

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

Document Signature DWB

1. File Number: 4,537 D1	2. Status Change Date: <i>5/2/2018</i>	3. Change Num: <i>1</i> <i>10</i>	4. Field Office: 02	5. GMD: 02
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <i>11/2/2017</i>
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8a. Applicant(s) Person ID 54615 New to system <input type="checkbox"/> Add Seq# _____ RAYMOND G FLICKNER REVOCABLE TRUST RAYMOND & SUSAN FLICKNER 2701 N NORTH SHORE CIR WICHITA KS 67205-1079	8c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
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8b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____	8d. WUC Person ID 54615 New to system <input type="checkbox"/> Add Seq# _____ <p style="text-align: center;">SAME AS 8A</p>
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/18</u> <input type="checkbox"/> N & P Date to Comply: _____	
<input checked="" type="checkbox"/> Check Valve	<input type="checkbox"/> N & P Form
<input type="checkbox"/> Water Tube	<input type="checkbox"/> Driller Copy
<input type="checkbox"/> Conservation Plan	<input type="checkbox"/> H & E Letter
Date Required: _____ Date Approved: _____ Date to Comply: _____	

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

Date Prepared: 4/11/18	By: BAT
Date Entered: <i>5/7/2018</i>	By: <i>UM</i>

File No. **4,537 D1** 11. County: Basin: Stream: Formation Code: Special Use:

12. Points of Diversion
 T
 MOD
 DEL PDIV
 ENT
 Qualifier S T R ID 'N 'W Comment
 Rate gpm/cfs Quantity af/mgy Rate gpm/cfs Quantity af/mgy Overlap PD Files

MOD 41220 SWSESW 29 21S 2W 3 60 3443

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: ³⁴⁶ Allocation Type **B3** Start Year **2018** 5 YR Amount **525** Amount Unit **AF** Base Acres _____ Comment _____

16. Place of Use T MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
ENT	21859	20	21S	2W	1									40.0	38.5	37.0	34.5					9.0	159.0	8a	NO 4537D2, 4894, 29958
MOD	9979	29	21S	2W	2					39.0	19.0	39.0	40.0	40.0	29.0	38.5	39.0						283.5	8a	NO 4537D2, 4894, 29958
ENT	60135	32	21S	2W	3					40.0													40.0	8a	NO 4537D2, 4894, 29958

Comments: REMOVE ACTION TRAIL COMMENT MAY 9 2000 "B30004 5 YR ALLOC NO ACRE LIMIT 1006
 ENTER ACTION TRAIL COMMENT XX XX 2018 "B30004 5 YR ALLOC NO ACRE LIMIT 525

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: April 24, 2018

FROM: Brent A. Turney

RE: Water Right
File Nos. 4,537D1, 4,537D2,
4,894 and 29,958

Raymond and Susan Flickner owners of the above referenced water rights have filed applications for approval to change the place of use under the above referenced water rights. The applications propose to add additional acres to the existing places of use and to also create a complete overlap in the authorized places of use between the four water rights.

The referenced files do not appear to be abandoned as per K.S.A. 82a-718.

The changes in place of use under propose to increase the authorized acres to a total of 483 acres from the currently authorized 426.39 acres of land. Water Right, File Nos. 4,537 D1 and 29,958 are currently authorized a total of 230 acres and are currently in 5 year allocations that total 1,006 acre-feet of water in a 5 year period. Water Right File No. 4,894 is currently authorized a total of 156.39 acres and is currently in a 5 year allocation to 529.5 acre-feet in a 5 year period. Both of these 5 year allocations will start over for the period beginning in 2018 through 2022. While Water Right, File No. 4,537 D2 is not currently in a 5 year allocation, it is proposed that it be place in one based upon the following calculation:

50% NIR McPherson County (10.8 inches / 0.85 efficiency / 12 inches x 81 base acres x 5 years = 428.8 acre-feet. Since the water right is only authorized 52 acres-feet, the allocation is equal to 5 times authorized or 260 acre-feet

In compliance with KAR 5-5-11(b)(3)(A), GMD No. 2 has agreed to monitor the project and has submitted a monitoring agreement between the GMD and Mr. Flickner.

In an letter dated, December 7, 2017, a letter and a copy of the applications were submitted to the Equus Beds GMD No. 2 along with a request to make a recommendation. In a letter date January 30, 2018, Tim Boese, Manager, GMD No. 2, recommended that the applications for change in place of use be approved.

In an email dated todays date, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended that the applications be approved.

A check valve will be required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the change is reasonable, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur and that the new application will account for any increase in the consumptive use, it is recommended that the referenced application be approved.


Brent A. Turney
Change Application Unit Supervisor

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

FILE COPY

RAYMOND G FLICKNER REVOCABLE TRUST, May 8, 2018
RAYMOND & SUSAN FLICKNER
2701 N NORTH SHORE CIR
WICHITA KS 67205-1079

RE: Water Right
File Nos. 4,537 D1, 4,7537D2,
4,894 and 29,958

Dear Mr. and Mrs. Flickner:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced water rights.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flow meter must be installed on the diversion works authorized under the above referenced water rights. Please return the required notification of installation of the required meters as soon as these actions are completed.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

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

BAT
Enclosures
pc: Stafford Field Office
GMD No. 2

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
WATER RIGHT
FILE NO. 4,537 D1**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Raymond and Susan Flickner, 2701 N North Shore Circle, Wichita Kansas 67205-1079, received in this office on November 27, 2017, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the order of the Chief Engineer dated April 15, 1980, approving the application to change the use made of water, by the order of the Chief Engineer dated May 9, 2000, approving the application to change the location of the place of use, and by the order of the Chief Engineer dated December 2, 2008, determining the interest in Water Right, File No. 4,537, finds that the change is reasonable and will not impair existing rights and that the application should be and is hereby approved.

This order effectively removes the additional conditions which established the five (5)-year allocation as set forth by the Approval of Application for Change in Place of Use, Water Right, File No. 4,537, dated May 9, 2000.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized place of use shall be:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
20	21S	2W												40.0	38.5	37.0	34.5		9.0			159.0	
29	21S	2W					39.0	19.0	39.0	40.0	40.0	29.0	38.5	39.0									283.5
32	21S	2W					40.0																40.0

a total of 482.5 acres in Township 21 South, Range 2 West, McPherson County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use,

and the location of the location of the point of diversion shall be better described as being:

one (1) well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 29, more particularly described as being near a point 60 feet North and 3,443 feet West of the Southeast corner of said Section, Township 21 South, Range 2 West, McPherson County, Kansas.

By this order, this water right is subject to the following conditions:

1. That the quantity of water authorized under Water Right, File No. 4,537 D1 shall not exceed 525 acre-feet per five (5)-year period; the first period being calendar years 2018 through 2022, ad infinitum.
2. That the quantity of water authorized under Water Right, File No. 4,537 D1 shall not exceed 105 acre-feet per calendar year, provided that 525 acre-feet per five (5)-year period is not exceeded.
3. That use of water in excess of 525 acre-feet per five (5)-year period shall result in a two (2)-year suspension of all water use under this water right, effective the next two (2) calendar years, and a subsequent restriction of the authorized place of use to the following described property:

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
20	21S	2W									32.0	30.5	28.5	21.0					112.0
29	21S	2W					5.0	14.5	25.5	39.0	36.0	24.0	38.0	37.0					219.0
32	21S	2W					40.0												40.0

a total of 371 acres in Township 21 South, Range 2 West, McPherson County, Kansas, located substantially as shown on the map accompanying the application to change the place of use.

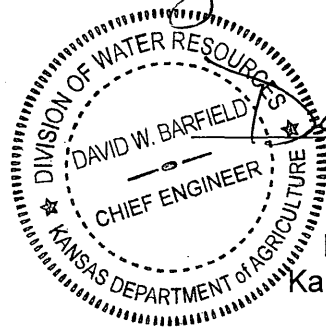
4. That if Equus Beds Groundwater Management District No. 2 and/or the Division of Water Resources terminate their/its Memorandum of Understanding (MOU) pertaining to K.A.R. 5-5-11(b)(3), (4) and (5), by which the District assumes monitoring responsibility, then the place of use authorized by this change approval, which was issued by the Division pursuant to the MOU shall revert to the property described in paragraph no. 3, above, starting the calendar year following the year of termination.

All diversion works 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.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 4,537, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated February 17, 1978, and as modified and amended by the aforementioned orders.

Ordered this 2nd day of May, 2018, in Topeka, Shawnee County, Kansas.



David W. Barfield
David W. Barfield, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
)SS
County of Riley)

The foregoing instrument was acknowledged before me this 2nd day of May, 2018, by David W. Barfield, P.E., Chief Engineer, Kansas Department of Agriculture.



Karen Hunter
Notary Public

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

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.

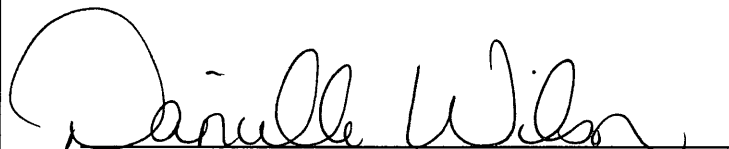
CERTIFICATE OF SERVICE

On this 24th day of May, 2018, I hereby certify that the attached original Approval of Change in Place of Us, File No. 4,537 D1, dated May 2nd 2018, was mailed postage prepaid, first class, US mail to the following:

RAYMOND G FLICKNER REVOCABLE TRUST
RAYMOND & SUSAN FLICKNER
2701 N NORTH SHORE CIR
WICHITA KS 67205-1079

With photocopies to:

Stafford Field Office
GMD No. 2


Staff

Turney, Brent [KDA]

From: Turney, Brent [KDA]
Sent: Thursday, February 1, 2018 9:15 AM
To: Zarco, Armando [KDA]; Letourneau, Lane [KDA]; Lanterman, Jeff [KDA]; Meyer, Mike [KDA]; Kiniston, Lexi [KDA]
Subject: RE: wca proposal

All,

I have been reviewing the four changes in place of use and have discovered an error in the calculations used to determine the 5 year allocation. The changes currently state that the 371 base acres will allow for a total of 1,964.1 AF for the 5 year allocation. The actual number for the 5 year allocation is 1,795.5 AF. I have informed Ray of this error. He said that he understands how the error happened and concurs that the number should be 1,795.5. Further he said that he will have to reevaluate his proposal for the WCA.

Let me know if you have any questions.
Brent

Brent A. Turney, P.G.
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan Kansas 66502
(785) 564-6645
Brent.Turney@ks.gov
www.agriculture.ks.gov

From: Zarco, Armando [KDA]
Sent: Friday, January 26, 2018 10:38 AM
To: Letourneau, Lane [KDA] <Lane.Letourneau@ks.gov>; Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Meyer, Mike [KDA] <Mike.Meyer@ks.gov>; Kiniston, Lexi [KDA] <Lexi.Kiniston@ks.gov>; Turney, Brent [KDA] <Brent.Turney@ks.gov>
Subject: RE: wca proposal

Okay,

With the help of Jeff, Matt, and Lexi I think I have been able to understand more on this. I have included a new WCA summary report, the original letter from the Flickners, as well as a map that the Stafford office generated to hopefully explain clearly.

The letter was a bit confusing because they stated they wanted NIR, then stated they wanted 560 AF/YR (with a 5-year allocation), then specified specific quantities per water rights (which flexibilities they wanted to include overpumping and dual use). I attempted to capture all this in a summary report so please look at each section individually rather than a whole picture.

With the help of the Stafford office, we were able to get confirmation on the term-permits filed in the past. So Lexi was able to update our historical use spreadsheet to reflect those changes and give credit for year pumping above authority. Then she determined the NIR, BASED ON THE PENDING CHANGE APPS, with the exception of WR #29958 IND. As well, we went ahead and used the historical period of 2001-2016 for all water rights regardless of when SDI was installed but the first SDI's were installed in 2001.

To highlight some things:

Flickner's letter proposed a total of 560 AF/Year for all WR's; with a 5-year allocation of 2,800 AF.

Average Historical Use (2001-2016)= 433.941 AF/Year.....more than used in 2014, 2015, or 2016.

NIR for all IRR WR's + #29958 IND Auth Qty (35 AF)= 744.200 AF/ Year.

NIR for all IRR WR's + #29958 IND Ave Use (27.997 AF)= 737.197 AF/Year.

Specified WR's Qty's listed/requested + ave use of WR's not listed= 631.982 AF/Year.

This is all on the report sheet as well but wanted to point those things out.

I'd be happy to explain over a conference call if need. Lane, Mike, or Jeff can you please set this up? If there are any specific questions, please let me know.

- Armando Zarco

From: Zarco, Armando [KDA]

Sent: Wednesday, January 17, 2018 12:32 PM

To: Letourneau, Lane [KDA] <Lane.Letourneau@ks.gov>; Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Meyer, Mike [KDA] <Mike.Meyer@ks.gov>; Kiniston, Lexi [KDA] <Lexi.Kiniston@ks.gov>; Turney, Brent [KDA] <Brent.Turney@ks.gov>

Subject: RE: wca proposal

So the way I see it now...is that he wants his WCA allocation purely based on NIR for total authorized acres (which I think will include those in the changes).

Then he wants "past consideration" for his conservation using SDI. I can try to review his numbers/run my own spreadsheet to compare NIR to past use but just based on some back of a napkin math in my head I am not seeing an conservation factor...but I'll take a deeper look and get back to the group.

- Armando Zarco

From: Letourneau, Lane [KDA]

Sent: Wednesday, January 17, 2018 9:44 AM

To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Meyer, Mike [KDA] <Mike.Meyer@ks.gov>; Kiniston, Lexi [KDA] <Lexi.Kiniston@ks.gov>; Zarco, Armando [KDA] <Armando.Zarco@ks.gov>; Turney, Brent [KDA] <Brent.Turney@ks.gov>

Subject: FW: wca proposal

I am getting this out to our team. I have not reviewed it yet.

From: rgflickner@msn.com [<mailto:rgflickner@msn.com>]

Sent: Monday, January 15, 2018 12:50 PM

To: Letourneau, Lane [KDA] <Lane.Letourneau@ks.gov>

Cc: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Ryan Flickner <ryan.flickner@gmail.com>

Subject: Fw: wca proposal

Sent from Windows Mail

Turney, Brent [KDA]

From: Tim Boese <tboese@gmd2.org>
Sent: Monday, January 29, 2018 8:27 AM
To: Turney, Brent [KDA]
Cc: Lanterman, Jeff [KDA]; Stephen Flaherty
Subject: Nos. 4894, 4537-D1, 4537-D2, 29958 - Flickner

Brent – I am finishing up our review of the referenced change in place of applications and had some questions concerning the 5 year allocation.

The overall 5 year allocation for all the water rights would be 1964.1 AF based on a combined base acres total of 371 acres. The change applications also specify individual 5 year allocations for each file as follows:

4894: 529.5 AF 100 base 529.5
4537D1: 525 AF
4537D2: 260 AF 190 base 1,004 null
29958: 825 AF 81 base ~ 5x52 ~ 260

The 5 year allocation for 4894 appears to be based on 100 base acres X 0.9' / 0.85 X 5 = 529.5 AF

The other 5 year allocation are all based on the authorized quantity X 5.

Why is there a difference in the way the 5 year allocation is determined? Also, perhaps it does not matter and the rights will only be subject to overall 5 year allocation of 1964.1AF?

Thanks for your time.

Tim Boese, Manager
Equus Beds GMD2
313 Spruce, Halstead, Kansas 67056
316-835-2224
Fax: 316-835-2225
tboese@gmd2.org
www.gmd2.org

Water Use History for File No. 4537 & 29958

4537 Approved Irrigation Quantity: 105 AF

Authorized Acres: 230 (after 2000)

29958 Approved Irrigation Quantity: 165 AF (53,765,000 gal.)

Place of Use 5 Year Allocation: 1,006 AF

YEAR	File No. 4537 (D1 after 2008)					File No. 29958					IRR Allocation Left (AF)	Comment
	Beginnging Meter	Ending Meter	Total Metered Q (gal)	IND Use (AF/gal)	IRR Use (AF)	Beginnging Meter	Ending Meter	Total Metered Q (gal)	IND Use (AF/gal)	IRR Use (AF)		
2000	198.257	308.236		33.00	76.979	424.011	546.023		36.00	86.012	843.009	2000-2004 Allocation
2001	0	26,813,200	26,813,200	8,146,275	57.287	0	27,884,400	27,884,400	10,753,083	52.574	733.148	
2002	26,813,200	60,286,100	33,472,900	5,313,700	86.417	27,884,400	65,178,200	37,293,800	10,872,162	81.085	565.646	4537 12/18/02 visit: 60,286,100 gal
2003	60,286,100	7,721,700	47,435,600	8,000,000	121.023	65,178,200	7,269,200	42,091,000	10,000,000	98.484	346.139	29958 12/18/02 visit: 64,259,100 gal
2004	7,721,700	27,601,900	19,880,200	8,000,000	36.459	7,269,200	34,045,300	26,776,100	10,000,000	51.484	258.196	
2005	27,601,900	52,741,300	25,139,400	8,146,275	52.150	34,045,300	60,792,100	26,746,800	10,000,000	51.394	902.456	2005-2009 Allocation
2006	52,741,300	95,703,300	42,962,000	10,000,000	101.157	60,792,100	9,734,200	48,942,100	17,800,000	95.572	705.728	
2007	95,703,300	29,351,400	33,648,100	13,000,000	63.367	9,734,200	36,620,200	26,886,000	19,500,000	22.667	619.694	
2008	29,351,400	47,337,200	17,985,800	4,887,765	40.196	36,620,200	61,340,500	24,720,300	4,900,000	60.826	518.672	File 4537 now 4537-D1 (105 AF)
2009	47,337,200	66,018,100	18,680,900		57.330	61,340,500	92,650,000	31,309,500	27,709,500	11.048	450.294	
2010	66,018,100	91,440,300	25,422,200		78.018	92,650,000	26,733,700	34,083,700	3,800,000	92.937	835.045	2010-2014 Allocation
2011	91,440,300	30,688,800	39,248,500		120.449	26,733,700	75,124,100	48,390,400	5,900,000	130.398	584.197	
2012	30,688,800	55,281,000	24,592,200		75.471	75,124,100	24,039,100	48,915,000	10,948,500	116.515	392.212	4537 4/11/12 visit: 30,688,800 gal
2013	55,281,000	64,461,500	9,180,500		28.174	24,039,100	52,980,800	28,941,700	10,800,000	55.675	308.363	4537 10/31/12 visit: 55,066,900 gal
	Beginnging Meter	Ending Meter	Metered Q (gal)		Total Q (AF)	Beginnging Meter	Ending Meter	IRR Metered Q (gal)	IND Use (AF/gal)	Irrigation Q (AF)	IRR Allocation Left (AF)	Comment
2014	64,461,500	81,092,800	16,631,300		51.040	63,930,800	84,968,100	21,037,300	10,950,000	64.561	192.762	
2015	81,092,800	98,165,400	17,072,600		52.394	95,894,100	17,753,700	21,859,600	10,926,000	67.085	886.521	2015-2019 Allocation
2016	98,165,400	8,083,000	9,917,600		30.436	21,859,600	28,829,000	6,969,400	4,105,900	21.388	834.697	
2017	8,083,000	32,944,600	24,861,600		76.297	28,829,000	81,832,800	53,003,800	**	162.663	595.737	Meter readings from 12/11/17 visit
2018			0		0.000			0		0.000	595.737	**The IRR/IND split for 2017 is unknown
2019			0		0.000			0		0.000	595.737	

From 2014 on, the water user reported part of the meter readings on the Industrial water use report and the remainder of the meter readings on the irrigation report. Prior to that, the full metered quantity was reported on the Irrigation and the Industrial report with a value subtracted out for the other use with no indication of where the other use quantity came from.

The meter readings on the 2016 Industrial report do not match up properly with the irrigation reports. The IND readings were reported as beginning at 95,894,100 gal and ending at 7,005,600 gallons for a metered Q of 11,111,500 gallons. The quantity reported above, "corrected" and is based on the gap between the 2015 and 2016 irrigation report meter readings.

APR 16 2018

From: Tim Boese <tboese@gmd2.org>
Sent: Monday, April 16, 2018 5:15 PM
To: Turney, Brent [KDA]
Subject: RE: Nos. 4894, 4537-D1, 4537-D2, 29958 - Flickner
Attachments: 4537D1 & 4537D2 Signed Service Contract 4-16-18.pdf; 4894 Signed Service Contract 4-16-18.pdf; 29958 Signed Service Contract 4-16-18.pdf

KS DEPT OF AGRICULTURE

Brent – Attached are signed service agreements for GMD2 monitoring the place of use for the referenced change applications. I have also sent KDA Attorney Kenneth Titus a draft GMD2/DWR Monitoring MOU for his review and the Chief Engineer’s signature, but I don’t know how long that will take. Also, it looks like the “Statement of Review” example from GMD5 you sent me will need to be modified by DWR for GMD2 use, as it is a protected document (DWR 1-120.4), so I can’t modify it for GMD2 use. Since this will likely take some time, I went ahead and wrote up service agreements so you can approve the change applications.

Let me know if you need anything else.

Thanks.

Tim Boese, Manager
 Equus Beds GMD2
 313 Spruce, Halstead, Kansas 67056
 316-835-2224
 Fax: 316-835-2225
tboese@gmd2.org
www.gmd2.org

From: Turney, Brent [KDA] [mailto:Brent.Turney@ks.gov]
Sent: Monday, January 29, 2018 11:17 AM
To: Tim Boese
Cc: Lanterman, Jeff [KDA]; Stephen Flaherty
Subject: RE: Nos. 4894, 4537-D1, 4537-D2, 29958 - Flickner

Tim,
 This should be the base and 5 year allocation numbers for these files.

4,894 100 base acers which calculates 529.5 AF for the 5 year allocation
 4,5,37 D1 and 29,958 have a common 190 base acres, these two combined have a 5 year allocation of 1,006 AF and will be limited to 1,006 AF in 5 years
 4,537 D2 has 71 base acres, however the 5 year allocation is equal to 5 x authorized 260 AF

Total 5 year allocation
 4,894 529.5 AF
 4,537 D1 1,006 Af
 29,958 1,006 AF limited to 1,006 comb / 4,537 D1
 4,537 D2 260 AF

Total base acres = 361 acres
 Total 5 year allocation = 1,795.5 AF

Brent A. Turney, P.G.
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan Kansas 66502
(785) 564-6645
Brent.Turney@ks.gov
www.agriculture.ks.gov

From: Tim Boese [mailto:tboese@gmd2.org]
Sent: Monday, January 29, 2018 8:27 AM
To: Turney, Brent [KDA] <Brent.Turney@ks.gov>
Cc: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Stephen Flaherty <sflaherty@gmd2.org>
Subject: Nos. 4894, 4537-D1, 4537-D2, 29958 - Flickner

Brent – I am finishing up our review of the referenced change in place of applications and had some questions concerning the 5 year allocation.

The overall 5 year allocation for all the water rights would be 1964.1 AF based on a combined base acres total of 371 acres. The change applications also specify individual 5 year allocations for each file as follows:

4894: 529.5 AF
4537D1: 525 AF
4537D2: 260 AF
29958: 825 AF

The 5 year allocation for 4894 appears to be based on $100 \text{ base acres} \times 0.9' / 0.85 \times 5 = 529.5 \text{ AF}$

The other 5 year allocation are all based on the authorized quantity $\times 5$.

Why is there a difference in the way the 5 year allocation is determined? Also, perhaps it does not matter and the rights will only be subject to overall 5 year allocation of 1964.1AF?

Thanks for your time.

Tim Boese, Manager
Equus Beds GMD2
313 Spruce, Halstead, Kansas 67056
316-835-2224
Fax: 316-835-2225
tboese@gmd2.org
www.gmd2.org

Turney, Brent [KDA]

From: Lanterman, Jeff [KDA]
Sent: Tuesday, April 24, 2018 1:43 PM
To: Turney, Brent [KDA]
Subject: RE: Flickner 5-5-11 5 year allocation

Brent.

Im pretty familiar with these apps. Go ahead and approve them.

Thanks
Jeff

From: Turney, Brent [KDA]
Sent: Tuesday, April 17, 2018 8:55 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: Flickner 5-5-11 5 year allocation

Jeff,
Can you give me a recommendation? I'm sure everyone is in a hurry on this one.
Thanks,

APR 16 2018

KS DEPT OF AGRICULTURE

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 Spruce Street

Halstead, Kansas 67056-1925

Voice - 316 835-2224 Fax - 316 835-2225 equusbeds@gmd2.org

SERVICE AGREEMENT- WATER RIGHT NOS. 4537D1 & 4537D2

1 CUSTOMER

RAYMOND G. FLICKNER
2701 N NORTH SHORE CIRCLE
WICHITA KANSAS 67205
316 721-5221

2 TERM AND COVERAGE

2.1 The term of this agreement is for five years of irrigation beginning May 1, 2018, and ending December 31, 2022.

2.2 Equus Beds Groundwater Management District No. 2 will inspect, read and collect water use and other information associated with water right nos. 4537D1 & 4537D2, (hereinafter called Services) from all or a portion of the following described point of diversion and place of use:

2.2.1 one irrigation point of diversion in the Southwest quarter of the Southeast quarter of the Southwest quarter (SW-SE-SW) of Section 29, Township 21 South, Range 2 West, approximately 18 feet north and 3,444 feet west of the apparent southeast corner of said section.

2.2.2 authorized irrigated land totaling 483 acres located in:

Section 20, Township 21S, Range 2W, McPherson County:
NE-SW: 40 acres; NW-SW: 38.5 acres; SW-SW: 37 acres;
SE-SW: 34.5 acres.

Section 29, Township 21S, Range 2W, McPherson County:
NE-NW: 39 acres; NW-NW: 19 acres; SW-NW: 39 acres;
SE-NW: 40 acres; NE-SW: 40 acres; NW-SW: 29 acres;
SW-SW: 38.5 acres; SE-SW: 39 acres.

Section 32, Township 21S, Range 2W, McPherson County:
NE-NW: 40 acres.

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APR 16 2018

3 RENEWAL

3.1 The agreement may be renewed at the end of the term by mutual agreement. Service fees may be subject to change annually or upon renewal.

4 TIME FOR SERVICE

4.1 Services will be performed during normal business hours of the Equus Beds Groundwater Management District No. 2, which are from 8:00 A.M. to 5:00 P.M., Monday through Friday, exclusive of District holidays.

5 SERVICE PERFORMED

- 5.1 Qualified personnel employed by the Equus Beds Groundwater Management District No. 2 will perform services.
- 5.2 Inspection(s) of the point of diversion, water flow meter and place of use will be conducted on the items described in paragraphs 2.2.1 and 2.2.2.
- 5.3 The inspection(s) will be conducted during the period of active irrigation operations each year, as provided for in Paragraph 4, Time for Service.
- 5.4 Inspection(s) will be conducted at least once per irrigation season, or more often if necessary as determined by the Equus Beds Groundwater Management District No. 2. The customer may request additional inspections. Such inspections will be performed subject to the terms and conditions of the agreement.
- 5.5 Water meter readings will be recorded to the nearest gallon, 0.01 acre-inch or 0.001 acre-foot.
- 5.6 Recorded data for each inspection will include:
 - 5.6.1 Water Flow Meter
 - 5.6.1.1 legal description and coordinates of the water flow meter,
 - 5.6.1.2 date and time of meter reads,
 - 5.6.1.3 totalizer read,
 - 5.6.1.4 direct and timed rate reads,
 - 5.6.1.5 name of inspector,
 - 5.6.1.6 model and serial number,
 - 5.6.1.7 units of measure for rate and totalizer, and
 - 5.6.1.8 multiplication factor.
 - 5.6.2 Point of Diversion
 - 5.6.2.1 legal description and coordinates of the point of diversion,
 - 5.6.2.2 operational status of the point of diversion, and
 - 5.6.2.3 total discharge flow metered.
 - 5.6.3 Place of Use
 - 5.6.3.1 irrigated acres legal description,
 - 5.6.3.2 estimated acres irrigated,
 - 5.6.3.3 crop irrigated, and
 - 5.6.3.4 type of irrigation system.
- 5.7 The Equus Beds Groundwater Management District will submit an inspection summary report of the items described in paragraphs 2.2.1 and 2.2.2 to the Chief Engineer, Division of Water Resources, within thirty days of an inspection. A copy of the summary report will be furnished to the customer.
- 5.8 Only the services specifically listed are subject to the agreement.

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APR 16 2018

Equus Beds GMD #2

APR 16 2018

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6 CUSTOMER RESPONSIBILITY

- 6.1 The Equus Beds Groundwater Management District No. 2 will have ingress and egress to the point of diversion, water flow meter and place of use as reasonably necessary to the carry out this service agreement and the customer agrees not to restrict such ingress and egress.
- 6.2 The customer will maintain the point of diversion(s) and water meter(s) described in paragraph 2.2.1 in such a manner as to provide for the timely inspection of the point of diversion, water flow meter and place of use in order to implement the service agreement.

7 LIMITATIONS OF LIABILITY

- 7.1 The Equus Beds Groundwater Management District No. 2 is not responsible for consequential or incidental damages including, but not limited to, any interruption of use of the point of diversion(s) described in paragraph 2.2.1, or any losses or damages resulting from any Equus Beds Groundwater Management District No. 2 acts or omissions under this agreement.
- 7.2 Data collected under this agreement is subject to the Open Public Records Act, K.S.A. 45-215 et seq.

8 SERVICE FEES

- 8.1 The customer will be invoiced for services performed by the Equus Beds Groundwater Management District No. 2:
 - 8.1.1 mileage (one-way) at the standard mileage rate allowed by the Internal Revenue Service, Publication 463, and
 - 8.1.2 staff and administrative time including inspection, readings, data entry, and report preparation and distribution at \$34.25 per hour.
- 8.2 Service fees shall be invoiced within thirty days of service date.
- 8.3 Service fees are due and payable upon invoice.
- 8.4 A service fee not paid within 30 days of invoice is subject to a late charge of 1.5 percent per month equivalent to 18 percent per annum.
- 8.5 Fees not paid within 90 days of invoice will result in the suspension or termination of services.

9 SIGNATURES

DATE: 4-16-2018

BY: *Tim Boese*

Equus Beds Groundwater Management District No. 2

DATE: 4/15/18

BY: *Raymond G. Flickner*

Raymond G. Flickner, Customer

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APR 16 2018

Equus Beds GMD #2

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

January 30, 2018

Chief Engineer, Division of Water Resources
Attn: Brent Turney
1320 Research Park Dr.
Manhattan, Kansas 66502

WATER RESOURCES
RECEIVED

FEB 01 2018

Re: Place of Use Change Applications
Water Right File Nos. 4537-D1, 4537-D2, 4894, 29958 – Raymond Flickner

KS DEPT OF AGRICULTURE

Dear Mr. Turney:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use applications on January 30, 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 applications propose to modify the place of use and create an identical place of use overlap totaling 483 acres between the referenced water rights pursuant to K.A.R. 5-5-11(b)(3), subject to five year allocation(s). The proposed place of use results in a combined water to land ratio of 0.89 acre-feet per acre.

Additionally, pursuant to K.A.R. 5-5-11(b)(3)(A), the groundwater management district in which the points of diversion are located, must agree to assume monitoring responsibility to ensure compliance with the change approvals conditions.

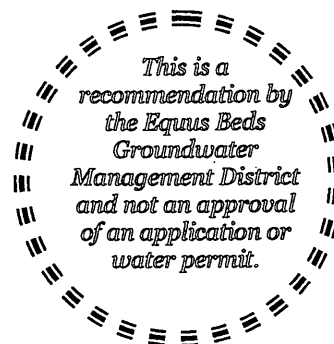
Subject to the condition specified below, the change applications will comply with the District's Revised Management Program and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

Based on the review, the change applications are recommended for approval, subject to the Division of Water Resources determining the 5 year allocation(s) quantity(s). Additionally, the District agrees to assume monitoring responsibilities to ensure compliance with the change approval conditions through either a formal Memorandum of Understanding with the Division of Water Resources and/or the applicant obtaining a service contract with the Equus Beds Groundwater Management to conduct an annual inspection(s) of the place of use being irrigated and review the annual water use.

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/db



pc: Raymond Flickner, Applicant and Landowner
Jeff Lanterman, Division of Water Resources, Stafford

SCANNED

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
 Point of Diversion
 Use Made of Water

(Check one or more)

WATER RESOURCES
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NOV 27 2017

1:07

KS DEPT OF AGRICULTURE

File No. 4537-D1

2. Name of applicant: Raymond Flickner

Address: 2701 N North Shore Circle

City, State and Zip: Wichita, KS 67205-1079

Phone Number: (316)734-6049

E-mail address: rgflickner@msn.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Raymond G Flickner Revocable Trust

Address: Raymond & Susan Flickner, 2701 N North Shore Circle

City, State and Zip: Wichita, KS 67205-1079

Phone Number: (316)734-6049

E-mail address: rgflickner@msn.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): A complete overlap is requested in order to more adequately spread the quantity over the various irrigation systems.

In addition, acreage will be added to accommodate installation/expansion of irrigation systems.

The change(s) (was) (will be) completed by _____ (Date)

For Office Use Only:	
F.O. <u>2</u> GMD <u>2</u> Meets K.A.R. 5-5-1 (YES/NO) Use <u>IRR</u> Source <u>G/S</u> County <u>MP</u> By <u>KAB</u> Date <u>11/27/17</u>	
Code <u>CAU</u> Fee \$ <u>200</u> TR # _____ Receipt Date <u>11/27/17</u> Check # <u>1383</u>	

12/4/17 DAW SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: Raymond G Flickner Revocable Trust

ADDRESS: Raymond & Susan Flickner, 2701 N North Shore Circle, Wichita, KS 67205-1079

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
29	21S	2W							40	40	40	30	40	40					230

List any other water rights that cover this place of use. 29958

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Raymond G Flickner Revocable Trust

ADDRESS: Raymond & Susan Flickner, 2701 N North Shore Circle, Wichita, KS 67205-1079

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20	21S	2W								40	38.5	37	34.5					9*	* 159.4
29	21S	2W					39	19	39	40	40	29	38.5	39					283.5
32	21S	2W					40												40

List any other water rights that cover this place of use. 4894, 29958, 4537-D2

Owner of Land — NAME: _____

ADDRESS: _____

**BAT ROWE*
4-24-18

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

NOV 27 2017

**BAT ROWE*
12-5-17

- 6. The presently authorized point(s) of diversion are One (1) well and diversion works
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) N/A
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the SW Quarter of the SE Quarter of the SW Quarter of Section 29, Township 21 South, Range 2 W, in McPherson County, Kansas, 18 feet North 3444 feet West of Southeast corner of section. Authorized Rate 1000 GPM Authorized Quantity 105
(DWR use only: Computer ID No. 3 GPS 60 feet North 3443 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point 4537-D2

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

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

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

NOV 27 2017

SCANNED
KS DEPT OF AGRICULTURE

*BAF/DWR
2-1-18
SEE EMAIL
2-1-18

12. The presently authorized use of water is for Irrigation purposes.
It is proposed that the use be changed to N/A purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
GMD-2 Monitoring Required. File No. 4537-D1 limited to 5-year fixed allocation=525 AF (1964 AF Entire p/u).
1795.5*
Consideration must be made to align existing allocations (Quantity and start date) over the entire p/u overlap.
A large portion the proposed place of use has been converted to subsurface drip systems with additional efficiency/
subsurface drip systems planned for future conservation. It should also be noted that a portion of the place of use is
low bottomland which regularly floods out crops (overlap will allow flexibility to better distribute water).
(Please show any calculations here.)
14. It is requested that the maximum annual quantity of water be reduced to _____ (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (____ c.f.s.).
16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
- a. If a change in the location of the point(s) of diversion is proposed, show:
- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

The applicant requests that a draft order be sent for review of the allocation prior to approval.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

No waivers anticipated

WATER RESOURCES
RECEIVED

NOV 27 2017

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

KANSAS DEPT OF AGRICULTURE

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Wichita, Kansas, this 24 day of November, 2017.

<u>[Signature]</u> (Owner)	<u>[Signature]</u> (Spouse)
<u>Raymond Flickner</u> (Please Print)	<u>Susan Flickner</u> (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }
County of Sedgwick } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24th day of November, 2017.

 AARON SIMS
Notary Public - State of Kansas
My Commission Expires 05/19/2021

[Signature]
Notary Public

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

WATER RESOURCES
RECEIVED
NOV 27 2017
KS DEPT OF AGRICULTURE

SCANNED

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 4537-D1 REVERSION ACRES
MAKE ADDITIONAL COPIES AS NECESSARY

Owner of Land — NAME: Raymond G Flickner Revocable Trust

ADDRESS: Raymond & Susan Flickner, 2701 N North Shore Circle, Wichita, KS 67205-1079

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20	21S	2W																	112
29	21S	2W					5	14.5	25.5	39	36	24	38	37					219
32	21S	2W					40												40

*371**

WATER RESOURCES
RECEIVED

NOV 27 2017

KS DEPT OF AGRICULTURE

**BAT/OWE
12-5-17*

AD ASTRA PER ASPERA
Kansas
Department of Agriculture
Division of Water Resources

109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

phone: (785) 296-3717
fax: (785) 296-1176
www.ksda.gov/dwr

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer

Sam Brownback, Governor

December 18, 2017

FILE COPY

EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO 2
ATTN TIM BOESE
313 SPRUCE
HALSTEAD KS 67056-1925

Re: Water Right
File Nos. 4,537 D1, 4,537 D2,
4,894 and 29,958

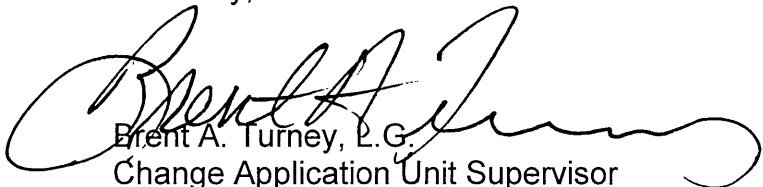
Dear Mr. Boese:

We are in receipt of your request for an extension of time to supply a recommendation to the Chief Engineer, received in the office of the Chief Engineer December 15, 2017.

We are delaying any further action January 31, 2018, to allow you time to submit your recommendations concerning these applications.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 296-4617. 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, E.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT
Enclosures

pc: Stafford Field Office

SCANNED

Turney, Brent [KDA]

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Friday, December 15, 2017 9:42 AM
To: Turney, Brent [KDA]
Subject: 4537 D1, 4537 D2, 4894, 29958 Extension Requests

Good morning, Brent!

Steve Flaherty requests an extension to review the change applications for files #4537 D1, #4537 D2, #4894, and #29958. 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

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

December 7, 2017

ERIC HOEME
1308 S INDIAN RD
LEOTI KS 67861

FILE COPY

RE: Water Right, File Nos. 4,537 D1; 4,537 D2; 4,894 and 29,958

Dear Mr. Hoeme:

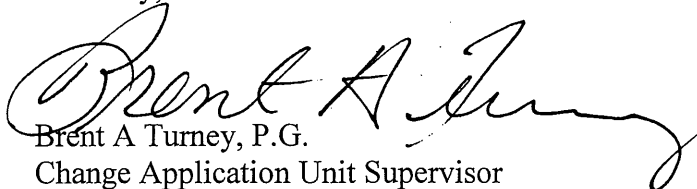
This is to advise you that Raymond Flickner has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

The changes are proposing to increase the place of use from the currently authorized 426.39 acres to a proposed total of 483 acres. The changes in place of use further propose that all water rights be authorized to irrigate the same overall place of use.

Effective July 1, 2016, K.S.A. 82a-1906 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. In order to comply with the statute, you are being notified of the above referenced application for change.

If you have any questions, please contact me at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,



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

RAK
pc: Stafford Field Office
GMD No. 2

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 7, 2017

EUGENE AND WANETA GOERING REV TRUST
183 19TH AVE
MOUNDRIDGE KS 67107

RE: Water Right, File Nos. 4,537 D1; 4,537 D2; 4,894 and 29,958

Dear Mr. and Mrs. Goering:

This is to advise you that Raymond Flickner has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

The changes are proposing to increase the place of use from the currently authorized 426.39 acres to a proposed total of 483 acres. The changes in place of use further propose that all water rights be authorized to irrigate the same overall place of use.

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If you have any questions, please contact me at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Brent A. Turney".

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

RAK
pc: Stafford Field Office
GMD No. 2

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 7, 2017

CITY OF MOUNDRIDGE
PO BOX 636
MOUNDRIDGE KS 67107

RE: Water Right, File Nos. 4,537 D1; 4,537 D2; 4,894 and 29,958

Dear Sir or Madam:

This is to advise you that Raymond Flickner has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

The changes are proposing to increase the place of use from the currently authorized 426.39 acres to a proposed total of 483 acres. The changes in place of use further propose that all water rights be authorized to irrigate the same overall place of use.

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

RAK
pc: Stafford Field Office
GMD No. 2

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 7, 2017

WAYNE M AND DANIELLE GOERING REV TRUST
16637 NORTH 30TH
PHOENIX AZ 85053

RE: Water Right, File Nos. 4,537 D1; 4,537 D2; 4,894 and 29,958

Dear Sir or Madam:

This is to advise you that Raymond Flickner has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

The changes are proposing to increase the place of use from the currently authorized 426.39 acres to a proposed total of 483 acres. The changes in place of use further propose that all water rights be authorized to irrigate the same overall place of use.

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Sincerely,

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

RAK

pc: Stafford Field Office
GMD No. 2

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 7, 2017

STUCKY FAMILY LIMITED PTN
5885 CANYON RD
SANGER TX 76266

RE: Water Right, File Nos. 4,537 D1; 4,537 D2; 4,894 and 29,958

Dear Sir or Madam:

This is to advise you that Raymond Flickner has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

The changes are proposing to increase the place of use from the currently authorized 426.39 acres to a proposed total of 483 acres. The changes in place of use further propose that all water rights be authorized to irrigate the same overall place of use.

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If you have any questions, please contact me at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Brent A. Turney". The signature is written in a cursive style with a long, sweeping underline.

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

RAK
pc: Stafford Field Office
GMD No. 2

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 7, 2017

STUCKY FAMILY LIMITED PTN
5885 CANYON RD
SANGER TX 76266

RE: Water Right, File Nos. 4,537 D1; 4,537 D2; 4,894 and 29,958

Dear Sir or Madam:

This is to advise you that Raymond Flickner has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

The changes are proposing to increase the place of use from the currently authorized 426.39 acres to a proposed total of 483 acres. The changes in place of use further propose that all water rights be authorized to irrigate the same overall place of use.

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If you have any questions, please contact me at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

RAK
pc: Stafford Field Office
GMD No. 2

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 7, 2017

FILE COPY

EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2
ATTN TIM BOESE
313 SPRUCE
HALSTEAD KS 67056

Re: Water Right
File Nos. 4,537 D1; 4,537 D2;
4,894 and 29,958

Dear Mr. Boese:

We are enclosing copies of the applications referred to above, received in the office of the Chief Engineer November 27, 2017, which appear to be in proper form,

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

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

A handwritten signature in black ink that reads "Brent A. Turney". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

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

BAT
Enclosures

pc: Stafford Field Office
Raymond Flickner

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

RAYMOND FLICKNER 12/4/17
2701 N NORTH SHORE CIRCLE
WICHITA, KS 67205

FILE COPY

RE: File No 4537D1

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU
- point of diversion
- use made of water

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. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. 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 Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: STAFFORD Field Office GMD2

Ray Flickner Water Rights

File No.	5 Year Allocation (Y/N)	Source of Allocation	Current 5 Year Allocation Range	Allocation Quantity (AF)	P/U Overlaps
G1 4537-D1	Y	5/9/00 Approval to Change the Place of Use	2015-2019	1,006	29958
G1 29958 IRR	Y				4537-D1
29958 IND	N	N/A	N/A	N/A	none
G1 4537-D2	N	N/A	N/A	N/A	none
G1 4894	Y	8/16/01 Approval to Change the Place of Use	2013-2017	529.5	none
G2 47591	N	N/A	N/A	N/A	none
G2 32552	Y	11/22/05 Approval to Change the Place of Use	2015-2019	810	40699
G2 40699	Y				32552

10/18/17 JKL & EKF/SFFO

Ray Flickner Water Rights

File No.	5 Year Allocation (Y/N)	Source of Allocation	Current 5 Year Allocation Range	Allocation Quantity (AF)	P/U Overlaps
4537-D1	Y	5/9/00 Approval to Change the Place of Use	2015-2019	1,006	29958
29958 IRR	Y				4537-D1
29958 IND	N	N/A	N/A	N/A	none
4537-D2	N	N/A	N/A	N/A	none
4894	Y	8/16/01 Approval to Change the Place of Use	2013-2017	529.5	none
47591	N	N/A	N/A	N/A	none
32552	Y	11/22/05 Approval to Change the Place of Use	2015-2019	810	40699
40699	Y				32552

10/18/17 JKL & EKF/SFFO

Base Acre Review

(Revisions 11/21/17)

File No. 4537 & 29958 29-21S-2W

McPherson Co.

Permit Approval Date: File 4537
10/27/1955
 Permit Acres Authorized: 212

File 29958
3/6/1979
201 Partial P/U overlap

YEAR	File No. 4537 ACRES REPORTED	File No. 29958 ACRES REPORTED	
1955	no report		File 4537 Perfection Period
1956	no report		
1957	0		
1958	40		
1959	70		
1960	70		
1961	105		
1962	120		
1963	180		
1964	120		
1965	120		FIR (4537) stated 75 acres
1966	130		
1967	98		
1968	100		
1969	85		
1970	170		
1971	159		
1972	148		
1973	160		
1974	153		
1975	143		
1976	160		
1977	120		
1978	180		
1979	187	no IRR report	File 4537 Certified 2/17/78 for 212 acres
1980	no IRR report	no IRR report	File 4537 Change approved 4/15/80 to add IND, still 212 acres
1981	190		File 29958 Perfection Period
1982	165		
1983	95		
1984	180		
1985	173		
1986	not reported		1989 FIR (29958) stated 180 acres
1987	150		
1988	150		
1989	160		
1990	161		
1991	170		
1992	180		
1993	190		
1994	190		

File 4537 Certified 2/17/78 for 212 acres

File 4537 Change approved 4/15/80 to add IND, still 212 acres

1989 FIR (29958) stated 180 acres

File 29558 Certified 12/14/89

Base Acre Review

File No. 4537 & 29958

Determination prior to 2008 Division/Change approvals:

File 4537 Perfection Acres =	180	Year = 1963
File 4537 Base Acres =	190	Year = 1981
File 29958 Perfection Acres =	190 (81 additional)*	Year = 1981
File 29958 Base Acres =	190 (81 additional)*	Year = 1981

* There is an incomplete overlap between these two files until 2000 when the authorized acres were increased 230. After 4537 Use Made of Water Change dated 4/15/80 designated industrial use, File No. 29958 began developing its own base acreage (190 base acres, 81 additional).

A division was approved in 2008 that defined the base/perfection acres under File No. 4537-D1 as 109 acres. File No. 4537-D2 was assigned as the IND portion and did not have any base/perfection defined under it. The place of use for File 29958 was reduced on 12/3/08 to ensure consumptive use would not increase when 4537-D2 Ind was created with the 2008 Use Made of Water Change.

Through all of the Changes done under 4537, no changes were ever made that modified or decreased the quantity of water and/or acres. Therefore, it has been determined that the original perfection and base acres under File No. 4537 have not been impacted. The difference between the original perfection and base acres and the 109 acres assigned to File NO. 4537-D1 in 2008 will be the values for File No. 4537-D2 as listed below

File 4537-D1 Perfection Acres =	109 Div	Year = 1963
File 4537-D1 Base Acres =	109 Div	Year = 1981
File 4537-D2 Perfection Acres =	81 Div	Year = 1963
File 4537-D2 Base Acres =	81 Div	Year = 1981
File 29958 Base Acres =	190 + 81 Additional	Year = 1981

271 Total

Reviewer: EKF
Revisions: TJS

Date: 8/2/017
Date 11/21/2017

I concur with the Base Acre Determination:

JR W.L.

Date 11/21/17

Base Acre Review

(Revisions 11/21/17)

File No. 4537 & 29958 29-21S-2W

McPherson Co.

Permit Approval Date: File 4537
10/27/1955
 Permit Acres Authorized: 212

File 29958
3/6/1979
201 Partial P/U overlap

	File No. 4537	File No. 29958	
YEAR	ACRES REPORTED	ACRES REPORTED	
1955	no report	 	<p>File 4537 Perfection Period</p> <p>FIR (4537) stated 75 acres</p>
1956	no report	 	
1957	0	 	
1958	40	 	
1959	70	 	
1960	70	 	
1961	105	 	
1962	120	 	
1963	180	 	
1964	120	 	
1965	120	 	
1966	130	 	
1967	98	 	
1968	100	 	
1969	85	 	
1970	170	 	
1971	159	 	
1972	148	 	
1973	160	 	
1974	153	 	
1975	143	 	
1976	160	 	
1977	120	 	
1978	180	 	
1979	187	no IRR report	File 4537 Certified 2/17/78 for 212 acres
1980	no IRR report	no IRR report	File 4537 Change approved 4/15/80 to add IND, still 212 acres
1981	190	 	<p>File 29958 Perfection Period</p> <p>1989 FIR (29958) stated 180 acres</p>
1982	165	 	
1983	95	 	
1984	180	 	
1985	173	 	
1986	not reported	 	<p>File 29558 Certified 12/14/89</p>
1987	150	 	
1988	150	 	
1989	160	 	
1990	161	 	
1991	170	 	
1992	180	 	
1993	190	 	
1994	190	 	

Base Acre Review

File No. 4537 & 29958

Determination prior to 2008 Division/Change approvals:

File 4537 Perfection Acres =	180		Year = 1963
File 4537 Base Acres =	190		Year = 1981
File 29958 Perfection Acres =	190 (81 additional)*		Year = 1981
File 29958 Base Acres =	190 (81 additional)*		Year = 1981

* There is an incomplete overlap between these two files until 2000 when the authorized acres were increased 230. After 4537 Use Made of Water Change dated 4/15/80 designated industrial use, File No. 29958 began developing its own base acreage (190 base acres, 81 additional).

A division was approved in 2008 that defined the base/perfection acres under File No. 4537-D1 as 109 acres. File No. 4537-D2 was assigned as the IND portion and did not have any base/perfection defined under it. The place of use for File 29958 was reduced on 12/3/08 to ensure consumptive use would not increase when 4537-D2 Ind was created with the 2008 Use Made of Water Change.

Through all of the Changes done under 4537, no changes were ever made that modified or decreased the quantity of water and/or acres. Therefore, it has been determined that the original perfection and base acres under File No. 4537 have not been impacted. The difference between the original perfection and base acres and the 109 acres assigned to File NO. 4537-D1 in 2008 will be the values for File No. 4537-D2 as listed below

File 4537-D1 Perfection Acres =	109 Div		Year = 1963
File 4537-D1 Base Acres =	109 Div		Year = 1981
File 4537-D2 Perfection Acres =	81 Div		Year = 1963
File 4537-D2 Base Acres =	81 Div		Year = 1981
File 29958 Base Acres =	190 + 81 Additional		Year = 1981
271 Total			

Reviewer: EKF
Revisions: TJS

Date: 8/2/017
Date 11/21/2017

I concur with the Base Acre Determination:

JR W.L.

Date 11/21/17

Base Acre Review

(Revisions 11/21/17)

File No. 4537 & 29958 29-21S-2W

McPherson Co.

Permit Approval Date: File 4537
10/27/1955
 Permit Acres Authorized: 212

File 29958
3/6/1979
201 Partial P/U overlap

YEAR	File No. 4537 ACRES REPORTED	File No. 29958 ACRES REPORTED	
1955	no report		File 4537 Perfection Period
1956	no report		
1957	0		
1958	40		
1959	70		
1960	70		
1961	105		
1962	120		
1963	180		
1964	120		
1965	120		FIR (4537) stated 75 acres
1966	130		
1967	98		
1968	100		
1969	85		
1970	170		
1971	159		
1972	148		
1973	160		
1974	153		
1975	143		
1976	160		
1977	120		
1978	180		
1979	187	no IRR report	File 4537 Certified 2/17/78 for 212 acres
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1981	190		File 29958 Perfection Period
1982	165		
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1984	180		
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1986	not reported		
1987	150		
1988	150		
1989	160		1989 FIR (29958) stated 180 acres
1990	161		File 29558 Certified 12/14/89
1991	170		
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1993	190		
1994	190		

Base Acre Review

File No. 4537 & 29958

Determination prior to 2008 Division/Change approvals:

File 4537 Perfection Acres =	180	Year = 1963
File 4537 Base Acres =	190	Year = 1981
File 29958 Perfection Acres =	190 (81 additional)*	Year = 1981
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Through all of the Changes done under 4537, no changes were ever made that modified or decreased the quantity of water and/or acres. Therefore, it has been determined that the original perfection and base acres under File No. 4537 have not been impacted. The difference between the original perfection and base acres and the 109 acres assigned to File NO. 4537-D1 in 2008 will be the values for File No. 4537-D2 as listed below

File 4537-D1 Perfection Acres =	109 Div	Year = 1963
File 4537-D1 Base Acres =	109 Div	Year = 1981
File 4537-D2 Perfection Acres =	81 Div	Year = 1963
File 4537-D2 Base Acres =	81 Div	Year = 1981
File 29958 Base Acres =	190 + 81 Additional	Year = 1981

271 Total

Reviewer: EKF
Revisions: TJS

Date: 8/2/017
Date 11/21/2017

I concur with the Base Acre Determination:

JR W.L.

Date 11/21/17

Water Use History for File No. 4894

Approved Quantity: 107 AF
5 Year Allocation: 529.5 AF

Authorized Acres: 156.39 (after 2001)

YEAR	Beginning Meter	Ending Meter	Metered Q (gal)	Total Quantity (AF)	Allocation Remaining (AF)	Comment
2002	67,715,700	98,161,000	30,445,300	93.433	436.067	
2003	98,161,000	31,292,400	33,131,400	101.677	334.390	7/24/03 GMD visit: 16,964,700 gal
2004	31,292,400	48,284,700	16,992,300	52.147	282.243	
2005	48,284,700	71,170,800	22,886,100	70.235	212.008	
2006	71,170,800	5,900,100	34,729,300	106.580	105.428	
2007	5,900,100	23,532,300	17,632,200	54.111	475.389	
2008	23,532,300	39,685,500	16,153,200	49.572	425.816	
2009	39,685,500	62,639,300	22,953,800	70.443	355.374	
2010	62,639,300	89,783,600	27,144,300	83.303	272.071	
2011	broke	12,907,600		129.612	142.459	estimated 90 AF before meter repaired
2012	12,907,600	38,000,300	25,092,700	77.007	452.493	2/1/12 visit: 12,907,600 gal
2013	38,000,300	55,727,300	17,727,000	54.402	398.091	10/31/12 visit: 38,000,300 gal
2014	55,727,300	84,388,400	28,661,100	87.958	310.133	
2015	84,388,400	9,971,800	25,583,400	78.513	231.621	
2016	9,971,800	21,024,000	11,052,200	33.918	197.703	
2017			0	0.000	529.500	
2018			0	0.000	529.500	
2019			0	0.000	529.500	
2020			0	0.000	529.500	
2021			0	0.000	529.500	

Beginning 2004 changed to match end of 2003. WUC used metered Q instead of the meter reading. The same for 2016 WUR.

8/3/17 EKF/SFFO

ATTACHMENT A

**REPORT OF ONSITE VERIFICATION OF COMPLIANCE WITH CONDITIONS OF APPROVAL
OF CHANGE IN PLACE OF USE FOR IRRIGATION PURPOSES**

File No. _____ Inspection Date _____ Inspector _____

Landowner _____

1. Is the operation in compliance with the current DWR approval? _____ YES _____ NO If NO, explain.

Remarks: _____

2. Has the well or diversion works changed since the last inspection? _____ YES _____ NO If YES, explain.

Remarks: _____

3. a. Which acres are planted/irrigated/harvested within the authorized place of use during the current calendar year?
Indicate types of crops.

S	T	R	NE ¼				NW ¼				SW ¼				SE ¼				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

b. Crops _____

4. Are any unauthorized acres being irrigated? _____ NO _____ YES If YES, explain.

Remarks: _____

5. Current meter reading _____ Units _____ Conversion factor _____

6. Has the flow meter been changed since last verification? _____ YES _____ NO If YES, current meter make _____

Model _____ Serial No. _____ Outside pipe diameter _____

7. Is the meter properly installed and operating satisfactorily? _____ YES _____ NO If NO, explain and

obtain estimate of water use since last verification: _____

SEE REVERSE SIDE OF FORM

METER TEST

8. Ending meter reading _____ GAL/A.F./A.I.
Beginning meter reading _____ GAL/A.F./A.I.
Difference in reading _____ GAL/A.F./A.I.
Time _____ (min/sec/10ths) At least 3 minutes
Rate _____ gpm

9. Is owner complying with the conservation plan? _____ N/A _____ YES _____ NO If NO, explain.

PLAT



Scale: 1" = _____ ft.

Additional Comments:

Conducted by _____
(Signature and Title)
Reviewed by _____
(Signature and Title)

Date _____
Date _____

ATTACHMENT B - Status Report *

Date _____

Address _____

Re: Status Report, File No. _____

Dear _____,

On _____ an application for a change in place of use for irrigation purposes was approved by the Chief Engineer. The Northwest Kansas Groundwater Management District No. 4 has agreed to monitor compliance with the conditions of that approval.

A member of the staff of the Groundwater Management District recently conducted an onsite verification of your operation to determine whether you were complying with the conditions of your change approval. The onsite verification showed that on _____:

(1) The required water flow meter was properly installed and in satisfactory operating condition.

(2) You were complying with the conditions of the required conservation plan.

(3) You were irrigating only authorized acres.

(4) Water Use Limits

(a) The five-year allocation of water authorized for the period 19__ through 19__ is _____ acre feet.

(b) The maximum annual quantity of water use authorized is _____ acre feet.

(5) HISTORY OF WATER USE

	<u>YEAR 1</u>	<u>YEAR 2</u>	<u>YEAR 3</u>	<u>YEAR 4</u>	<u>YEAR 5</u>
<u>ANNUAL WATER USED</u>					
<u>ANNUAL AMOUNT REMAINING</u>					
<u>TOTAL OF 5 YEAR ALLOCATION USED</u>					
<u>TOTAL OF 5 YEAR ALLOCATION REMAINING</u>					

* Sample Report to be used if owner is in compliance. Report would need to be modified to indicate any violations found.

- (6) You were in compliance with your maximum annual quantity.
- (7) You were in compliance with your five-year allocation of water.

SUMMARY

- (1) As of _____, you had _____ acre feet of additional water that may be used in calendar year 19____, if needed.
- (2) As of _____, you had _____ acre feet of additional water that may be used by December 31, 19____, if needed.

Thank you very much for your cooperation and compliance.

Sincerely,

Manager,
Southwest Kansas Groundwater
Management District #3

cc: Division Water Commissioner
Head of Division Compliance and Enforcement Unit



Mid-Continent Fractionation
and Storage, LLC
P.O. Box 645
Tulsa, OK 74121-1899

December 1, 2017

Brent Turney
Change Application Unit Supervisor
Division of Water Resources,
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Term Permit File No. 20089082

Dear Brent,

The letter is in reference to Term Permit File No. 20089082, which is set to expire January 1, 2018. At this time, Mid-Continent Fractionation & Storage requests an extension of this term permit.

The use of this term permit is for an on-going contamination remediation at the Conway, Kansas Facility under consent order 94-E-0201. Under K.A.R. 5-9-1b(1), the term permit may be approved for a "contamination remediation extension in increments of not more than ten (10) years, for a total period not to exceed 40 years."

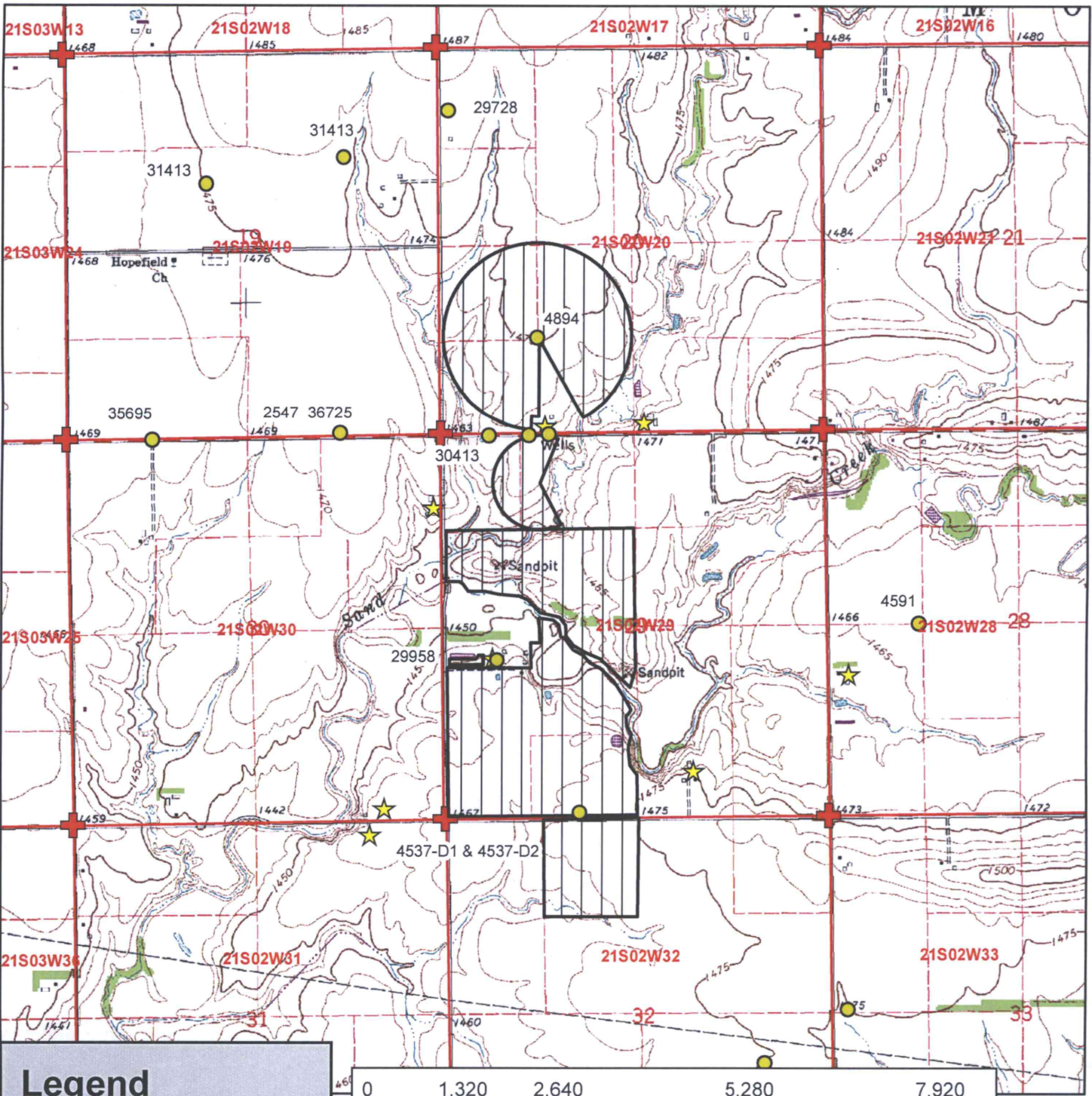
Further, K.A.R. 5-9-1c, Request to extend a term permit. "Any term permit may be extended as provided in K.A.R. 5-9-1b if the request to extend the term permit meets the following requirements:

- (a) Is received at least 30 days before the expiration of the term permit;
- (b) is signed by the holder of the term permit or its authorized agent;
- (c) meets one of the following conditions:
 - (1) Will extend the total term of the permit for five years or less; or
 - (2) Will extend the total term of the permit in excess of five years, if the application meets the requirements of safe yield, allowable appropriation, and similar regulatory criteria.

The filing fee of \$100.00 for this request will be submitted with a hard copy of this letter request. If you have any questions, please contact either Catherine Orban at (918) 573-1535 or David Zook at (620) 727-5203.

Sincerely,
Mid-Continent Fractionation and Storage, LLC

for Randy Heinrichs, Area Manager

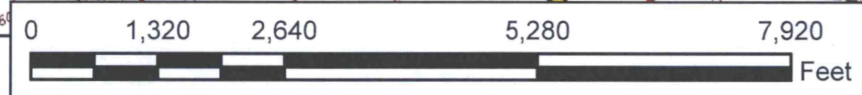


Legend

- Water Appropriations
- + Section Corner
- Section Line
- ★ Domestic Well

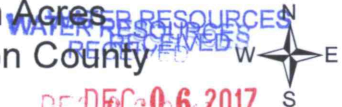
Place of Use

- Reversion Acres



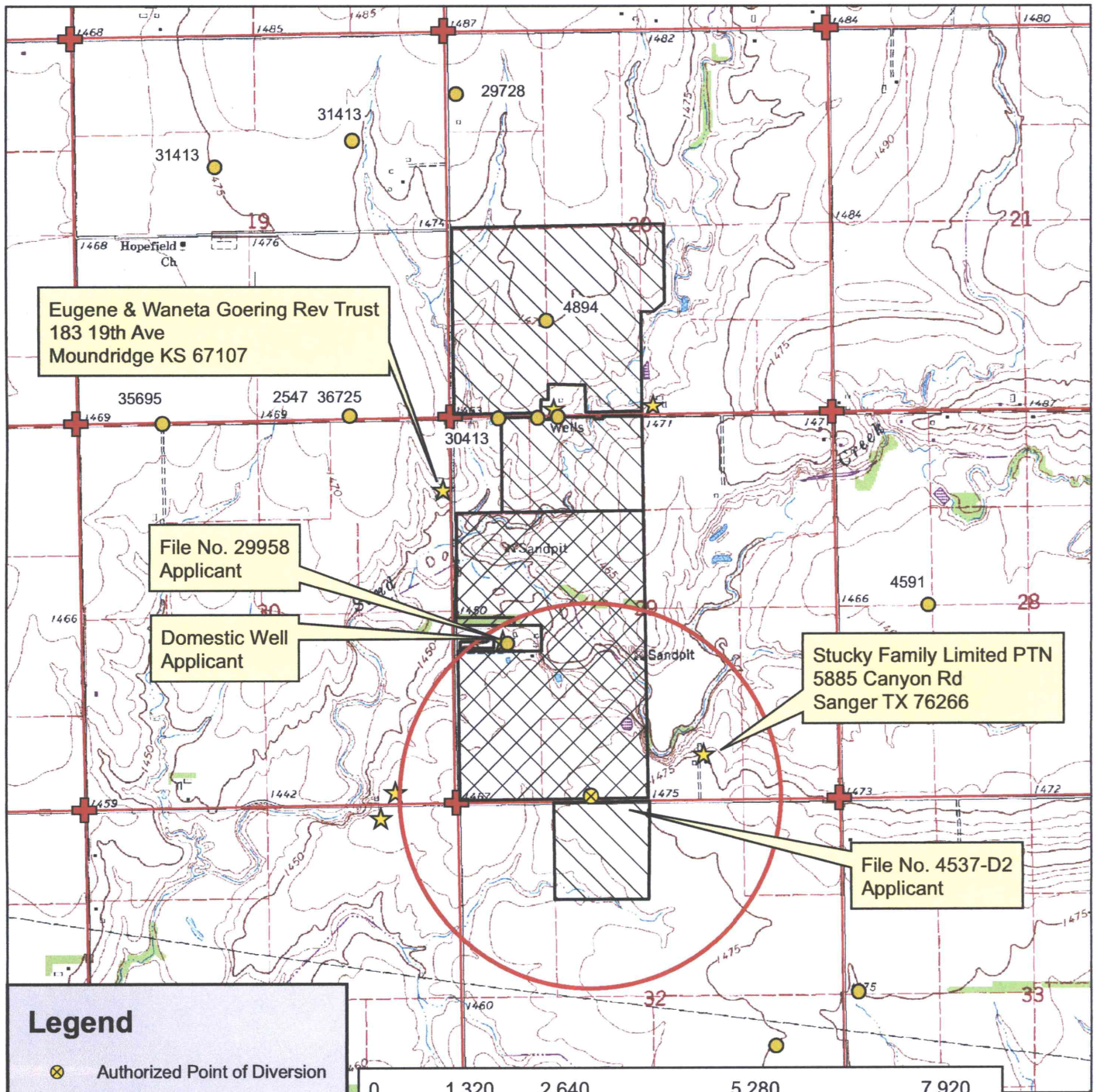
Water Right, File Nos. 4537-D1, 4537-D2, 4894, & 29958

Change in Place of Use, Reversion Acres 20,29, & 32 -21S-2W // McPherson County



KS DEPT. OF AGRICULTURE

SCANNED



Eugene & Waneta Goering Rev Trust
183 19th Ave
Moundridge KS 67107

File No. 29958
Applicant

Domestic Well
Applicant

Stucky Family Limited PTN
5885 Canyon Rd
Sanger TX 76266

File No. 4537-D2
Applicant

Legend

- ⊗ Authorized Point of Diversion
- Water Appropriations
- ⊕ Section Corner
- Section Line
- ★ Domestic Well
- 1/2 Mile Buffer

Place of Use

- ▨ Authorized
- ▩ Proposed



Water Right, File No. 4537-D1

Change in Place of Use Application Map
20,29, & 32 -21S-2W // McPherson County



To the best of my knowledge, all water wells including domestic, within 1/2 mile of the authorized point of diversion have been shown.

WATER RESOURCES RECEIVED

NOV 27 2017

Signature

11/20/17 TJS-SFFO 1:24,000 scale