Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 43046	2. Status Change Date:	3. Change Num:	4. Field Office: 02	5. GMD: 02
6. Status: Approved	Denied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 1/4/18
8a. Applicant(s) New to system □	Person ID Add Seq#	8c. Landown New to sy		Person ID Add Seq#
8b. Landowner(s) New to system MILES G & JOYCE D 817 N HERREN RD NICKERSON KS 67		817 N I	ostem □ G & JOYCE D I HERREN RD RSON KS 6756	
	Meter Seal ⊠ Check Valve		☐ Water Tube ☐	to Comply: H & E Letter to Comply:
10. Use Made of Water From:		To: _		
0.73, 0.7			Date Prepared: 3/14 Date Entered:	1/18 By: TJS By:

File No.	43046	_	11. C	County	RENC	Ва	sin: N	F Nini	nescal	n Rive	r		St	ream:							Fo	rmation Co	de:	Special Use:	
12. Poi CHK MOD DEL ENT	nts of Diver	rsion Qualifier		S	Т	R	ID		N	'W		Com	ment	(AKA L	_ine)		A	uthori:	Quantit		Rate				
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Lim	itation:			_af/yr	at				gpm (_				cfs) wl	nen co	mbine	d with	file nu	umber	(s)						
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Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

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

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



WATER METER REQUIRED

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

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						⊠ P	lace of	f Use			Point	of Dive	ersion				Divisi	on of V	Vater Resou
ι	under the	e water	right w	hich is	the si	ubject	of this	applic	ation i	n acco	rdance	e with t	he cor	dition	s desc	ribed b	elow.		
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F	hone N	umber:	(620)	664-25	542				Email	addres	ss:								
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8	317 N He	erren Ro	d, Nick	erson	KS 67	561-90)27		<u> </u>										
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5.	Presently authorized point of diversion: (Geo-center of	a batt	ery of two wells)	1	, , ,
	One in the Quarter of the		Quarter of the	NC SE	Quarter
	of Section, Township				
	in Reno County, Kansas, 1361 fe				
	Authorized Rate No Change Authorized Quantity N	lo Cha	nge Depth of well	(fe	eet)
	(DWR use only: Computer ID No. 2 GPS	13	feet North 1	342 feet W	Vest)
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	Proposed point of diversion: (Complete only if change is	s requ	ested or if existing point	is better descri	bed by GPS)
	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township				
	in County, Kansas, fe	eet No	rth feet West o	of Southeast corr	ner of section.
	Proposed Rate Proposed Quantity		Proposed well dept	th (feet)	
	This point is: Additional Well Geo Center List other	r wate	r rights that will use this poi	nt	
	3V(I-45)-5V				
6.	Presently authorized point of diversion:	_	~ >		
	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township		South, Range		(E/W),
- 1	in County, Kansas, fe				
	Authorized Rate Authorized Quantity		Depth of well	(fe	eet)
	(DWR use only: Computer ID No GPS _		feet North	feet W	/est)
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	of Section, Township				
	in County, Kansas, fe	et No	rth feet West o	of Southeast corn	ner of section.
- 1	Proposed Rate Proposed Quantity		Proposed well dept	th (feet)	17 2 11 1
	This point is: Additional Well Geo Center List other	r wate	r rights that will use this poi	nt	
7.	The changes herein are desired for the following reasons?	13a.	feet of the existing point of	ersion will be relo	cated within 100 te its location on
	(please be specific) To authorize acreage under a larger		the diagram below in relatio	n to the existing p	point of diversion.
	(((PLEASE NOTE: The ") represents presently auth	(" in center of orized point of d	diagram below
	end gun.		N		
					100
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8.	If a well, is the test hole log attached? Yes No		<u> </u>	<u> </u>	
0	The above (a) (cos)(cill be) assembled the O		50 = +		= 50
9.	The change(s) (was)(will be) completed by?		50 F		750
	<u>NA</u>		F	_	7
10	If the point of diversion is a well:		West 0 - 111 1111	X -	O East
10.	•		E '	<u> </u>	_
	(a) What are you going to do with the old well?				<u> </u>
	NA		50 - +	_ + -	∃ 50
			L L	-	\exists
	(b) When will this be done? NA		Билип	†	7
			100 50	0 50	100
11.	Groundwater Management District recommendation		S	outh	100
	attached? Yes No	126		: 1" = 100'	sated more than
	3/22/18 CRC_	IJD.	If the proposed point of dive 100 feet but within 1320	feet from the	existing point of
12.	Assisted by TJS-SFFO		diversion, attach a topogra	aphic map or ac	erial photograph.
	RECEIVED		For groundwater sources, s within one-half mile of the p	roposed point of	diversion and the
	- CLIVED		names and mailing addres	ses of the owne	ers. For surface
	IANT O 4 OGGO		water sources, show the landowner(s) one-half mile	downstream ar	acresses of the nd one-half mile
	JAN 0 4 2018		upstream from your property	y lines.	

14. If the proposed groundwater point of dive	rsion is 300 or fewer feet from ex	xisting point of diversion, complete the	following:
(a) Does the undersigned represent all c ☐ Yes ☐ No (If no, all c	owners of the currently authorized owners must sign this application		ication?
(b) Will the ownership interest of any over affected if this application is approved ☐ Yes ☐ No (If yes, all			cation be adversely
(c) If this application is not approved exp ☐ Yes ☐ No (If no, all or	peditiously, will there be substant owners must sign this application		or safety?
If the application proposes a surface water ch or a change in place of use, the application m agent (attach notarized statement authorizing	nust be signed by all owners of th		
I hereby verify, being first duly sworn age and the owner, the spouse of the their behalf, in regards to the water riccontained in this application are true,	owner, or a duly authorized ght(s) to which this applica	agent of the owner(s) to make t	his application on
Dated at Hutchinson	, Kansas, this	2 day of Jan	, 20 18
Will Hoteller	The second se	Que D Klastanson	
(Owner)	PO NO NO PEROLUMINOS DE PO	(Spouse)	C nottellation
Willand Harbara		auca D Harting	a de la comitación de l
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(Owner)	The Community of the Manager to the Community of the Comm	(Spouse)	an ed men on the dis- Opening offer the unit of streets
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ne of the appropriate particular and the common		HILERE'S TEST STORES ABOUT	
(Owner)		(Spouse)	
(Please Print)		(Please Print)	NAME OF THE PARTY.
State of Kansas County of Reno	SS		OMD
I hereby certify that the foregoing appl	lication was signed in my pre	esence and sworn to before me t	this day of
January , 20 18	NOTARY PUBLIC - State of Kansas LUANN K. CONRAD My Appt. Exp. 7-11-2020	Alma & So.	onsal
My Commission Expires 7-11-2020		Notary Public	Balana A A A
ONLY COMPLETE APPLICATIONS WILL BE PRO accurate information; maps, if necessary, must be in the appropriate fee must be paid.			
The appropriate rec must be paid.			
Man San San San San San San San San San S	FEE SCHEDULE		
Each application to change the place of use of forth in the askedule below. Make about a polymer of the place			application fee set
forth in the schedule below: Make checks pay (1) Application to change a point of d		of Agriculture	\$100
(2) Application to change a point of d	liversion more than 300 feet		\$200
RECEIVED. THOUSING AND ADDRESS			
JAN 0 4 2018			

Stafford Field Office DWR 11-121 (Revised 07/10/2017) 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. 43046 1/04/2018 A change application was received on 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. 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 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 radius of the authorized point(s) of diversion.

Applicable The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized point(s) of diversion.

Applicable 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 ☐ Applicable ⊠ Not Applicable accordance with K.A.R. 5-6-13. 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. ☐ Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20_ 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. Not Applicable Applicable The completed well log shall be submitted with the required notice. Applicable 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 D 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 FOR OFFICE USE ONLY APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture**, (Print Name): Cameran Division of Water Resources - Kansas Department of Agriculture Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: 3 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas For Use by Register of Deeds SS County of Acknowledged before me and Signature: RECEIVED JESSICA ENGELBRECHT My Appointment Expires August 11, 2021 JAN 0 4 2018 My commission expire

Page 4

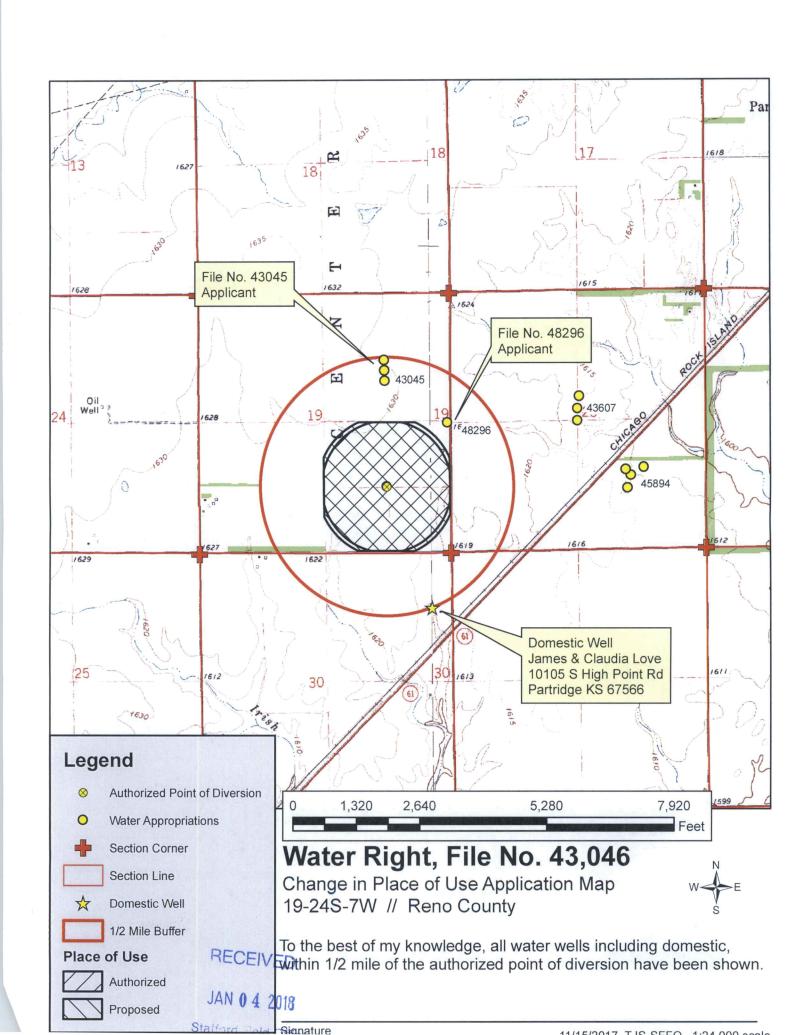
DWR 1-121 (Revised 07/10/2017)

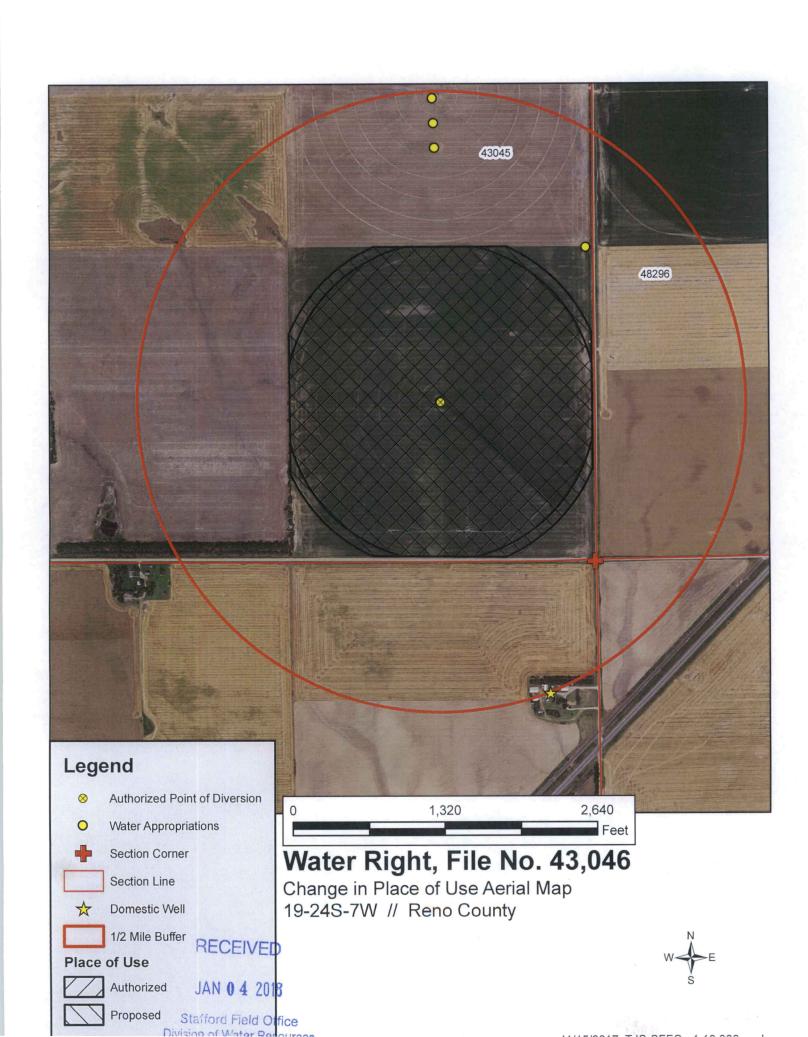
sion of Water Resour

(Notary Seal)

File No.

43046







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

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

Phone: (620) 234-5311

January 9, 2018

Miles Hartman 817 N Herren Rd. Nickerson KS 67561-9027

RE: File No(s). 43045, 43046, & 48296

Dear Mr. Hartman,

On January 4, 2018, three (3) applications for approval to change the place of use under the above referenced files were received in our office. Upon review of the applications, it has been found that the accompanying map for each application has not been signed.

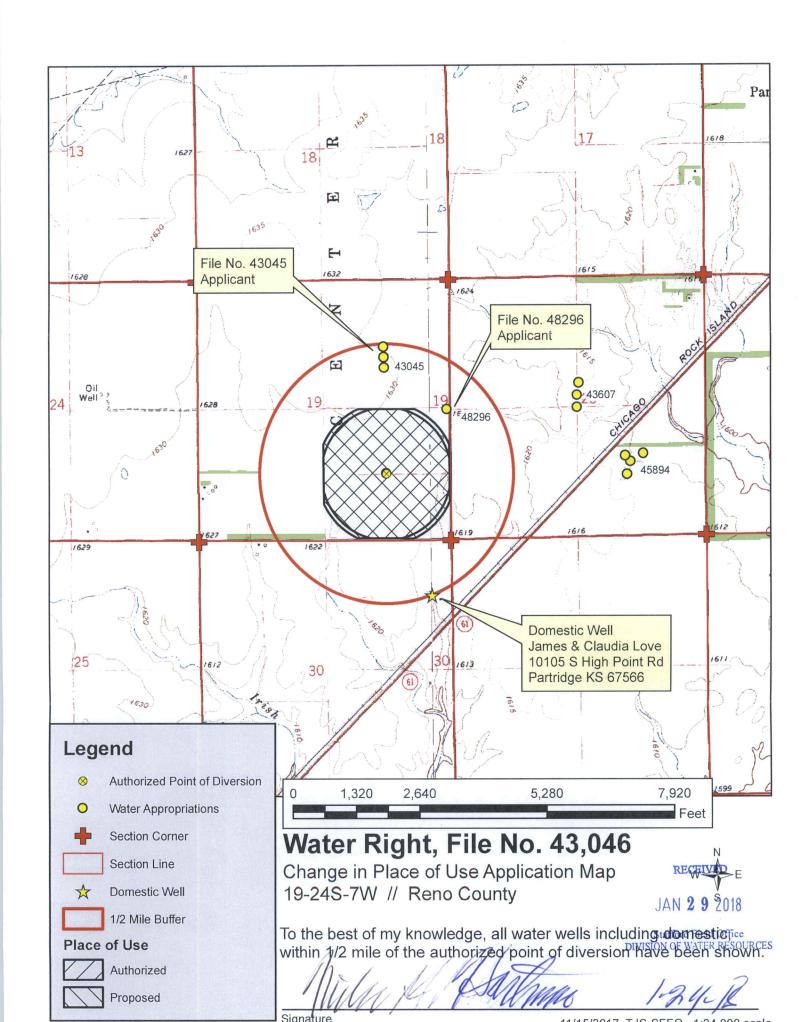
Along with this letter, I have included the three (3) application maps. Please review the enclosed maps carefully and ensure any domestic wells within one-half mile of the authorized well location are noted on the map. If there are any wells not shown, please add them and then sign each map.

Please return the signed maps to the Stafford Field Office as soon as possible. If I can be of any further assistance, or if you have any questions regarding the enclosed documents, please give me a call at (620) 234-5311.

Sincerely,

Tyler Saryerwinnie Environmental Scientist tyler.saryerwinnie@ks.gov

Enclosure



STATE OF KANSAS

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES STAFFORD FIELD OFFICE 300 S. MAIN STREET STAFFORD, KS 67578-1521



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

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

March 22, 2018

Miles G & Joyce D Hartman 817 N Herren Rd Nickerson KS 67561-9027

Re: Water Right, File No(s). 43046

Dear Water Right Owner:

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

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

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

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

Sincerely,

Jeff Lanterman

Water Commissioner

Enclosures

pc: Water Rights Section

Groundwater Management District No. 2

CERTIFICATE OF SERVICE

On this **22nd** day of **March**, **2018**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **43046**, dated **March 22**, **2018** was mailed via Certified U.S. mail to the following:

Miles G & Joyce D Hartman 817 N Herren Rd Nickerson KS 67561-9027

A copy of the letter was sent to the following:

GMD₂

Clessica Magathreelf
Staff



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File DATE: 1/30/2018

FROM: Tyler Saryerwinnie **RE:** File Nos. 43046

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

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

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

The change in place of use application filed on <u>1/04/2018</u> for the above referenced file meets this criteria and surrounding well owners will not be notified.

Saryerwinnie, Tyler [KDA]

From:

Saryerwinnie, Tyler [KDA]

Sent:

Wednesday, January 31, 2018 1:18 PM

To:

'Rebecca Wilson'

Cc:

Conant, Cameron [KDA]

Subject:

GMD Recommendation Request - File No. 43046

Attachments:

43046.Cover Letter.pdf; 43046.Change App.pdf

Rebecca,

I have attached a cover letter and a copy of one (1) of use application for GMD review and recommendation. Please provide the GMD recommendation by no later than February 20, 2018.

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

Thank you, Tyler

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



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

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

www.agriculture.ks.gov Sam Brownback, Governor

Phone: (620) 234-5311

Fax: (620) 234-6900

January 31, 2018

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

RE: Place of Use Change Application, File No(s). 43,046

Dear Mr. Boese,

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

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

Sincerely,

Tyler Saryerwinnnie **Environmental Scientist** Stafford Field Office

tyler.saryerwinnie@ks.gov

Enclosures: One (1) Change Applications

Saryerwinnie, Tyler [KDA]

From: Saryerwinnie, Tyler [KDA]

Sent: Tuesday, February 27, 2018 2:04 PM

To: 'Rebecca Wilson'
Cc: Conant, Cameron [KDA]

Subject: RE: GMD Recommendation Request - File No. 43046

Rebecca,

Per your request for an extension of time for the Groundwater Management District review and recommendation, the new deadline to submit

a recommendation on the proposed change application is March 29, 2018, or 30 days from the date of this email.

If you need any other information, please let me know.

Thank you,

Tyler Saryerwinnie

From: Rebecca Wilson [mailto:rwilson@gmd2.org]

Sent: Monday, February 26, 2018 9:30 AM

To: Saryerwinnie, Tyler [KDA]

Subject: RE: GMD Recommendation Request - File No. 43046

Good morning, Tyler!

Sorry for my delayed response. We would like to request an extension to complete the review of this file. Please advise.

Thanks!

Rebecca Wilson

Rebecca Wilson

Administrative Assistant

Equus Beds GMD2

313 Spruce Street

Halstead, KS 67056

316-835-2224

316-835-2225 Fax

rwilson@gmd2.org

www.gmd2.org

From: Saryerwinnie, Tyler [KDA] [mailto:Tyler.Saryerwinnie@ks.gov]

Sent: Tuesday, February 20, 2018 2:05 PM

To: Rebecca Wilson

Cc: Conant, Cameron [KDA]

Subject: RE: GMD Recommendation Request - File No. 43046

Rebecca,

I am wanting to check on the status of this recommendation request. Please let me know if you need anything regarding these applications.

Thank you,

Tyler Saryerwinnie

From: Saryerwinnie, Tyler [KDA]

Sent: Wednesday, January 31, 2018 1:18 PM

To: 'Rebecca Wilson'

Cc: Conant, Cameron [KDA]

Subject: GMD Recommendation Request - File No. 43046

Rebecca,

I have attached a cover letter and a copy of one (1) of use application for GMD review and recommendation. Please provide the GMD recommendation by no later than February 20, 2018.

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

Thank you, Tyler

Tyler Saryerwinnie, Environmental Scientist Kansas Department of Agriculture Division of Water Resources Stafford Field Office

Phone: (620)234-5311

Saryerwinnie, Tyler [KDA]

From:

Rebecca Wilson < rwilson@gmd2.org >

Sent:

Tuesday, March 13, 2018 8:23 AM

To:

Saryerwinnie, Tyler [KDA]

Subject:

43046 PU Change App Approval Letter

Attachments:

43046 PU Change App Approval Letter 3-12-18.pdf

Good morning!

Attached you will find the Place of Use Change Application Approval Letter from Manager Tim Boese for #43046.

Please let me know if you have any difficulties opening the attachment.

Thanks!

Rebecca Wilson

Rebecca Wilson Administrative Assistant Equus Beds GMD2 313 Spruce Street Halstead, KS 67056 316-835-2224 316-835-2225 Fax rwilson@gmd2.org www.gmd2.org JEFF WINTER, PRESIDENT VIN KISSICK, VICE PRESIDENT ALAN BURGHART, SECRETARY MIKE MCGINN, TREASURER TIM BOESE, MANAGER THOMAS A. ADRIAN, ATTORNEY



DIRECTORS: DAVID BOGNER JOE PAJOR DALE SCHMIDT 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

March 12. 2018

Chief Engineer, Division of Water Resources Attn: Tyler Saryerwinnie 300 S. Main St. Stafford, Kansas 67578

Re: Place of Use Change Application, File No. 43046 – Miles Hartman

Dear Mr. Saryerwinnie:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use application on March 12, 2018, 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 change application proposes to increase the place of use from 130 acres to 140 acres. The proposed place of use results in a water to land ratio of 1.286 acre-feet per acre.

The District's review found that the change 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.

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

Sincerely,

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

Tim Boese Manager TDB/STF

pc: Miles Hartman, Applicant and Landowner

This is a

Trecommendation by the Equus Beds

Management District
and not an approval
of an application of an application of water permit.

Stafford Field Office

Division of Water Resources