

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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.

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1107

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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)

File No. 28971

2. Name of applicant: ROBERT D HAY REV TRUST

Address: 9171 S. WEST STREET

City, State and Zip: HAYSVILLE, KS 67060

Phone Number: (316) 734-8277

E-mail address: \_\_\_\_\_

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

Name of water use correspondent: ROBERT D. HAY

Address: 9171 S. West STREET

City, State and Zip: HAYSVILLE KS 67060

Phone Number: (316) 734-8277

E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): \_\_\_\_\_

WATER RIGHT 48026 HAS 87.1 AF AND WATER RIGHT 28971 HAS 32 AF. BOTH ARE LOCATED IN THE SW 1/4 Sec 19 T29S R1E. THE SOUTH WELL AT 28971 IS A STRONGER WELL AND THE WELL AT 48026 IS A WEAKER WELL.

The change(s) (was) (will be) completed by NO CHANGE NEEDED (Date)

BOTH WATER RIGHTS HAVE SAME PLACE OF USE.

For Office Use Only:

F.O. 2 GMD 0 Meets K.A.R. 5-5-1 (YES/NO) Use RR Source G/S County SG By DAW Date 4/11/19  
Code CA Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 4/11/19 Check # 17406

4. The presently authorized place of use is:

Owner of Land — NAME: ROBERT D HAY Revocable Trust  
 ADDRESS: 9171 S. WEST STREET, HAYSVILLE KS 67060

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	
19	29S	1E											X						7
19	29S	1E								X									37
19	29S	1E												X					38

List any other water rights that cover this place of use. 48026

Owner of Land — NAME: ROBERT D HAY Revocable Trust  
 ADDRESS: 9171 S. WEST STREET HAYSVILLE KS 67060

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	
19	29S	1E							X										31
19	29S	1E									X								1

List any other water rights that cover this place of use. 48026

(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: \_\_\_\_\_  
 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. \_\_\_\_\_

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 (S) (are) One Well  
(Provide description and number of points)
7. The proposed point(s) of diversion (S) (are) One Well  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion:**  
 One in the NC Quarter of the E2 Quarter of the SW Quarter  
 of Section 19, Township 29 South, Range 1 (EW),  
 in SEDGWICK County, Kansas, 1320 feet North 3320 feet West of Southeast corner of section.  
 Authorized Rate 545 Authorized Quantity 32  
 (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 NE Quarter of the NE Quarter of the SW Quarter  
 of Section 19, Township 29 South, Range 1 (EW),  
 in SEDGWICK County, Kansas, 2450 feet North 2670 feet West of Southeast corner of section.  
 Proposed Rate 800 Proposed Quantity 87.1  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (EW),  
 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 \_\_\_\_\_ (EW),  
 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 \_\_\_\_\_ (EW),  
 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 \_\_\_\_\_ (EW),  
 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. \_\_\_\_\_

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

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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.

N/A

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to 87.1 (acre-feet) or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to 800 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](http://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.

ATTACHED

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.

REQUEST A WAIVER OF SPACING RULE BETWEEN WR 28,971 AND WR 48,026.

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

APR 11 2019

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 4-9-19 Haysville KS, Kansas, this 9th day of April, 2019.

Robert O Hay (Owner) behalf of Robert O Hay revocable trust (Spouse)

Robert O Hay (Please Print) (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 9th day of April, 2019.



Valeri Blackburn  
Notary Public

My Commission Expires 5-28-2020

**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.**

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KS DEPT OF AGRICULTURE

WR 28971

USE TYPEWRITER OR BALL POINT PEN—PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD  
KSA 82a-1201-1215

Kansas Department of Health and Environment—Division of Environment  
(Water well Contractors)  
Topeka, Kansas 66620

1. Location of well:	County <b>Sedgwick</b>	Fraction <b>1/4 SE 1/4 SW 1/4</b>	Section number <b>19</b>	Township number <b>T 29 S R 1E</b>	Range number <b>1E</b>	E/W
2. Distance and direction from nearest town or city: <b>1/4 East and 1/4 North of Clearwater Road and Meridian. Clearwater, Kansas</b>			3. Owner of well: <b>Garland Bell</b> R.R. or street: <b>Peck, Kansas</b> City, state, zip code:			
4. Locate with "X" in section below: Sketch map: <b>Peck, Kansas</b>			6. Bore hole dia. <b>30</b> in. Completion date <b>5-3-77</b> Well depth <b>75</b> ft.			
			7. <input type="checkbox"/> Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input checked="" type="checkbox"/> Reverse rotary			
			8. Use: <input type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other			
5. Type and color of material			9. Casing: <b>Transite</b> Height: Above or below <b>See #19</b> Thread: <b>1 1/2</b> Welded <input type="checkbox"/> Surface <b>12</b> in. RMP <input type="checkbox"/> PVC Weight <b>37</b> lbs./ft. Dia. <b>16</b> in. to <b>75</b> ft. depth Wall thickness: inches or Dia. in. to ft. depth gage No. <b>3/4"</b>			
			10. Screen: Manufacturer's name <b>Johnson</b> Type <b>Irrigator</b> Dia. <b>16"</b> Slot/gauge <b>.100</b> Length <b>15'</b> Set between <b>45</b> ft. and <b>55</b> ft. <b>70</b> ft. and <b>75</b> ft. Gravel pack <b>yes</b> Size range of material <b>1/2-1/8"</b>			
Clay			From		To	
Sandy Clay			0		12	
Medium to Coarse Sand & Gravel			12		25	
Clay			25		56	
Fine to Coarse Sand			56		58	
			58		75	
			11. Static water level: <b>29</b> ft. below land surface Date <b>5-3-77</b> mo./day/yr.			
			12. Pumping level below land surfaces: ft. after hrs. pumping g.p.m. ft. after hrs. pumping g.p.m. Estimated maximum yield g.p.m.			
			13. Water sample submitted: mo./day/yr. Yes No Date			
			14. Well head completion: <b>12</b> inches above grade <input type="checkbox"/> Pitless adapter <b>to 2" fine sand mix.</b>			
			15. Well grouted? <b>yes</b> With: <input type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input checked="" type="checkbox"/> Concrete Depth: From <b>0</b> ft. to <b>10</b> ft.			
WATER RESOURCES RECEIVED			16. Nearest source of possible contamination: <b>NONE</b> ft. Direction Type Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
APR 11 2019			17. Pump: Not installed Manufacturer's name <b>Valley</b> Model number <b>10MHE-8</b> HP <b>80</b> Volts <b>460</b> Length of drop pipe <b>60</b> ft. capacity <b>600</b> g.p.m. Type: <input type="checkbox"/> Submersible <input checked="" type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other			
			20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. <b>Harp Well &amp; Pump 236</b> Business name <b>Wichita, Kansas</b> License No. Address Signed <b>[Signature]</b> Date <b>5-10-77</b> Authorized representative			
18. Elevation:		19. Remarks: <b>Flat Ground</b> <b>From #9 Banded But Joint</b> <b>No apparent source for contamination.</b>				
Topography: <input type="checkbox"/> Hill <input type="checkbox"/> Slope <input type="checkbox"/> Upland <input type="checkbox"/> Valley						

Forward the white, blue and pink copies to the Department of Health and Environment

Form WWC-5

29 10 19 SE 1/4 1/4 1/4



**WATER WELL RECORD Form WWC-5** 1336795

Division of Water Resources App. No.

48,026

Well ID

Original Record  Correction  Change in Well Use

<b>1 LOCATION OF WATER WELL:</b> County: Sedgwick	Fraction NE ¼ SE ¼ SE ¼ NW ¼	Section Number 19	Township Number T 29 S	Range Number R 1 <input checked="" type="checkbox"/> E <input type="checkbox"/> W
--	---------------------------------	----------------------	---------------------------	--

<b>2 WELL OWNER:</b> Last Name: Hay Business: Hay Farms Address: 9171 S. West St. Address: City: Haysville State: Kansas ZIP: 67060	First: Bob	Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input type="checkbox"/> S. Meridian Ave. and W. 95th St. S.
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**3 LOCATE WELL WITH "X" IN SECTION BOX:**  
N

W	NW	NE	E
	X		
	SW	SE	
	S		

-----1 mile-----

**4 DEPTH OF COMPLETED WELL:** 64 ft.

Depth(s) Groundwater Encountered: 1) 30 ft.  
2) ..... ft. 3) ..... ft., or 4)  Dry Well

WELL'S STATIC WATER LEVEL: 30 ft.  
 below land surface, measured on (mo-day-yr) 2/17/2017  
 above land surface, measured on (mo-day-yr) .....

Pump test data: Well water was ..... ft.  
after ..... hours pumping ..... gpm  
Well water was ..... ft.  
after ..... hours pumping ..... gpm

Estimated Yield: 350 gpm  
Bore Hole Diameter: 30 in. to 64 ft. and  
..... in. to ..... ft.

**5 Latitude:** 37.514586 (decimal degrees)  
**Longitude:** 97.361333 (decimal degrees)  
Datum:  WGS 84  NAD 83  NAD 27  
**Source for Latitude/Longitude:**  
 GPS (unit make/model: .....)  
(WAAS enabled?  Yes  No)  
 Land Survey  Topographic Map  
 Online Mapper: .....

**6 Elevation:** 1285 ft.  Ground Level  TOC  
**Source:**  Land Survey  GPS  Topographic Map  
 Other KOLAR

**7 WELL WATER TO BE USED AS:**

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock <input checked="" type="checkbox"/> Irrigation	2. <input type="checkbox"/> Feedlot	3. <input type="checkbox"/> Industrial	4. <input type="checkbox"/> Public Water Supply: well ID .....	5. <input type="checkbox"/> Dewatering: how many wells? .....	6. <input type="checkbox"/> Aquifer Recharge: well ID .....	7. <input type="checkbox"/> Monitoring: well ID .....	8. Environmental Remediation: well ID .....	9. <input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease .....	11. Test Hole: well ID .....	12. Geothermal: how many bores? .....	13. <input type="checkbox"/> Other (specify): .....
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**Was a chemical/bacteriological sample submitted to KDHE?**  Yes  No If yes, date sample was submitted: .....

Water well disinfected?  Yes  No

**8 TYPE OF CASING USED:**  Steel  PVC  Other ..... CASING JOINTS:  Glued  Clamped  Welded  Threaded

Casing diameter 16 in. to 64 ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.  
Casing height above land surface 12 in. Weight ..... lbs./ft. Wall thickness or gauge No. 0.50

**TYPE OF SCREEN OR PERFORATION MATERIAL:**  
 Steel  Stainless Steel  Fiberglass  PVC  Other (Specify) .....  
 Brass  Galvanized Steel  Concrete tile  None used (open hole)

**SCREEN OR PERFORATION OPENINGS ARE:**  
 Continuous Slot  Mill Slot  Gauze Wrapped  Torch Cut  Drilled Holes  Other (Specify) .....  
 Louvered Shutter  Key Punched  Wire Wrapped  Saw Cut  None (Open Hole)

**SCREEN-PERFORATED INTERVALS:** From 44 ft. to 64 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.  
**GRAVEL PACK INTERVALS:** From 23 ft. to 64 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**9 GROUT MATERIAL:**  Neat cement  Cement grout  Bentonite  Other .....

Grout Intervals: From 3 ft. to 23 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**Nearest source of possible contamination:**  
 Septic Tank  Lateral Lines  Pit Privy  Livestock Pens  Insecticide Storage  
 Sewer Lines  Cess Pool  Sewage Lagoon  Fuel Storage  Abandoned Water Well  
 Watertight Sewer Lines  Seepage Pit  Feedyard  Fertilizer Storage  Oil Well/Gas Well  
 Other (Specify) .....

Direction from well? ..... Distance from well? ..... ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	5	Topsoil			
5	17	Tan Clay			
17	27	Brown Clay			
27	50	Medium Sand			
50	56	Tan/Brown Clay			
56	60	Medium Sand			
60	63	Light Green Clay			
63	64	Shale			

Notes: APR 11 2019  
KS DEPT OF AGRICULTURE

**11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was  constructed,  reconstructed, or  plugged under my jurisdiction and was completed on (mo-day-year) 2/17/2017 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 238. This Water Well Record was completed on (mo-day-year) 2/17/2017 under the business name of Premier Pump and Well Service, Inc.



1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Interim Secretary

Laura Kelly, Governor

ROBERT D HAY, REV TRUST  
9171 S WEST ST  
HAYSVILLE, KS 67060

April 17, 2019

RE: File No 28971

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 PD
- 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

Section 19 T29S R1E

**Legend**

 37 30.590' N, 97 21.769' W

 37 30.590' N, 97 21.769' W

2874

48026

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- 28
- 29
- 30

Water Rd

S Meridian Ave

S 10th St W

Google Earth

© 2018 Google

3000 ft



APR 11 2019

Domestic wells within ½ mile of Water Right 28971 & 48026

- |   |   |   |
|---|---|---|
| ① Raymond & Penni Smith<br>10022 S. Meridian<br>Peck, KS 67120                  | ② Ronald & Ann Marie Cox<br>10052 S. Meridian<br>Peck, KS 67120                     | ③ Anthony & Sherry Middendorf<br>10064 S. Meridian<br>Peck, KS 67120                    |
| ④ James & Connie Bise<br>10112 S. Meridian<br>Peck, KS 67120                    | ⑤ Ronald & Dallas Boyer<br>10140 S. Meridian<br>Peck, KS 67120                      | ⑥ Alan & Tamara Schlereth<br>10160 S. Meridian<br>Peck, KS 67120                        |
| ⑦ Ronald & Jacqueline Faelber<br>10212 S. Meridian<br>Peck, KS 67120            | ⑧ Clarence L. & Marcia J Johnson<br>10047 S. Meridian<br>Peck, KS 67120             | ⑨ Raymond L. Kock &<br>Lynette L. Struthers<br>10103 S. Meridian<br>Peck, KS 67120      |
| ⑩ Larry & Lois Liv Tr<br>10159 S. Meridian<br>Peck, KS 67120                    | ⑪ Bryan S. & Linda J. Pate<br>10222 S. Meridian<br>Peck, KS 67120                   | ⑫ Zackery Cheney<br>10229 S. Meridian<br>Peck, KS 67120                                 |
| ⑬ Brian Guardado<br>10231 S. Meridian<br>Peck, KS 67120                         | ⑭ Barbara A. & Bradley D. Miller<br>10243 S. Meridian<br>Peck, KS 67120             | ⑮ Roger D. Burton<br>10300 S. Meridian<br>Peck, KS 67120                                |
| ⑯ Joanna B & Richard N. Dawson<br>10307 S. Meridian<br>Peck, KS 67120           | ⑰ Holli J. & Carl W. Cody<br>10324 S. Meridian<br>Peck, KS 67120                    | ⑱ Marcia L. & Merlan C. Jr Hornecka<br>10333 S. Meridian<br>Peck, KS 67120              |
| ⑲ Virginia A & Gary R. Kerth Liv Tr<br>10440 S. Meridian<br>Peck, KS 67120      | ⑳ Mark A. Frisch<br>1919 W 103 <sup>rd</sup> St. S.<br>Peck, KS 67120               | ㉑ Rosemary J. & Raymond E. Kundert<br>1919 W 103 <sup>rd</sup> St. S.<br>Peck, KS 67120 |
| ㉒ Daryl & Brenda Bilby<br>1935 W 103 <sup>rd</sup> St. S.<br>Peck, KS 67120     | ㉓ Mark W. & Jennifer L Herndon<br>1939 W 103 <sup>rd</sup> St. S.<br>Peck, KS 67120 | ㉔ Richard A Hammar<br>1949 W 103 <sup>rd</sup> St. S.<br>Peck, KS 67120                 |
| ㉕ Brian L & Laurann Latham<br>1955 W 103 <sup>rd</sup> St. S.<br>Peck, KS 67120 | ㉖ Brent W. & Paula S. Raaf<br>1959 W 103 <sup>rd</sup> St. S.<br>Peck, KS 67120     | ㉗ James E. & Dara L. Middendorf<br>2037 W 103 <sup>rd</sup> St. S.<br>Peck, KS 67120    |

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28

John M. & Carrie Carter  
2045 W 103<sup>rd</sup> St. S.  
Peck, KS 67120

29

Shawn Konkel  
2049 W 103<sup>rd</sup> St. S.  
Peck, KS 67120

30

Robert A. & Deborah L. Perdue  
2059 W 103<sup>rd</sup> St. S.  
Peck, KS 67120

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# Ground Water Associates, Inc.

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328 N. PINE, P.O. BOX 792 • GODDARD, KS 67052 • 316-550-6177

April 2, 2019

David Barfield, Chief Engineer  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502-5000

Subject: Change Application File No. 28,971 & 48026

Dear Mr. Barfield:

This letter is written to provide you additional information concerning changing the point of diversion on the two water rights located in the southwest quarter of Section 19, T29S, R1E. Both water rights are owned the Robert D. Hay Revocable Trust and both have the same place of use. These water rights did not meet the quarter mile spacing regulation and have required a waiver of this regulation.

Currently, water right 28,971 is authorized 32 acre feet of water with an authorized rate of 545 gpm. Water right 48,026 is completed pending inspection, with authorized quantity of 87.1 acre feet and an authorized rate of 800 gpm.

We are requesting that the point of diversion for 28,971 be moved to 2,450 feet north and 2,670 feet west of the southeast corner of Section 19, T29S, R1E which is the location of water right 48,026.

We are requesting that the point of diversion for 48,026 be moved to 1,320 feet north and 3,320 feet west of the southeast corner of Section 19 T29S, R1E which is the current location of water right 28,971.

Section 19, T29S, R1E is located geologically in the terrace deposits of the Illinoian age as shown in Bulletin 176, "Geohydrology of Sedgwick County, Kansas", State Geological Survey of Kansas (see attached). The Illinoian terrace deposits are twelve miles wide at this location and extend two miles west of Clearwater, Kansas. To the east of Section 20, T29S, R1E there are four miles of alluvium and terrace deposits of the Wisconsinan age to recent which extend to just east of the Arkansas River.

One drill log is attached for the well drilled at water right 28,971 and one for the well drilled at water right 48,026. Both logs represent the terrace deposits in this area of Sedgwick County. The furthest south well site which is current water right 28,971, shows a medium to coarse sand from 25 to 56 feet and a fine to coarse sand from 58 to 75 feet. The north drill log, located at water right 48,026, has medium sand from 27 to 50 feet and 56 to 60 feet. Adjusting for the surface elevation, the terrace deposit is approximately ten feet deeper at the south well site (WR 28,971). The deeper formation with additional sand allows the south well site to pump a

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greater gallons per minute of water. Both wells are located in the same aquifer. Since no more water is being requested, little additional well interference will occur at other water rights.

Best Regards,



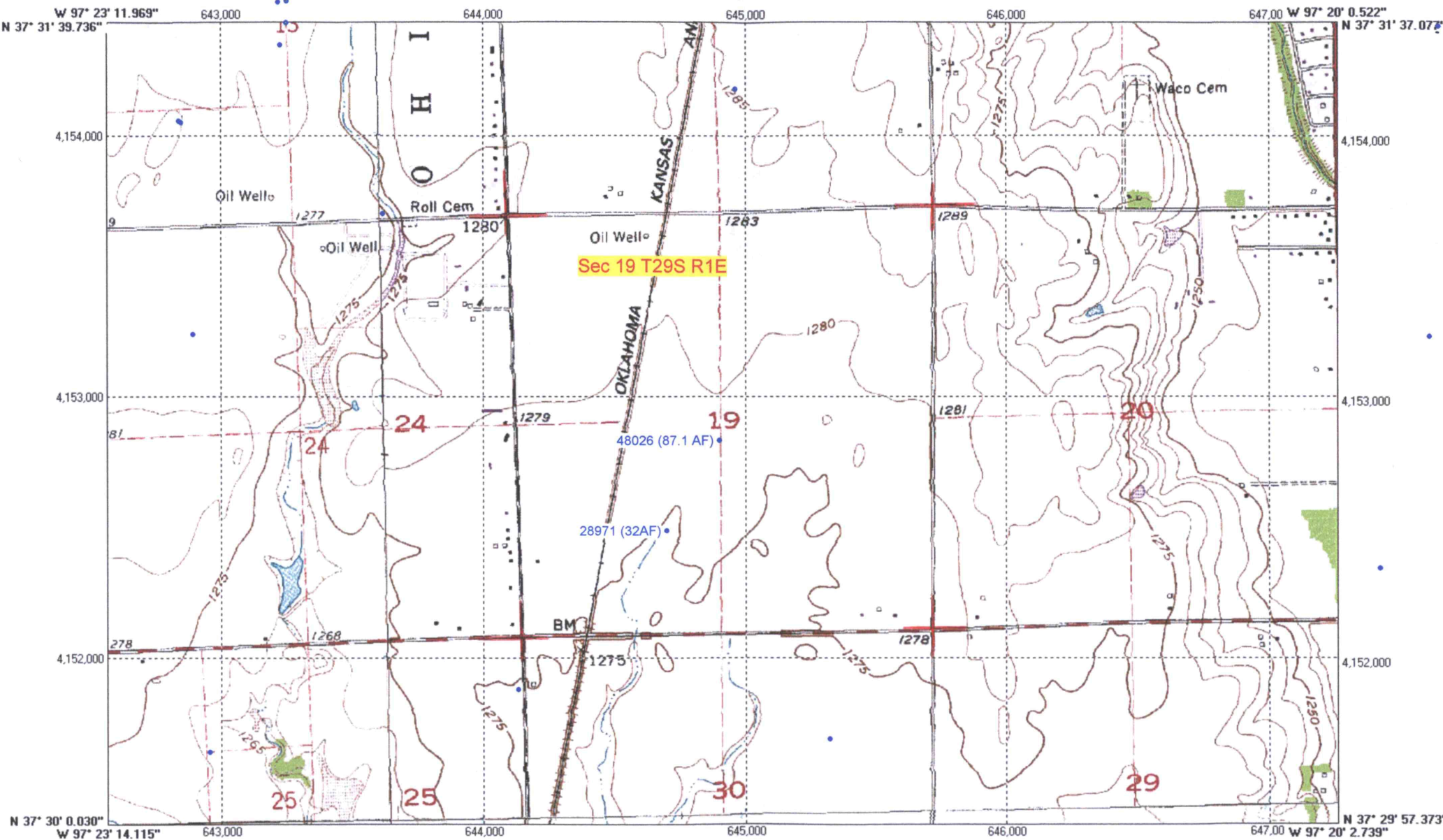
Brad Vincent, P.G.  
Ground Water Associates, Inc.



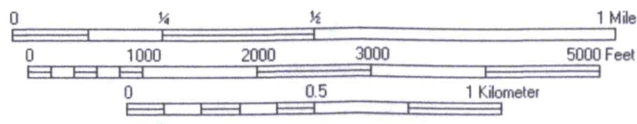
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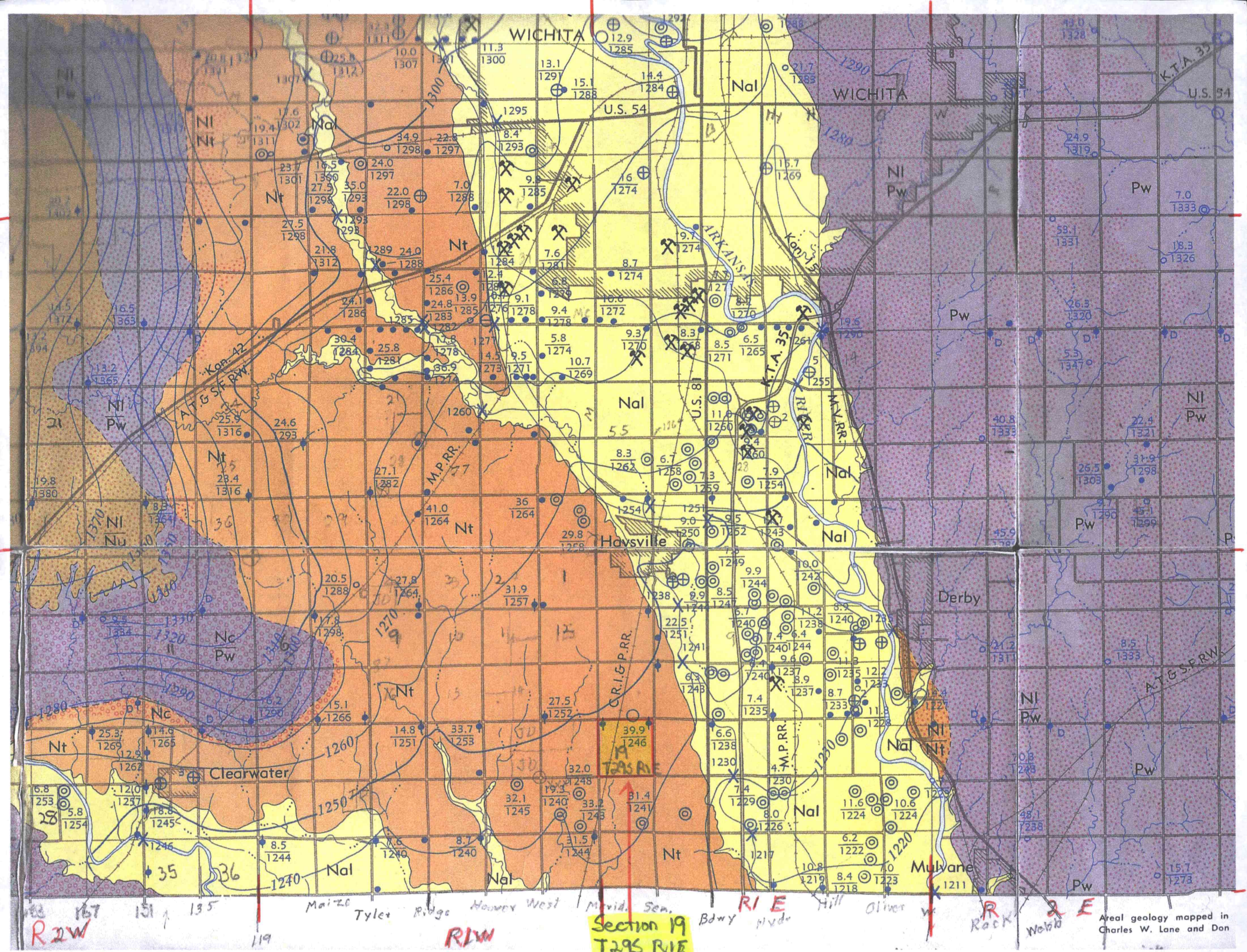


1927 North American Datum; 1,000-meter UTM grid zone 14  
 Generated by BigTopo (www.igage.com)  
 Map compiled from USGS Quads: Bayneville; KS Derby; KS Belle Plaine;  
 KS Zyba; KS



Sec 19 T29S R1E

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Areal geology mapped in Charles W. Lane and Don



