

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

1. File Number: 19251	2. Status Change Date:	3. Change Num: 1	4. Field Office: 02	5. GMD: 05
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 12/20/17
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8a. Applicant(s) Person ID _____
 New to system Add Seq# _____

8c. Landowner(s) Person ID _____
 New to system Add Seq# _____

8b. Landowner(s) Person ID **4943**
 New to system Add Seq# **1**

NAME CHANGE

**DAVID D ESSMILLER REV INTER VIVOS TR
 66 SW 30 AVENUE
 GREAT BEND KS 67530-9707**

8d. WUC Person ID **4943**
 New to system Add Seq# **1**

NAME CHANGE

**DAVID D ESSMILLER REV INTER VIVOS TR
 66 SW 30 AVENUE
 GREAT BEND KS 67530-9707**

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2018** N & P Date to Comply: _____

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **1/23/18** By: **TJS**
 Date Entered: _____ By: _____

File No. **19251** 11. County: **BARTON** Basin: **Arkansas River** Stream: --- Formation Code: --- Special Use: ---

12. Points of Diversion Rate and Quantity
 CHK Authorized Additional
 MOD Rate Quantity Rate Quantity
 DEL PDIV Qualifier S T R ID 'N 'W Comment (AKA Line) gpm/cfs af/mgy gpm/cfs af/mgy Overlap PD Files
 ENT

CHK 7254

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	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						
ENT	5446	35	19	S	14	W	1									38.9	37.8	37.7	38.6	0.6	33.8	38.9	0.6	226.9	8b	YES	35141
DEL	63498	35	19	S	14	W	6																				

Base Acres: **130** Year: **Multiple** Minimum Reasonable Quantity: **1.18 AF/acre**

Comments:

5. **Presently authorized point of diversion:**
 One in the -- Quarter of the CW Quarter of the SE Quarter
 of Section 35, Township 19 South, Range 14 (W),
 in Barton County, Kansas, 1,320 feet North 2,640 feet West of Southeast corner of section.
 Authorized Rate 2000 GPM Authorized Quantity 195 acre-feet Depth of well 84 (feet)
(DWR use only: Computer ID No. 1 GPS feet North feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the Quarter of the Quarter of the Quarter
 of Section , Township South, Range (E/W),
 in County, Kansas, feet North feet West of Southeast corner of section.
 Proposed Rate Proposed Quantity Proposed well depth (feet) .
 This point is: Additional Well Geo Center List other water rights that will use this point .

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

7. The changes herein are desired for the following reasons?
 (please be specific) We are moving the existing pivot ~110' to
the east to accommodate the changes proposed under
File No. 35,141 and creating a complete p/u overlap.

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

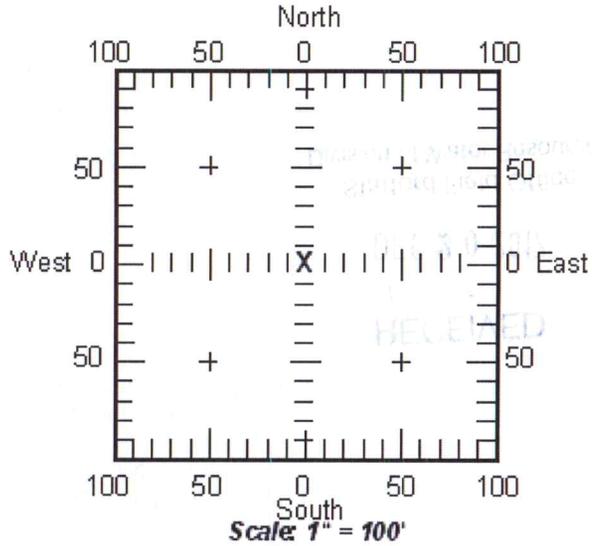
9. The change(s) (was)(will be) completed by?
as soon as possible

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

11. Groundwater Management District recommendation
 attached? Yes No

12. Assisted by CRC-Stafford Field Office

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



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

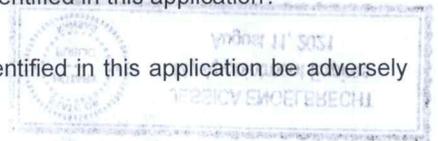
RECEIVED

DEC 20 2017

Stafford Field Office
 Division of Water Resources

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

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



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

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

Dated at Stafford, Kansas, this 19th day of December, 2017.

David Essmiller
 (Owner)
DAVID Essmiller
 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

Deanna Essmiller
 (Spouse)
Deanna Essmiller
 (Please Print)

 (Spouse)

 (Please Print)

 (Spouse)

 (Please Print)

State of Kansas }
County of Stafford } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19th day of December, 2017.



Jessica Engelbrecht
Notary Public

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

FEE SCHEDULE

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

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

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Stafford, Kansas
Division of Water Resources

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 19,251.

1. A change application was received on 12/20/2017 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018,** or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.
 Applicable Not Applicable
7. **Installation of the works for diversion of water shall be completed on or before December 31, 20____,** or within any authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
 Applicable Not Applicable
8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
10. Additional Conditions are attached. Yes No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502.** Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

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DEC 20 2017
Stafford Field Office
Division of Water Resources

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: Jeff Lanterman
Duly Authorized Designee of the Chief Engineer

(Print Name): Jeff Lanterman
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 1/24/2018

State of Kansas _____)
County of Stafford) SS

Acknowledged before me on 01/24/2018
by Jeff Lanterman

Signature: Jessica Engelbrecht
Notary Public



My commission expires: _____ (Notary Seal)

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

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

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

Dated at Great Bend, Kansas, this 20 day of December, 2017.

	<u>Deanna Esmitter</u> (Spouse)
(Owner)	(Spouse)
	<u>Deanna Esmitter</u> (Please Print)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
 County of Barton } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20 day of December, 2017.

Constance Dunlap
Notary Public

My Commission Expires 10-5-2018.

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

FEE SCHEDULE

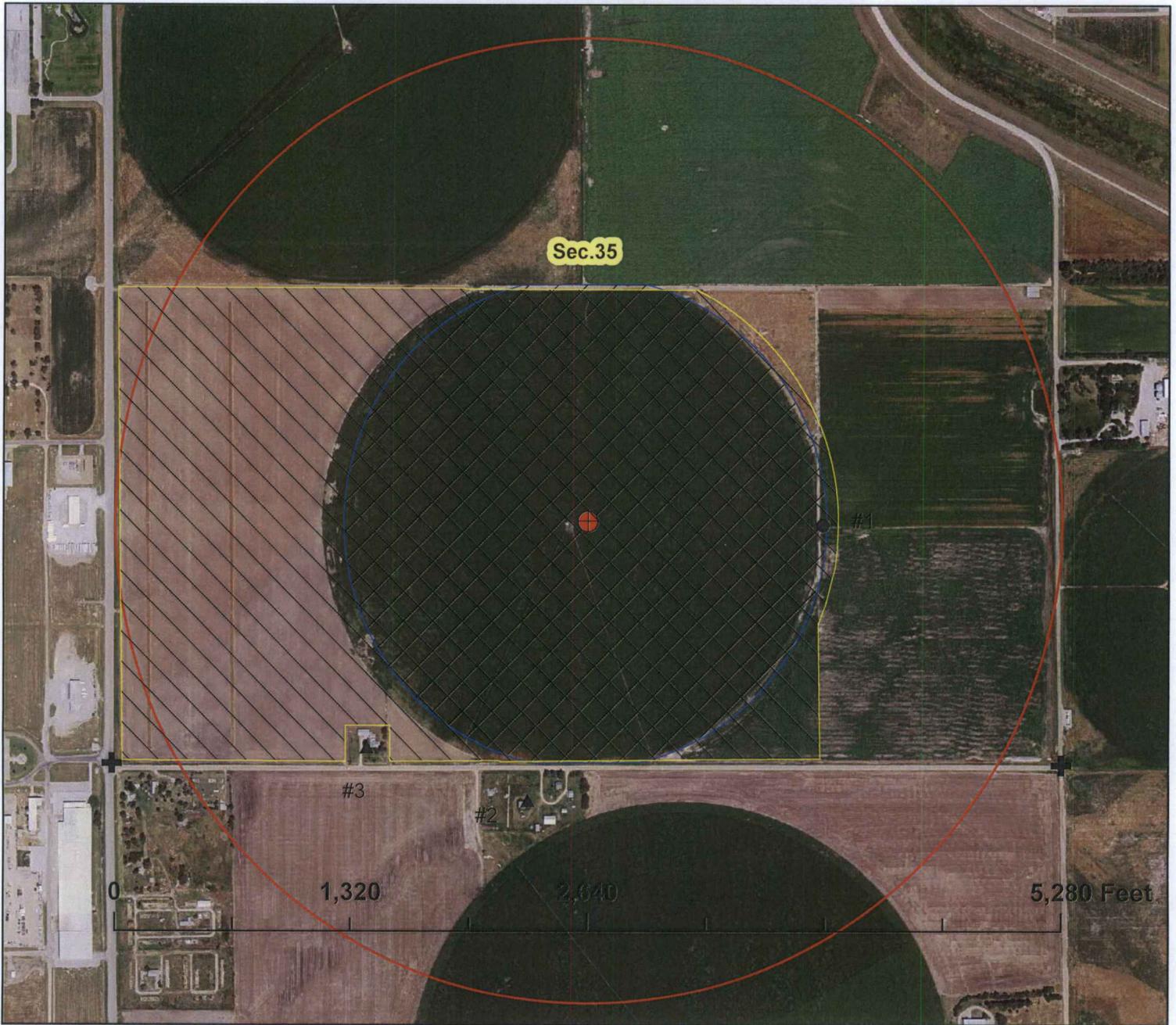
Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

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

DEC 20 2017

Stafford Field Office
 Division of Water Resources

Place of Use Change Application Map, File No. 19,251
Sec.35-T19S-R14W in Barton County



- ⊕ authorized P/D located 1320'N & 2640'W
- nearby permitted wells ▲ nearby domestic wells
- currently authorized place of use covering 130 acres
- proposed place of use covering 226.9 acres
- + section corners 1/2 mile circle around P/D

#1- File No. 35141-owned by applicant
 #2 domestic well
 Brinning Land LLC-Robert Brinning
 215 S Monarch ST #203
 Aspen, CO 81611-2916
 #3 domestic well
 Derek K & Christina M Genova
 9047 6th ST, Great Bend, KS 67530



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Stafford Field Office
 Division of Water Resources

By signing below I agree that all wells, including domestic, within 1/2 mile of the point of diversion have been shown on the map.

Rand Emmell 12/19/2017

signature

date

1 inch = 833 feet

map created on 12/14/17 scale 1:10,000



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

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

December 22, 2017

Brinning Land LLC
Robert Brinning
215 S Monarch ST #203
Aspen CO 81611-2916

RE: Water Right, File No(s). 19,251 & 35,141

Dear Water User,

This is to advise you that David Essmiller, on behalf of the David Essmiller Revocable Inter Vivos Trust, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under File No. 35,141 and place of use under both of the above referenced files. You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Saryerwinnie".

Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD#5



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

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

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov

Sam Brownback, Governor

December 22, 2017

Derek K & Christina M Genova
9047 6th St
Great Bend KS 67530

RE: Water Right, File No(s). 19,251 & 35,141

Dear Water User,

This is to advise you that David Essmiller, on behalf of the David Essmiller Revocable Inter Vivos Trust, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under File No. 35,141 and place of use under both of the above referenced files. You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Saryerwinnie", followed by a horizontal line.

Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD#5



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

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

December 22, 2017

Larry L & Mary Sloan
PO Box 70
Albert KS 67511

RE: Water Right, File No(s). 19,251 & 35,141

Dear Water User,

This is to advise you that David Essmiller, on behalf of the David Essmiller Revocable Inter Vivos Trust, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under File No. 35,141 and place of use under both of the above referenced files. You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

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

Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD#5

Saryerwinnie, Tyler [KDA]

From: Christina Genova <chrissy@fuelwith.us>
Sent: Tuesday, January 02, 2018 3:21 PM
To: Saryerwinnie, Tyler [KDA]
Subject: Water Right, File No(s) 19,251 and 35,141

Follow Up Flag: Follow up
Flag Status: Flagged

Tyler,

I received a letter regarding our neighbor moving and adding a pivot next to our property. I pulled up the files 19,251 and 35,141 and that's what I seem to understand, that he is moving one pivot and adding a second pivot. We are new to rural living, so my question is should I be concerned? My initial thought is there is a risk that we may not have enough water for our well. I don't know much about the water issues of Kansas, as we grew up in Colorado, and I understand the water supply is much different here.

My question really is what questions should I ask or what should I be knowledgeable about regarding this diversion change? If this is easier discussed you can contact me at my office at 620-796-2130 or cell at 719-240-1942.

I appreciate your information.

Thank you,

Chrissy

Christina Genova

Centerline Aviation, LLC
KGBD - Great Bend Airport
9047 6th Street
Great Bend, KS 67530
620-796-2130

Saryerwinnie, Tyler [KDA]

From: Fitch, Elizabeth [KDA]
Sent: Tuesday, January 02, 2018 5:06 PM
To: Saryerwinnie, Tyler [KDA]
Subject: Nearby well owner call

Follow Up Flag: Follow up
Flag Status: Flagged

Tyler,

I talked to Chrissy Genova about the changes under File No. 19251 and 35141. She was just wanting to make sure she understood the reason for the letters and what the proposed changes were about. We discussed that and that if should there be any issues in the future, she is not limiting her ability to claim impairment if need be. We also talked about that process a bit. She has no concerns at this time.

Elizabeth K Fitch, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311

**My e-mail address has changed: elizabeth.fitch@ks.gov
agriculture.ks.gov**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: January 9, 2018

FROM: Tyler Saryerwinnie

RE: Water Right, File Nos. 19251 & 35141
Nearby Owner Notification

On December 20, 2017, David Essmiller filed an application to change the place of use under File No. 19251 and an application to change the point of diversion/place of use under File No. 35141.

On December 22, 2017, Three (3) surrounding well owners were notified of the proposed change applications and were given a deadline to submit comments to the Field Office by January 5, 2018.

On January 2, 2018, Christina Genova sent an email with questions about the nearby notification letter dated December 22, 2017 regarding the above mentioned change applications. Also on January 2, 2018, Christina called the Stafford Field Office to discuss the matter. In an email dated January 2, 2018, Elizabeth Fitch of the Stafford Field Office outlines her conversation with Christina. After their discussion, the water user did not have any more concerns regarding the change applications.

No other nearby owners called the Field Office or submitted comments in writing.

This application can be moved on to GMD #5 for further review and recommendation.

Saryerwinnie, Tyler [KDA]

From: Saryerwinnie, Tyler [KDA]
Sent: Tuesday, January 09, 2018 9:16 AM
To: Orrin Feril (oferil@gmd5.org)
Cc: Conant, Cameron [KDA]
Subject: GMD Recommendation Request - File Nos. 19251 & 35141
Attachments: 19251.35141.CoverLetter+Base+Notif Memo.pdf; 19251.Change App.pdf; 35141.Change App.pdf

Orrin,

I have attached a cover letter and copies of two (2) change applications for GMD recommendation. I have also included a memorandum outlining the responses received and copies of the base acre reviews for each file. Please provide the GMD recommendation by no later than January 30, 2018.

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

Thank you,

Tyler

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



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

Jackie McClaskey, Secretary
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Jeff Lanterman, Water Commissioner

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

January 9, 2018

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

RE: Place of Use Change Application, File No. 19,251
Place of Use/Point of Diversion Change Application, File No. 35141

Dear Mr. Feril,

We are enclosing copies of the applications, as referenced above, for your review and recommendation. At this time the applications appear to be in proper form. Notification letters were sent to all nearby well owners shown on the application map. These owners were given a 15 day comment period; one response was received.

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

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

Sincerely,

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

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

Enclosure

Saryerwinnie, Tyler [KDA]

From: Orrin Feril <oferil@gmd5.org>
Sent: Monday, January 22, 2018 9:43 AM
To: Saryerwinnie, Tyler [KDA]
Subject: Application for Change, Water Right, File No. 19251
Attachments: 19251 2018-01-22 Rec.pdf

Tyler,
I'm attaching the recommendation requested by your office in a letter dated January 09, 2018. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

--

Orrin Feril

Manager
Big Bend GMD#5
Email: oferil@gmd5.org
Phone: (620) 234-5352
Mobile: (620) 388-0172
Fax: (620) 234-5718
www.gmd5.org

Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Jerry Cullop - Rice (Sec.)
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Bob Standish - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
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January 22, 2018

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

RE: Water Right File No. 19251
Change in the Place of Use

Dear Mr. Saryerwinnie,

Big Bend Groundwater Management District #5 has reviewed the above referenced application to change the place of use. It is the understanding of the District that the intent of this change is to create an overlap of the place of use with water right file number 35141. Therefore, the application appears to be consistent with 5-25-20(b) and is recommended for approval.

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

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

Sincerely,

Orrin Feril
Manager

RECEIVED

JAN 22 2018

Stafford Field Office
Division of Water Resources