

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

1. File Number: 47846	2. Status Change Date: 7/13/2018	3. Change Num: C1	4. Field Office: 02	5. GMD: 02
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 29-JAN-2018
8a. Applicant(s) New to system <input type="checkbox"/> ARLEN BECKER 1293 26TH AVE CANTON KS 67428		Person ID _____ Add Seq# 1		
8b. Landowner(s) New to system <input type="checkbox"/> ARLEN R AND NONA G BECKER 1293 26TH AVE CANTON KS 67428		Person ID 56945 Add Seq# 1		
8c. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		
8d. WUC New to system <input type="checkbox"/>		Person ID 56945 Add Seq# 1		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/18 <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input checked="" type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter				
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 7/02/18 By: RAK Date Entered: 7/16/2018 By: UM				

File No. **47846** 11. County: **MP** Basin: Stream: Formation Code: Special Use:

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

NO CHANGES

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

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

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

16. Place of Use CHK MOD DEL ENT PUSE S T R ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
MOD 62166 32 19 1W 3	17.6																17.6	8B	NO	NO

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: July 2, 2018

FROM: Richelle A. Krueger

RE: Water Right
File No. 47,846

Arlen and None Becker, water right owners, filed an application for approval to change the authorized place of use for the referenced file number, authorized groundwater in the Little Arkansas River Basin. The referenced change application is being processed along with the certificate for File No. 47,846.

The above referenced file does not appear abandoned as per K.S.A. 82a-718.

The referenced file number is authorized a quantity of 15 acre-feet of water from one well for irrigation use on 16 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 32, Township 19 South, Range 1 West, McPherson County. There are no overlaps in the authorized point of diversion or place of use. The referenced change application proposes a net increase of 1.6 acres for a total of 17.6 acres in the Northeast Quarter of Section 32. Base acres are 16 acres so the application meets K.A.R. 5-5-11.

The authorized 15 acre-feet of water can irrigate the proposed 17.6 acres with 0.85 acre-foot per acre which is less than the minimum reasonable quantity in McPherson County since 50% NIR with 85% efficiency in McPherson County is 1.06 acre-feet per acre. However, the application was originally approved for less than the minimum reasonable quantity and it appears the water right owner has not overpumped the right. In addition, only 1.6 acres is being added to the place of use.

As per current DWR practice, nearby water right owners with a point of diversion within one-half mile of the authorized well of File No. 47,846 were not sent notices since less than 10 acres or 10 percent of base acres is proposed.


The same local source of supply will not change.

In a letter dated May 31, 2018, Tim Boese, Manager of Equus Beds Groundwater Management District No. 2 recommended that the application be approved.

In a June 29, 2018 e-mail Jeff Lanterman, Water Commissioner of the Stafford Field Office, indicated he recommends approval with a requirement that DWR will seal the meter to the pipe.

A water flow meter is required. A check valve is 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, and that no change in the local source of supply will occur, it has been recommended that the application be approved.


Richelle A. Krueger
Environmental Scientist

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

ARLEN AND NONA BECKER
1293 26TH AVE
CANTON KS 67428

July 16, 2018

FILE COPY

RE: Water Right, File No. 47,846

Dear Sir or Madam:

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.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the diversion works and/or installation of the required meter as soon as these actions are completed. A seal will be placed on the water flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the written permission of the Chief Engineer, it shall constitute a violation of the order of the Chief Engineer.

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.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

BAT:rak

pc: Stafford Field Office
Groundwater Management District No. 2

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. 47,846**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Arlen and Nona Becker, 1293 26th Avenue, Canton, Kansas, 67428, received in this office on January 29, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

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 $\frac{1}{4}$	
32	19S	1W	17.60															17.60	

a total of 17.60 acres in Township 19 South, Range 1 West, McPherson County, Kansas,

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

All 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.

A seal shall be placed on the water flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the written permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right. If any such violation occurs, a written order shall be issued by the chief engineer stating the nature of the violation and the civil penalty, suspension of water right or modification to the water right, or any combination of these to be imposed.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 47,846, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated *July 12, 2018*

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.

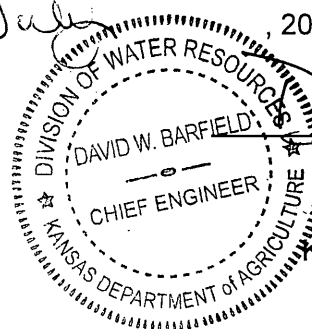
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal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

Ordered this *13th* day of *July*, 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 *13th* day of *July*, 2018, by David W. Barfield, P.E, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter

 Notary Public

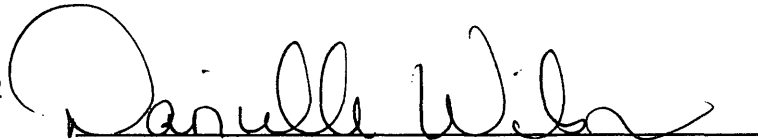
CERTIFICATE OF SERVICE

On this 10th day of July, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 47,846, dated July 13, 2018 was mailed postage prepaid, first class, US mail to the following:

ARLEN AND NONA BECKER
1293 26TH AVE
CANTON KS 67428

With photocopies sent to:

Stafford Field Office
Groundwater Management District No. 2


Division of Water Resources

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
RECEIVED

JAN 29 2018
11:32

KS DEPT OF AGRICULTURE

File No. 47846

2. Name of applicant: Arlen Becker

Address: 1293 26th Ave

City, State and Zip: Canton KS 67428

Phone Number: (620)242-4311

E-mail address: _____

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

Name of water use correspondent: Arlen R & Nona G Becker

Address: 1293 26th Ave

City, State and Zip: Canton KS 67428

Phone Number: (620) 242-4311

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): To modify/increase the authorized place of use

The change(s) will completed by 04-01-18
(Date)

For Office Use Only:

F.O. 2 GMD 2 Meets K.A.R. 5-5-1 (YES) / NO Use FRR Source GDS County MP By Atw Date 1/29/18
Code CPU Fee \$ 200 TR # _____ Receipt Date 1/29/18 Check # 2205

APPLICATION COMPLETE
6/11/18
Reviewer RAIL

SCANNED

Assisted by: EKF/SFFO

2/5/2018 LUM

4. The presently authorized place of use is:

Owner of Land — NAME: Arlen R & Nona G Becker

ADDRESS: 1293 26th Ave, Canton KS 67428

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	
32	19	1W	16																16

List any other water rights that cover this place of use. none

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: Arlen R & Nona G Becker

ADDRESS: 1293 26th Ave, Canton KS 67428

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	
32	19	1W	17.6																17.6

List any other water rights that cover this place of use. none

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 MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion is one well and diversion works
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) ---
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the NE Quarter of Section 32, Township 19 South, Range 1 W, in McPherson County, Kansas, 5195 feet North 580 feet West of Southeast corner of section.
 Authorized Rate 500 gpm Authorized Quantity 15 AF
 (DWR use only: Computer ID No. 08 GPS 5146 feet North 597 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 none

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. WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

12. The presently authorized use of water is for irrigation purposes.

It is proposed that the use be changed to --- purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

Adding 1.6 Acres of irrigated land to South end of property

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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.

No changes to the point of diversion/source of supply

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.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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 Canton, Kansas, this 25th day of January, 2018.

[Signature]
(Owner)

[Signature]
(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of McPherson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25th day of January, 2018.

[Signature]
Notary Public

My Commission Expires 4-4-21

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

WATER RESOURCES RECEIVED

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

JAN 29 2018

KS DEPT OF AGRICULTURE
SCANNED

Krueger, Richelle

From: Krueger, Richelle
Sent: Monday, July 2, 2018 8:39 AM
To: Lanterman, Jeff [KDA]
Subject: RE: Request for Recommendation Change in PU File No. 47846 Arlen Becker

Okay thanks Jeff!

From: Lanterman, Jeff [KDA]
Sent: Monday, July 2, 2018 8:39 AM
To: Krueger, Richelle <Richelle.Krueger@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: RE: Request for Recommendation Change in PU File No. 47846 Arlen Becker

I would like AR gears in there but this meter is already installed. I think I would be OK with just sealing it to the pipe.

From: Krueger, Richelle
Sent: Monday, July 2, 2018 8:35 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: RE: Request for Recommendation Change in PU File No. 47846 Arlen Becker

Hi Jeff,
Does this mean you want anti reverse flowmeter wording also or just seal to the pipe?
Thanks,
Richelle

From: Lanterman, Jeff [KDA]
Sent: Friday, June 29, 2018 9:29 AM
To: Krueger, Richelle <Richelle.Krueger@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: RE: Request for Recommendation Change in PU File No. 47846 Arlen Becker

Richelle;

I recommend this be approved with a requirement for DWR to seal the meter to the pipe. There is a lot of incentive to cheat here in a dry year.

This gives me a lot of heartburn because I was the one that would not approve this unless they reduced their acres down to a reasonable number which I suggested 15.87 based on MRQ. We finally agreed on 16. Seems like he is trying to do the end around on us with this change.

This really needs someone to go read his meters to ensure compliance. But I don't have any real ditch riders.

Thanks
Jeff

From: Conant, Cameron [KDA]
Sent: Thursday, June 28, 2018 10:43 PM

To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>

Subject: FW: Request for Recommendation Change in PU File No. 47846 Arlen Becker

From: Conant, Cameron [KDA]

Sent: Thursday, June 28, 2018 2:31 PM

To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>

Subject: FW: Request for Recommendation Change in PU File No. 47846 Arlen Becker

Jeff, this is a p/u change to increase 10% by going from 16 acres to 17.5 acres. This is a small user exemption in GMD#2 for 335 GPM (got approved right before they limited the rate on these things). If you recall, this is Arlen Becker's 15 AF application, he originally was wanting 34 acres irrigated and after much discussion he was able to reduce to 16 acres on 15 AF. This is in MP County.

I guess I don't have a problem with increasing the p/u by 1.5 acres on this one even though the AF/acre is already lower and getting lower.

Please pass on to Richelle if you agree.

Cameron

From: Krueger, Richelle [KDA]

Sent: Monday, June 11, 2018 12:46 PM

To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>

Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>

Subject: Request for Recommendation Change in PU File No. 47846 Arlen Becker

Hi Jeff,

Attached is a draft memo for the referenced change in pu, do you recommend approval?

Thanks,
Richelle

Krueger, Richelle [KDA]

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Thursday, June 7, 2018 11:07 AM
To: Krueger, Richelle [KDA]
Cc: Engelbrecht, Jessica [KDA]
Subject: 47846 PU Change Approval Recommendation Letter
Attachments: 47846 PU Change Approval Rec 5-31-18.pdf; 47846 Meter Installation Letter 5-31-18.pdf

Hello!

Attached is an PU Change Application Approval Recommendation Letter and a Meter Installation Letter from Manager Tim Boese for #47846.

Please let me know if you have any difficulty opening the attachments!

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

WATER RESOURCES
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JUN 11 2018

KS DEPT OF AGRICULTURE

SCANNED

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

May 31, 2018

Chief Engineer, Division of Water Resources
Attn: Richelle Krueger
1320 Research Park Dr.
Manhattan, Kansas 47846

Re: Place of Use Change Application, File No. 47846 – Arlen Becker

Ms. Krueger:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use application on May 31, 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.

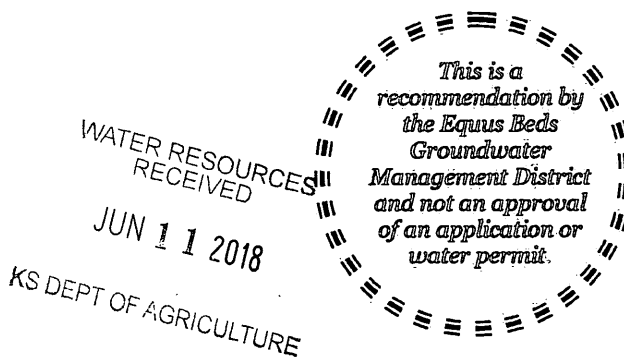
The change application proposes to increase the total authorized acres from 16 to 17.6 acres, which is a 10% increase of the 16 currently authorized acres. The proposed place of use results in a water to land ratio of 0.85 acre-feet per acre.

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: Arlen Becker, Applicant and Landowner
Jeff Lanterman, Division of Water Resources, Stafford

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

- 1) Application No. 47846 Date filed: 1/29/18
 2) Applicant: Arlen Becker County: McPherson
 3) Proposed maximum quantity: 15 acre-feet/year Rate: 500 GPM
 4) Proposed Use: Irrigation
 5) P/D location: NE NE NE 32-19S-1W Geo Center: North 5195 ft, West 580 ft
 6) Number and type of points of diversion listed on the application 1 Well

- 7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8? Yes No, Why _____
 8) Meets change app requirements K.A.R. 5-22-8? Yes No N/A
 9) Overlapping PU File No. 0
 10) Overlapping PD File No. 0
 11) Authorized Acres 15 Acres
 12) Base Acres 15 Acres

- 13) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 (a) Irrigation max quantity: .85 acre-feet / acre
 (b) Stockwater max quantity: _____ GPD _____ unit
 (c) Industry max quantity: _____ Acre
 Industry standard: _____
 14) Reasonable rate for intended use? Yes No N/A
 15) Depth to water: 16 ft bls at observation well: AN190

- 16) Date reviewed: 5/23/18
 17) Reviewed by: S. Flaherty Title: Hydrogeologist *Review 5-21-18 T. Boone*
 18) District recommendation: Approve Deny Other, see comment

19) Comments and Calculations:

Review complete for a change in place of use application submitted by Arlen Becker of McPherson County No. 47846 is not certified, so base acres are the 16 approved acres at this time
 Applicant proposes to increase place of use by 1.6 acres by adding additional land to the south and removing a small strip on the north. The 1.6 acres increase is a 10% increase of the currently authorized 16 acres.
 There are no overlapping places of use or points of diversion as of the date of this application.
 Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17

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May 31, 2018

Arlen Becker
1293 26th Ave
Canton, KS 67428

Re: Change in Place of Use Application No. 47846

Dear Mr. Becker:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that Change Application No. 47846 be approved. Pursuant to K.A.R. 5-22-4a, the well described in the application must be equipped with a District approved water flowmeter. The well is located in the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 32, Township 19 South, Range 1 West, McPherson County.

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

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

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

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/STF

Enclosures

pc: Jeff Lanterman, Division of Water Resources, Stafford

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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

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

May 9, 2018

Re: Appropriation of Water, File No. 47,846

Dear Tim:

We are enclosing a copy of the application to change the place of use for the above referenced file number. The referenced file is in the process of certification.

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

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stafford Field Office

SCANNED

Krueger, Richelle [KDA]

From: Krueger, Richelle [KDA]
Sent: Thursday, May 3, 2018 4:53 PM
To: Fitch, Elizabeth [KDA]
Subject: RE: File No. 47846 Arlen Becker

Cool I'll just go with it! You guys get any rain the past couple of days?

From: Fitch, Elizabeth [KDA]
Sent: Thursday, May 3, 2018 4:50 PM
To: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Subject: RE: File No. 47846 Arlen Becker

I'm okay with using those. No, we don't need notices. We still complete the maps that was just as a form of compliance with the reg.

Elizabeth

From: Krueger, Richelle [KDA]
Sent: Thursday, May 3, 2018 4:49 PM
To: Fitch, Elizabeth [KDA] <Elizabeth.Fitch@ks.gov>
Subject: RE: File No. 47846 Arlen Becker

You too!! Hey he didn't put the maps in with the applications, I just copied off the ones you scanned, do you see any problem with just using those? I don't think I really need to do notices since it is 10 acres or 10% of base?

From: Fitch, Elizabeth [KDA]
Sent: Thursday, May 3, 2018 4:47 PM
To: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Subject: RE: File No. 47846 Arlen Becker

When they are in compliance and I typed up the FIR originally, it really helps. Have a great weekend!

Elizabeth

From: Krueger, Richelle [KDA]
Sent: Thursday, May 3, 2018 4:46 PM
To: Fitch, Elizabeth [KDA] <Elizabeth.Fitch@ks.gov>
Subject: RE: File No. 47846 Arlen Becker

Speeeeeeeeddyyyy!!!!

From: Fitch, Elizabeth [KDA]
Sent: Thursday, May 3, 2018 4:45 PM
To: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>; Philip, Charlotte [KDA] <Charlotte.Philip@ks.gov>
Subject: RE: File No. 47846 Arlen Becker

Done. It will be in the mail tomorrow.

Elizabeth

From: Krueger, Richelle [KDA]
Sent: Thursday, May 3, 2018 4:22 PM
To: Fitch, Elizabeth [KDA] <Elizabeth.Fitch@ks.gov>; Philip, Charlotte [KDA] <Charlotte.Philip@ks.gov>
Subject: RE: File No. 47846 Arlen Becker

Thank you!!!

From: Philip, Charlotte [KDA]
Sent: Thursday, May 3, 2018 4:20 PM
To: Fitch, Elizabeth [KDA] <Elizabeth.Fitch@ks.gov>; Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Subject: RE: File No. 47846 Arlen Becker

Thanks Elizabeth!

Charlotte Philip

From: Fitch, Elizabeth [KDA]
Sent: Thursday, May 03, 2018 4:19 PM
To: Philip, Charlotte [KDA] <Charlotte.Philip@ks.gov>; Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Subject: RE: File No. 47846 Arlen Becker

I guess that means I'm up 😊

Elizabeth

From: Philip, Charlotte [KDA]
Sent: Thursday, May 3, 2018 3:52 PM
To: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Cc: Fitch, Elizabeth [KDA] <Elizabeth.Fitch@ks.gov>
Subject: RE: File No. 47846 Arlen Becker

No extension request received here.

Charlotte Philip

From: Krueger, Richelle [KDA]
Sent: Thursday, May 03, 2018 3:50 PM
To: Philip, Charlotte [KDA] <Charlotte.Philip@ks.gov>
Cc: Fitch, Elizabeth [KDA] <Elizabeth.Fitch@ks.gov>
Subject: File No. 47846 Arlen Becker

Hi Charlotte,

Hey I pulled the change in pu app for File No. 47846 Arlen Becker received on 1/19/18, the perfection period expired December 31, 2017. I just want to double check - did he send you a request to extend his perfection period? If not, we may need a proposed cert.....



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

ARLEN BECKER
1293 26TH AVE
CANTON, KS 67428

January 30, 2018

RE: File No 47846

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...

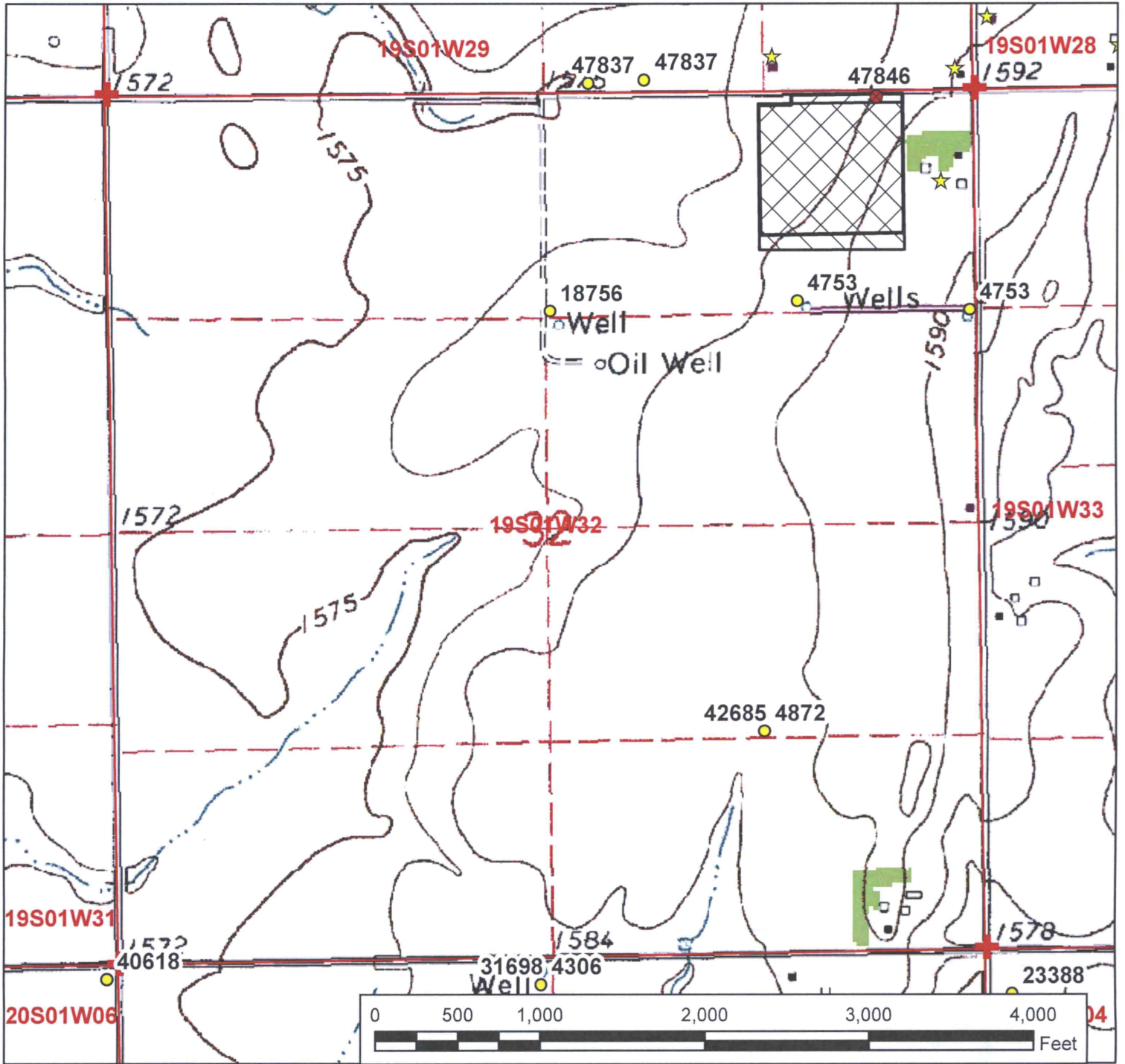
A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

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

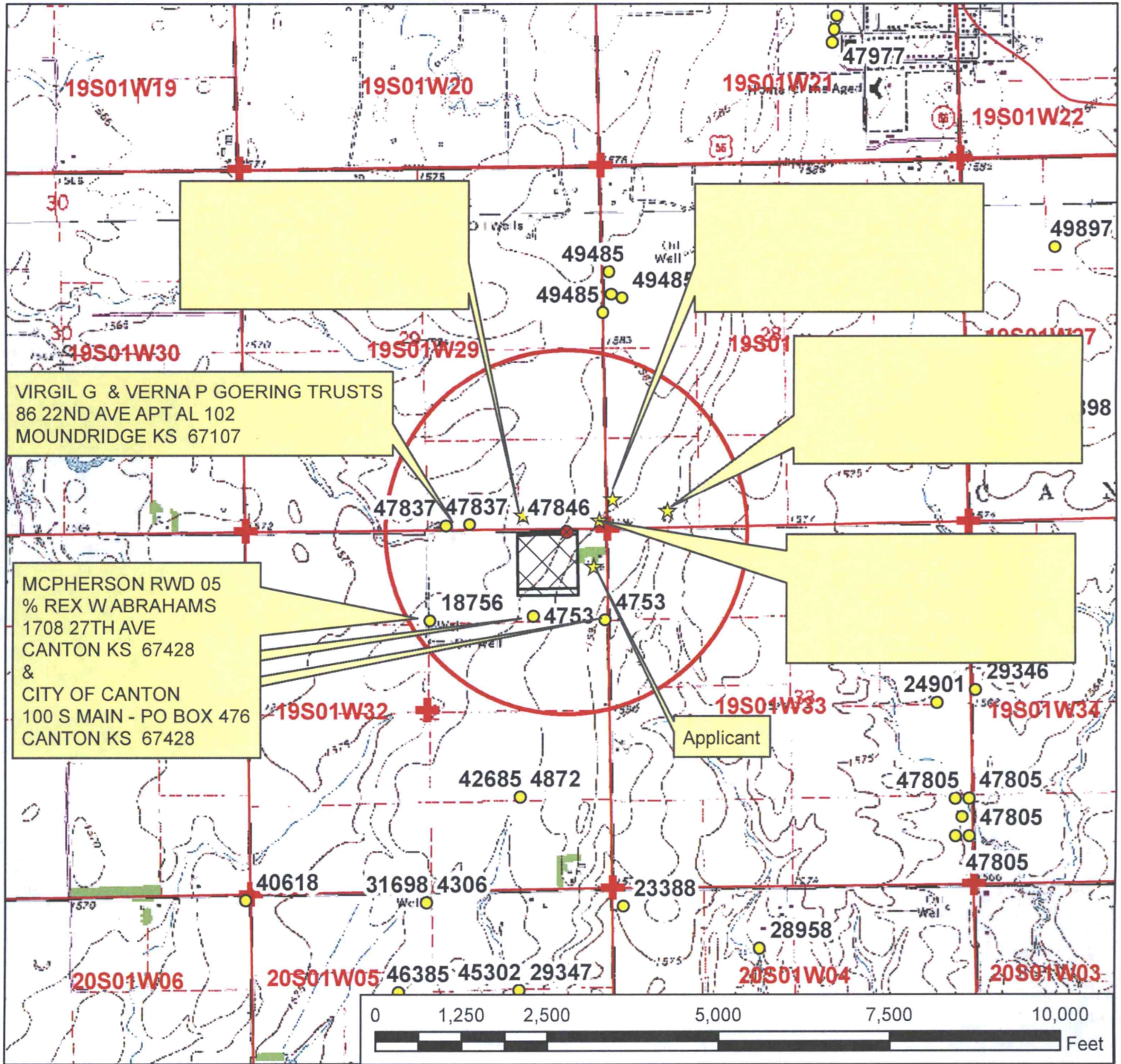


Legend

- Water Appropriations
- Authorized Point of Diversion
- Half Mile Circle
- Authorized Place of Use
- Proposed Place of Use
- Section Lines

Water Appropriation, File No. 47846
 Place of Use Application Map
 Zoomed In Map
 32-19S-1W
 McPherson County





Legend

- Water Appropriations
- Authorized Point of Diversion
- Half Mile Circle
- Authorized Place of Use
- Proposed Place of Use
- Section Lines

Water Appropriation, File No. 47846

Place of Use Application Map
32-19S-1W // McPherson County



I declare that all known wells and well owners within 1/2 mile of the authorized point of diversion have been shown.

Signature

10/24/17 EKF/SFFO 1:24,000 scale