192.0hrs

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Caution**This chart is an estimate of the performance for your irrigation system. Tire inflation, tire slippage, soil conditions, flow fluctuations and other conditions can cause application and time deviations. The info above should be used as a guide and used with caution.

9-8-16

(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. 49,703

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.

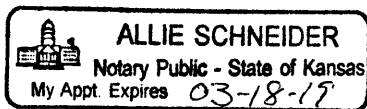
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Donald L. Bogner Trustee
Signature of Applicant

State of Kansas)
County of Sedgwick) ss

Donald L. Bogner Trust
(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 September, 2016.



Allie Schneider
Notary Public

My Commission Expires: 03-18-17

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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



Model
8500

Master Invoice No.
54626



Sprinkler
Job Ticket

Order #
50-06197

New / Used
New

Owner Bogner Bro's Phone 316-650-2678

Legal SW 29-T25-R3W Location MT Hope Circle GPS 37.843321 -97.679122

Tenant Bogner Bro Directions From 96 office to 85th SW, 1/4 N, 1/4 E

Salesman Jason W Hrs. 0 Approx. Ship Date Jan 15 2015 Today's Date Jan 14 2015

GPM: 800 Pivot Point
PSI: ? End of System
 Bottom of Drop
 Dual GPM

Sprinkler Models:
 Senn, IWOB, UP3
 Senn, IWOB W/Reg, UP3
 Senn, LDN, UP3
 Senn, LDN, W/Reg, UP3
 Nelson, O3000
 Nelson, O3000 W/ST Reg
 Nelson, D3000
 Nelson, D3000 W/ST Reg
 Nelson, R3000
 Nelson, R3000 W/ST Reg

Plate Type:
 Blue Black White
 Green Orange
 Concave Convex Flat
 6GRV 9GRV Chem
 24GRV 33GRV

Throw: LOW STD

Weight Poly Steel Nozzle
Size one

Pressure Regs. Ne. Blue Nel. Red Senn. PSR
Reg. Size 6 PSI 10 PSI 15 PSI 20 PSI

End Gun Type: SR 100 SR-75 New
 2-P85s 1-P85 Rebuilt
BP 3 HP 5 HP

Drop Poly Hose PVC FxF
 Blk Red FxM

Loop Stainless Senniger 180° 96
 MxM MxHB 125° LMC

SYSTEM INFORMATION						
Spn	Length	Pipe O.D.	Sprinkler Spacing	Outlets/ Span	Drops <input type="checkbox"/> Length or <input checked="" type="checkbox"/> Clearance	PSI Regs.
1	160	6 3/8	30"	17	46.6	10
2	179	6 3/8	30"	24	46.6	10
3	↓	↓	↓	↓	↓	↓
4	↓	↓	↓	↓	↓	↓
5	↓	↓	↓	↓	↓	↓
6	↓	↓	↓	↓	↓	↓
7	↓	↓	↓	↓	↓	↓
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
O.H.	33'	5 1/16	30"	4	46.6	10

O.H. _____
 Total Length: 1270 No. of Outlets: 165
 Field Elev. 5 ft. Below Pivot Point
 Field Elev. 5 ft. Above Pivot Point

Tire Size: NF TRAX Agri-Trac Tubes
 11.2 x 24 11 x 22.5
 14.9 x 24 11.2 x 38

LAST TWR TIRE SIZE _____

Other Nozzling Information _____

Drop Package
 96 Agri
 LMC
 Other _____

Nozzle Package
 96 Agri
 LMC
 Other _____

Field Conditions
 Mowed _____
 Soil Type _____
 Crop _____

Wire Size
 12 ga.
 10 ga. _____
 8 ga. _____

Pivot Style
 Standard Duty with Braces
 Compact - ZTECH
 Heavy Duty
 Non-Towable
 Towable
 Valley Feet
 HD Anchor
 Standard Anchor

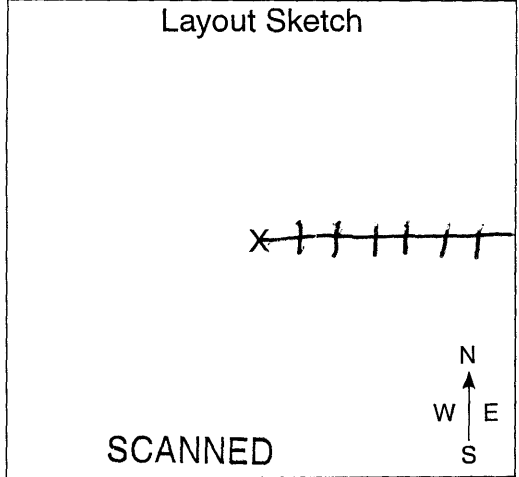
Pivot Panel Style
 Field Basic
 Field Vision
 Field Boss
 Field Net _____

QTY	LMC	96		QTY	LMC	96	
<u>1</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Auto Restart _____	<u>1</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	End Tower Light _____
<u>1</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Auto Reverse, Any Tower <u>LAST</u>		<input type="checkbox"/>	<input type="checkbox"/>	Strobe Light _____
<u>2</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barricade		<input type="checkbox"/>	<input type="checkbox"/>	Rotophase _____
<u>1</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Flush Out Kit		<input type="checkbox"/>	<input type="checkbox"/>	Generator _____
	<input type="checkbox"/>	<input type="checkbox"/>	Pivot Skids		<input type="checkbox"/>	<input type="checkbox"/>	Auto Drain _____
	<input type="checkbox"/>	<input type="checkbox"/>	Disconnect _____		<input type="checkbox"/>	<input type="checkbox"/>	Auto Dry Track _____
	<input type="checkbox"/>	<input type="checkbox"/>	Hookup Pipe _____	<u>1</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Flushout, Sandtrap W"B, Valve 8'
	<input type="checkbox"/>	<input type="checkbox"/>	Auto Restart _____	<u>1</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	End Drop Gauge Assy. _____
	<input type="checkbox"/>	<input type="checkbox"/>	Pressure Restart _____	<u>4</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Drop Valves <u>4 ST 4 Drops</u>
	<input type="checkbox"/>	<input type="checkbox"/>	Chemigation, Pump _____	<u>1</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Boots and Clamps <u>at P.P.</u>
	<input type="checkbox"/>	<input type="checkbox"/>	Chemigation, Male Plug _____		<input type="checkbox"/>	<input type="checkbox"/>	Z Drain _____
	<input type="checkbox"/>	<input type="checkbox"/>	Chemigation, Female Plug _____		<input type="checkbox"/>	<input type="checkbox"/>	Cable Theft Clamps _____

Type of Power: 3 Phase 1 Phase
 Roto Phase Location: Pivot Point REA Pole
 Generator Location: _____ _____
 Pivot(s) Staked: Yes Existing
 Pad Type: Zimm *New*

Mount Panel
 N S E W
 Riser Location
 N S E W

SPECIAL INSTRUCTIONS _____
SWAP END GUN



WHITE - Mt. Hope GREEN - Parts Dept. CANARY - Service Dept. PINK - Structure Crew GOLDENROD - Sales

Ireland, Leslie

From: Lanterman, Jeff
Sent: Thursday, May 25, 2017 2:03 PM
To: Conant, Cameron; Ireland, Leslie
Subject: RE: Recommendation for File No. 49703 and Change, File No. 48788_Bogner

Leslie. I recommend the change and new app be approved.

Thanks
Jeff

From: Conant, Cameron
Sent: Thursday, May 25, 2017 11:53 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation for File No. 49703 and Change, File No. 48788_Bogner

From: Conant, Cameron
Sent: Tuesday, May 23, 2017 2:42 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation for File No. 49703 and Change, File No. 48788_Bogner

Jeff, this is a change on a newly approved in 2014, senior file to cover additional acres and will be completely overlapped in p/d and p/u with a new app to cover the full pivot and allow additional quantity. The senior file has only been in use for 2 years and authorized this same pivot, but the owners only had access to $\frac{3}{4}$ of the pivot so that is what the senior file covered. They apparently now own the last quarter of the pivot and have filed for additional water from the existing wells to cover the full pivot.

This went through GMD#2 already, SY and spacing are ok and the junior file allows for the entire quantity, limited to the max reasonable. There was a call from the nearby owner to the south stating he was against the application, but he never provided any written comments. The completed irrigation well logs at a depth of 70' show just over 26' of saturated thickness with shale @ 67' and SWL of about 44'. I have no idea about the 2 nearby domestic well logs, there is nothing in the WWC-5's.

Here are the nearest hydrographs. What I would guess is the most representative of the irrigation wells in the area is #3 and it is fairly steady/rising in recent years and appears to fluctuate a few feet during an irrigation season: (based on this hydrograph, if the domestics are drilled properly, they should be fine even during irrigation season)
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375031097394902 (#1 on map, unknown depth)
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375020097391401 (#2 on map, 48'-measured since 1938...)
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375115097403303 (#3 on map, 55' deep) I think this is the most representative graph as it similar depth as the irrigation wells and shows a similar water level as shown on the completed irrigation logs when they were drilled in 2014. Bear in mind, the lows on this hydrograph are quarterly measurements.

I think the p/u change on the senior file can be recommended for approval and I think the new application can be recommended for approval, please pass on to Leslie if you agree. That said, these are the two most junior water rights in the entire 2 mile circle. There is really no reason for the junior file at this point, other than 2 years of priority, which in the immediate area is not beneficial. I wonder if they'd be willing to voluntarily dismiss the senior application? A

Ireland, Leslie

From: Ireland, Leslie
Sent: Tuesday, May 9, 2017 3:26 PM
To: Lanterman, Jeff; Conant, Cameron
Subject: Recommendation for File No. 49703 and Change, File No. 48788_Bogner
Attachments: 49703_app irr 48788_PU__ 2_2.docx

Jeff & Cameron,

Attached is the summary memo for the proposed new application and change in place of use for the Bogners.

Please let me know if you would recommend the approval of this package of applications.

As always comments and concerns are welcome.

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

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

May 5, 2017

Donald L. Bogner
19019 S. Haven Road
Haven, KS 67543

Re: Water Permit No. 48788 Change in Place of Use Application
Appropriation Application No. 49703

Dear Mr. Bogner:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that change application No. 48788 and new application no. 49703 both be approved. Pursuant to K.A.R. 5-22-4a, the well battery described in the applications must be equipped with a District approved water flowmeter: The battery is located in the Southwest Quarter of the Southwest Quarter of Section 29, Township 25 South, Range 3 West, Sedgwick County.

The well battery must be properly equipped with an approved meter within 30 days after the approved well battery is operational and prior to its operation. If more time is needed to install the meter or modify an existing meter installation, you may request an extension of time. The request must be made to the District before the end of the 30-day period.

Enclosed is a Flow Meter Installation form to be completed and returned to this office after completion of the meter installation or modifications. A copy of the Division of Water Resources' meter installation notification form (Notice and Proof of Completion of Works) may be substituted for the District form. Upon receiving the completed form, the District will inspect the installation.

Also enclosed is a copy of water meter and installation specifications. The water meter must meet these specifications and the list of certified water meters provided under K.A.R. 5-1-12, for District approval. The list of certified water meters can be obtained by contacting the District or at following link: <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you have any questions about the District's metering program or the enclosed material, please contact the District for assistance.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/STF

Enclosures

Pc: Jeff Lanterman, Division of Water Resources, Stafford

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



DIRECTORS:
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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

May 3, 2017

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

Re: Appropriation Application No. 49703 – Donald L. Bogner

Dear Ms. Ireland:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced application on May 3, 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.

The District's review found that the proposed point of diversion for Application No. 49703 is identical to the currently authorized well battery location for Water Permit No. 48788 and that the place of use described in Application No. 49703 will form a complete overlap in place of use with the pending change application filed on Water Permit No. 48788.

The application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Based upon the review, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2, subject to the quantity of water and maximum rate of diversion being further limited to 171.6 acre-feet per year and 800 gallons per minute when combined with Water Permit No. 48788.

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

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

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/db
Enclosures

pc: Donald L. Bogner
Jeff Lanterman, Division of Water Resources, Stafford



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

1) Application No. 49703 Date filed: 9/12/16
 2) Applicant: Donald L. Bogner County: SG
 3) Proposed maximum quantity: 171.6 LTD acre-feet/year Rate: 800 GPM
 4) Proposed Use: Irrigation
 5) P/D location: SW SW SW 29-25S-3W Geo Center: North 550 ft, West 5230 ft
 6) Number and type of points of diversion listed on the application 2 Well Battery

7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8? Yes No, Why _____

8) Meets Safe Yield K.A.R. 5-22-7? Yes No N/A

(a) Total allowable appropriations: 2231.50 af/yr
 (b) Total existing appropriations: 2195.13 af/yr
 (c) Total small user exemptions: 0.00 af/yr
 (d) Total non-consumptive use: 0.00 af/yr
 (e) Total consumptive use: 2195.13 af/yr
 (Total existing appropriations) – (Total non-consumptive use)
 (f) exempt from regulation? Yes No,
 Cite exemption: _____

9) Meets Well Spacing K.A.R. 5-22-2? Yes No N/A

(a) POD in enhanced well spacing area? Yes No
 (b) Domestic well spacing interval: >960 ft
 (c) Non-Domestic well spacing interval: >1620 ft

10) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A

(a) Irrigation max quantity: 1.3 acre-feet / acre
 application paragraph 3 value (acre-feet) / proposed acres = Q
 (b) Stockwater max quantity: _____ GPD _____ unit
 (c) Industry max quantity: _____ Acre
 Industry standard: _____
 (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)
 (e) Pond max quantity is _____
 (Net evap + seepage)/12 x pond area + any initial fill
 (f) Groundwater pit max Q: _____
 Net evap * pit area/12

11) Reasonable rate for intended use? Yes No N/A
 12) Depth to water: 32 ft bls at observation well: EB 212C

13) Date reviewed: May 3, 2017 *Renewed 5-3-2017*
 14) Reviewed by: S. Flaherty Title: Hydrogeologist
 15) District recommendation: Approve Deny Other, see comment

16) Comments and Calculations:

Review complete for a new application submitted by Donald Bogner for Irrigation use in Sedgwick County
 Complete Overlapping Place of Use with pending change in place of use application filed on No. 48788
 Complete Overlapping Point of Diversion with No. 48788
 Surrounding Well Owner Notifications sent
 No Well Owner Inquiries
 Rate/Quantity Limited to 176.1 acre feet and 800 GPM when combined with file No. 48788
 No Special Use Areas or IGUCAs
 Recommend Approval, Complies with K.A.R. 5-22-1 through 5-22-17

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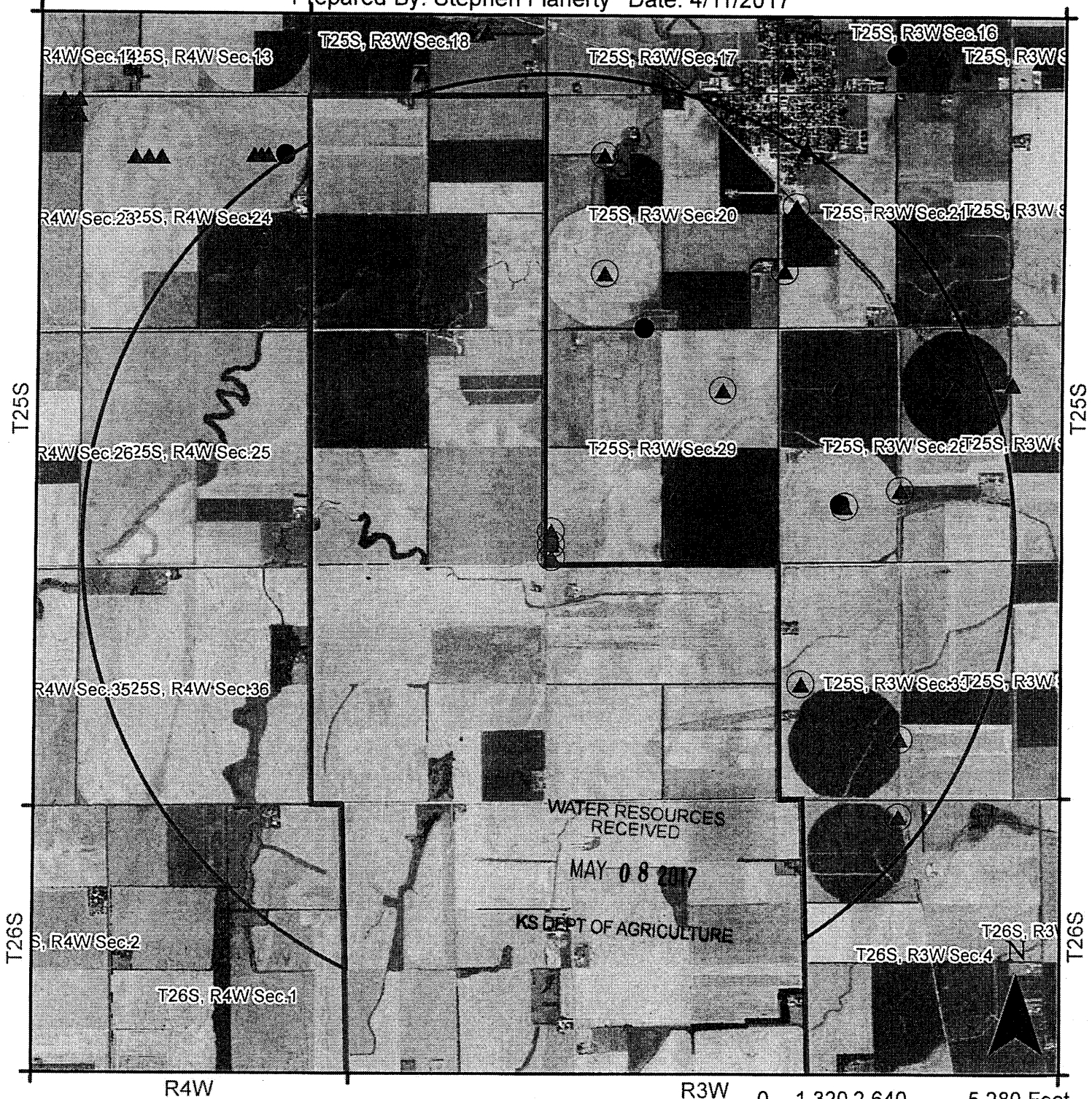
Scanned

Equus Beds Groundwater Management District No. 2

Safe Yield Evaluation No. 49703

LOCATION: SWSWSW (550'N & 5230'W) 29-25S-03W, Sedgwick County

Prepared By: Stephen Flaherty Date: 4/11/2017



Map Legend

- Observation Well
- Bedrock
- Proposed Point of Diversion
- Authorized Place of Use
- Authorized Location
- Burrton IGUCA
- Hollow Nikkel SWQUA
- McPherson IGUCA
- Enhanced Well Spacing Area
- Application Suspension Area
- Proposed Place of Use

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

SCANNED

SAFEYIELD EVALUATION no. 49703

LOCATION: SWSWSW (550'N & 5230'W) 29-25S-03W, Sedgwick County

SPECIAL USE AREA: None

EVALUATION DATE:- 4/11/2017

Total Areas: 4,463 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 4,463 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A00449100	845	26S	03W	4	NENENW	IRR	165
A00546100	1309	25S	03W	28	38941309	IRR	78
A00611400	227	25S	03W	20	NCNW	IRR	145
A00624400	703	25S	03W	29	SWNWSE	IRR	216
A01331900	317	25S	03W	33	26004920	IRR	58
A01968200	1607	25S	03W	28	13003880	IRR	114
A02903700	686	25S	03W	29	39601320	IRR	216
A02938800	191	25S	03W	21	13205200	IRR	90
A02966200	1545	25S	03W	28	39603970	IRR	185
A02969900	326	25S	03W	28	16402610	IRR	150
A03063800	1318	25S	03W	20	13203980	IRR	194
A03537700	516	25S	03W	28	13003880	IRR	102
A03556200	532	25S	03W	21	28004930	IND	1.53
A03906000	940	25S	04W	24	21301130	IRR	150
A04283300	2472	25S	03W	33	13562662	IRR	87
A044962A0	2921	25S	03W	33	13562662	IRR	72
A04878800	4152	25S	03W	29	5505230	IRR	128.7
A04878800	4153	25S	03W	29	2605230	IRR	0
A04878800	4154	25S	03W	29	8405230	IRR	0
A04970300P	4916	25S	03W	29	5505230	IRR	42.9
A04970300P	4917	25S	03W	29	2605230	IRR	0
A04970300P	4918	25S	03W	29	8405230	IRR	0
Allowable Appropriations		2,231.50			Total Existing Appropriation		2,195.13
Small User Quantity		0			Non Consumptive Appropriations		0
Remaining SUQ		45			Consumptive Appropriations		2,195.13
Note- Values are in acre-feet					Available Appropriations		36.37

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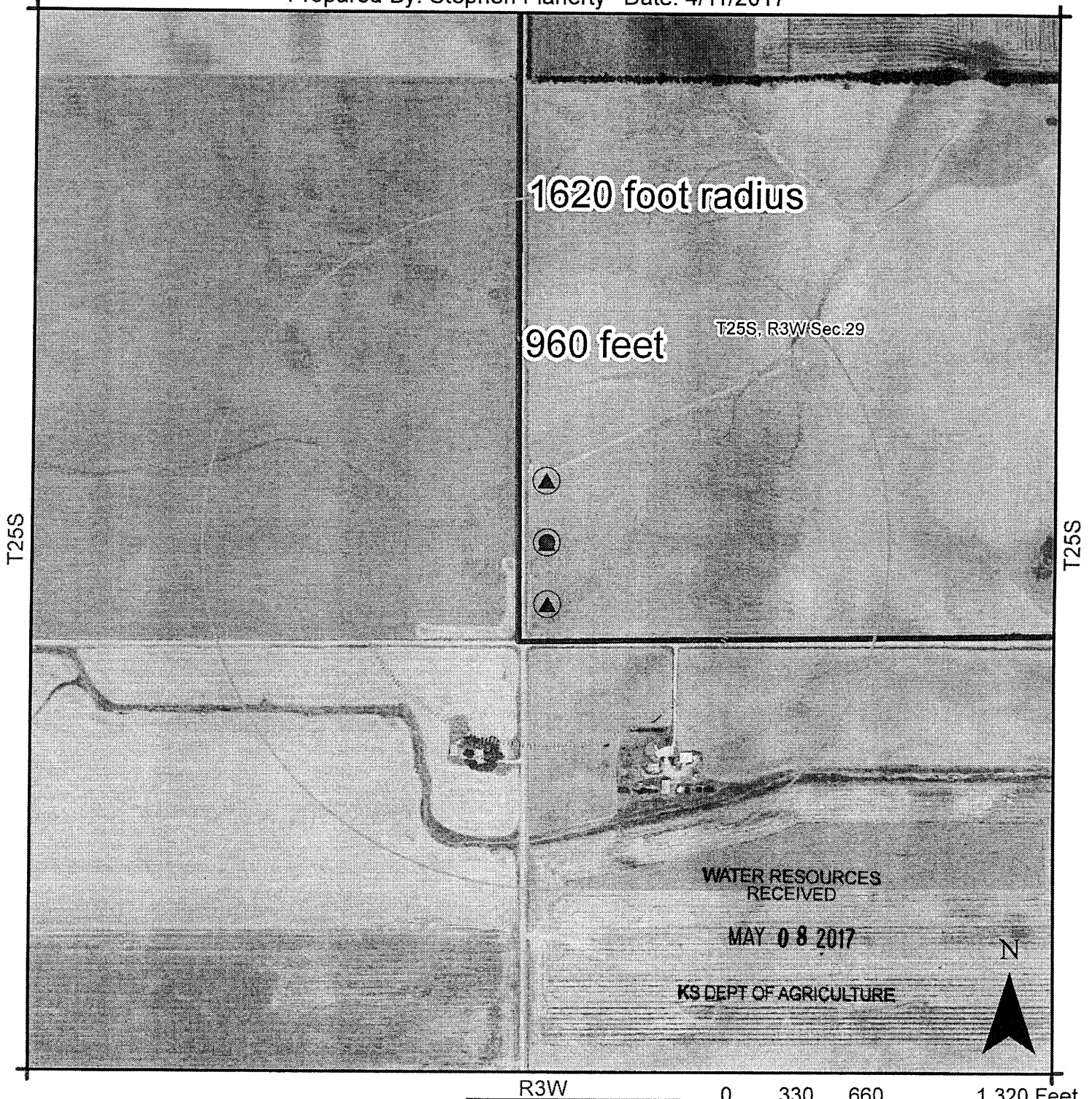
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Equus Beds Groundwater Management District No. 2

Spacing Evaluation No. 49703


LOCATION: SWSWSW (550'N & 5230'W) 29-25S-03W, Sedgwick County

Prepared By: Stephen Flaherty Date: 4/11/2017



Map Legend

- Observation Well
- Bedrock
- ▨ Authorized Place of Use
- ▩ Proposed Place of Use
- Proposed Point of Diversion
- ▲ Authorized Location
- ▨ Burrton IGUCA
- ▩ Hollow Nikkel SWQUA
- ▨ McPherson IGUCA
- ▩ Enhanced Well Spacing Area
- ▨ Application Suspension Area


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

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

April 4, 2017

GROUNDWATER MANAGEMENT DISTRICT NO 2
ATTN TIM BOESE MANAGER
313 SPRUCE
HALSTEAD KS 67056

Re: Application for Change, Appropriation of Water, File No. 48,788
New Permit, File No. 49,703

Dear Mr. Boese:

In response to the April 3, 2017, E-mail, of your Administrative Assistant, Rebecca Wilson, the Chief Engineer has extended the time in which to submit a recommendation concerning the September 12, 2016, applications for the files referenced above.

At her request the Chief Engineer has delayed any further action until May 3, 2017.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosure

pc: Stafford Field Office
Donald L. Bogner

FILE COPY

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 17, 2017

GROUNDWATER MANAGEMENT DISTRICT NO 2
ATTN TIM BOESE MANAGER
313 SPRUCE
HALSTEAD KS 67056

FILE COPY

Re: Application for Change, Appropriation of Water, File No. 48,788
New Permit, File No. 49,703

Dear Mr. Boese:

We are enclosing a copy of the application for change and new permit referred to above which appear to be in proper form. No comments of any kind were received from the required notice to nearby water right owners.

We will delay and further action on the application for a period of 15 days from the date of this letter to allow you time to submit your recommendation.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosure

pc: Stafford Field Office
Donald L. Bogner

SCANNED

ADDRESS LISTING NEARBY NOTIFICATION LETTER DATED MARCH 1, 2017
Water Right, File No. 48,788
Permit, File No. 49,703

Domestic well NW Section 32
ROBERT & KATHLEEN DICK
29311 W 85TH STREET NORTH
MOUNT HOPE KS 67108

Domestic well NE SEC 31, TWN 25 RNG 3W WELL LOG APPROX 70 FEET TO SHALE
SWL IN 1985 WAS AT 55FT

WINTERLAND LLC
ORAN WINTER
25930 W 77TH STREET NORTH
MOUNT HOPE KS 67108

FILE COPY
SCANNED

Jackie McClaskey, Secretary

Governor Sam Brownback

March 1, 2017

ROBERT & KATHLEEN DICK
29311 W 85TH STREET NORTH
MOUNT HOPE KS 67108

RE: Water Right, File No. 48,788
Permit, File No. 49,703

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

The owner of the referenced appropriation of water has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. The application proposes to change the existing place of use from a partial to a full pivot system for the irrigation of 132 acres under File No. 48,788, along with a new appropriation under File No. 49,703. The new application, File No. 49,703, proposes the diversion of a limited 171.6 acre-feet of groundwater per calendar year, with the rate also limited to 800 gallons per minute, of which 128.7 acre-feet at 800 gallons per minute is currently authorized by File No. 48,788. The proposed diversion that will be authorized by the referenced files is described as:

a battery of two (2) wells, with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 29, more particularly described as being near a point 550 feet North and 5,230 feet West of the Southeast corner of said section, in Township 25 South, Range 3 West, Sedgwick County.

Information supplied by the applicant indicates that you as a nearby landowner may have a well or wells in this vicinity, therefore you are being notified. Should you want to comment or provide other information which you desire to submit, please do so within 15 days for the date of this letter.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have a file number ready so that we may help you more efficiently.

Sincerely,



Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office
Groundwater Management District No. 2

FILE COPY
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 1, 2017

WINTERLAND LLC
ORAN WINTER
25930 W 77TH STREET NORTH
MOUNT HOPE KS 67108

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Permit, File No. 49,703

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A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office
Groundwater Management District No. 2

FILE COPY
SCANNED



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

September 12, 2016

DONAL L BOGNER
19019 S HAVEN RD
HAVEN KS 67543

FILE COPY

RE: Application
File No. 49703

Dear Sir or Madam:

Your application for permit to appropriate water in 29-25S-3W in Sedgwick 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) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

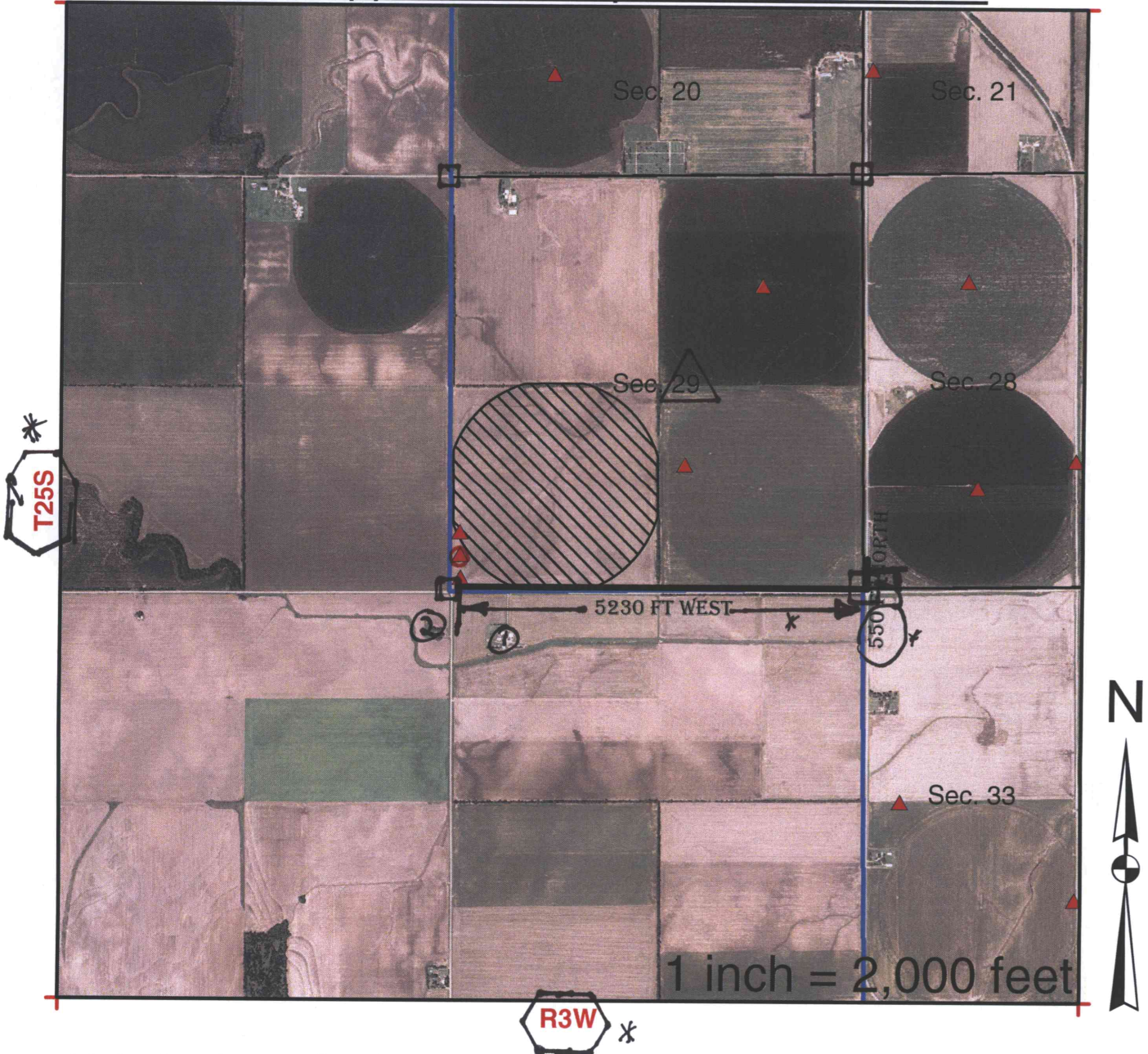
Sincerely,

Brent A Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STAFFORD Field Office
GMD 2

SCANNED

New Application Proposed Place of Use



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.

Donald J. Bogner Justice
Signature

9-8-16
Date

4510WR
3/1/17

- New Application
- Application No. 000 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

SEP 12 2016

See attached list for surrounding well owners