

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

1. File Number: <b>37586</b>	2. Status Change Date:	3. Change Num: <b>1</b>	4. Field Office: <b>02</b>	5. GMD: <b>02</b>
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: <b>12/13/18</b>
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID <b>31912</b> Add Seq# <b>1</b>	8d. WUC New to system <input type="checkbox"/>	
<b>MERLIN D &amp; KAREN R UNRUH 202 S SPRING LAKE RD HALSTEAD KS 67056</b>		<b>NO CHANGE</b>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/19</b> <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <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"/> H & E Letter <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: <b>1/22/19</b> Date to Comply: _____				
10. Use Made of Water    From: _____    To: _____				
			Date Prepared: <b>1/17/19</b> By: <b>TJS</b>	
			Date Entered: _____    By: _____	

File No. **37586**      11. County: **HARVEY**      Basin: **Little Arkansas River**      Stream: **Little Arkansas River**      Formation Code: **NA**      Special Use: **---**

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate	Quantity	Rate	Quantity	Overlap PD Files
ENT												gpm/cfs	af/mgy	gpm/cfs	af/mgy	
CHK				21231				1								4139
CHK				5032				4								4139
CHK				3171				5								4139

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										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
ENT				2969	34	23S	2W	1		23	6		2													31	8b.	No	4139 & 39335
ENT				19794	27	23S	2W	1										36	39.5	12.5	36				124	8b.	No	4139 & 39335	

Base Acres: ---      Year: ---      Minimum Reasonable Quantity: **1.00 AF/acre**  
 Comments:

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.  
 Call for address:

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

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



STATE OF KANSAS

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

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

RECEIVED  
 10:17 am  
 DEC 13 2018

File No. 37586

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

Stafford Field Office  
 Division of Water Resources

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:                       Groundwater                       Surface water

2. Name and address of Applicant: Merlin Unruh

202 S Spring Lake Rd, Halstead KS 67056

Phone Number: (316)833-2469                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Merlin D & Karen R Unruh

202 S Spring Lake Rd, Halstead KS 67056

Phone Number: (316)833-2469                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: Merlin D & Karen R Unruh

ADDRESS: 202 S Spring Lake Rd, Halstead KS 67056

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	
34	23S	2W	23	6		2													31

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: Merlin D & Karen R Unruh

ADDRESS: 202 S Spring Lake Rd, Halstead KS 67056

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	
27	23S	2W																	124
34	23S	2W	23	6		2													31
Total: 155																			

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 - TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 19384

5. **Presently authorized point of diversion:**  
 One in the NC Quarter of the NE Quarter of the NE Quarter of Section 34, Township 23 South, Range 2 W, in Harvey County, Kansas, 4800 feet North 700 feet West of Southeast corner of section. Authorized Rate 950 GPM (Blanket)(Limited) Authorized Quantity 35 AF (Blanket)(Limited)  
 (DWR use only: Computer ID No. 1 GPS --- feet North --- feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 4139

6. **Presently authorized point of diversion:**  
 One in the CE Quarter of the NW Quarter of the NE Quarter of Section 34, Township 23 South, Range 2 W, in Harvey County, Kansas, 4740 feet North 1500 feet West of Southeast corner of section. Authorized Rate 950 GPM (Blanket)(Limited) Authorized Quantity 35 AF (Blanket)(Limited)  
 (DWR use only: Computer ID No. 4 GPS --- feet North --- feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 4139

7. The changes herein are desired for the following reasons?  
 (please be specific) Creating a complete place of use overlap amongst File Nos. 4139, 37586, & 39335.

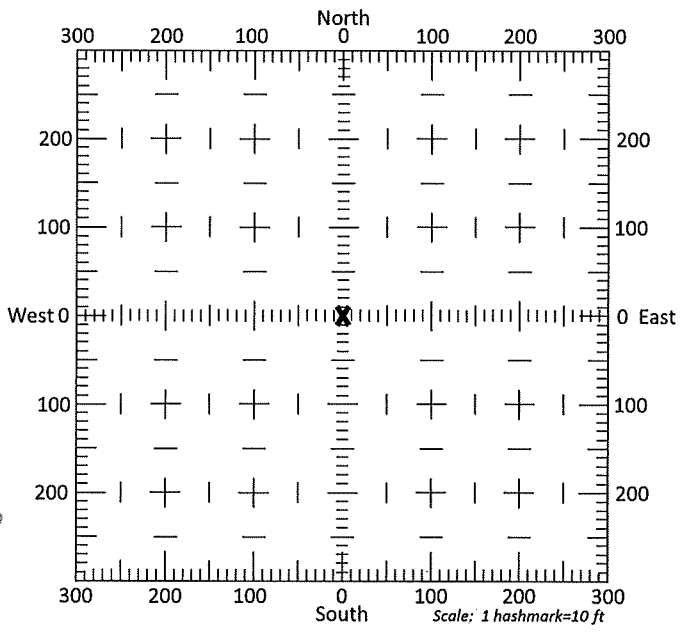
8. If a well, is the test hole log attached?  Yes  No

9. The change(s) (was)(will be) completed by?  
Upon Approval

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

11. Groundwater Management District recommendation attached?  Yes  No 1/15/2019 TJS-SFFO

12. Assisted by TJS - SFFO



13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines

13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

DEC 13 2018

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

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

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

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

Dated at HALSTEAD, Kansas, this 10th day of DECEMBER, 2018.

Melvin [Signature]  
(Owner)

Harvey R. Urnuch  
(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

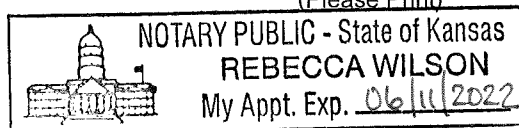
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }  
County of HARVEY } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10th day of DECEMBER, 2018.

Rebecca Wilson  
Notary Public

My Commission Expires 06/11/2022

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

**FEE SCHEDULE**

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

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

RECEIVED

DEC 13 2018



APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 37586

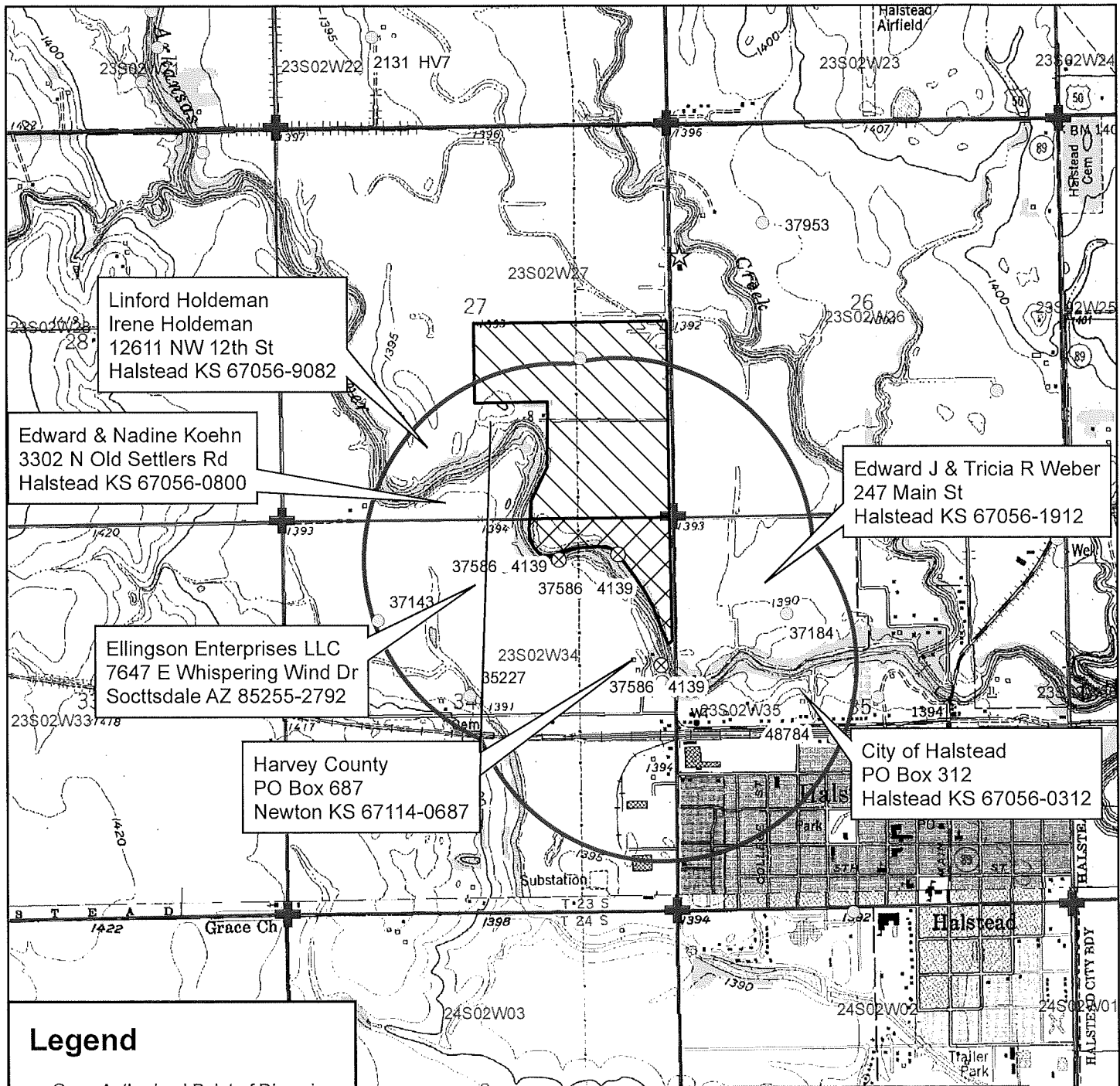
**Presently authorized point of diversion:**  
 One in the CE Quarter of the SE Quarter of the NE Quarter  
 of Section 34, Township 23 South, Range 2 W,  
 in Harvey County, Kansas, 3300 feet North 150 feet West of Southeast corner of section.  
 Authorized Rate 950 GPM (Blanket) (Limited) Authorized Quantity 35 AF (Blanket)(Limited) Depth of well NA (feet)  
 (DWR use only: Computer ID No. 5 GPS --- feet North --- feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 37586

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

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

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

RECEIVED  
DEC 13 2018



Linford Holdeman  
Irene Holdeman  
12611 NW 12th St  
Halstead KS 67056-9082

Edward & Nadine Koehn  
3302 N Old Settlers Rd  
Halstead KS 67056-0800

Edward J & Tricia R Weber  
247 Main St  
Halstead KS 67056-1912

Ellingson Enterprises LLC  
7647 E Whispering Wind Dr  
Soctsdale AZ 85255-2792

Harvey County  
PO Box 687  
Newton KS 67114-0687

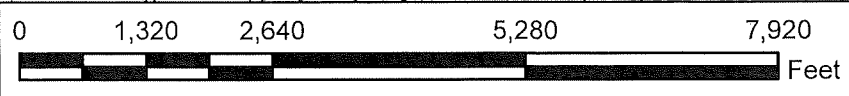
City of Halstead  
PO Box 312  
Halstead KS 67056-0312

**Legend**

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

**Place of Use**

- ▨ Authorized
- ▩ Proposed



**Water Right, File No. 37586**  
Change in Place of Use, Application Map  
34-23S-2W // Harvey County



To the best of my knowledge, all property owners within 1/2 mile of the authorized points of diversion have been identified.

*Melissa Unruh*  
Signature

RECEIVED  
DEC 13 2018

Stafford Field Office  
Division of Water Resources



# STATE OF KANSAS

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



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

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

January 22, 2019

Merlin D & Karen R Unruh  
202 S Spring Lake Rd  
Halstead KS 67056

Re: Water Right, File No(s). 37586

Dear Water Right Owner:

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

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

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

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

Sincerely,

Jeff Lanterman  
Water Commissioner

Enclosures  
pc: Water Rights Section  
Groundwater Management District No. 2

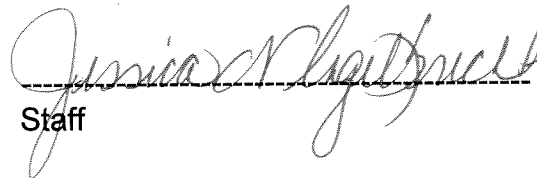
## CERTIFICATE OF SERVICE

On this **22nd** day of **January, 2019**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **37586**, dated **January 22, 2019** was mailed via Certified U.S. mail to the following:

Merlin D & Karen R Unruh  
202 Spring Lake Rd  
Halstead KS 67056

A copy of the letter was sent via First Class U.S. Mail to the following:

GMD 2

  
Staff



# KANSAS DEPARTMENT OF AGRICULTURE

## Division of Water Resources

### Stafford Field Office

## MEMORANDUM

---

**TO:** File

**DATE:** 12/14/2018

**FROM:** Tyler Saryerwinnie

**RE:** File Nos. 4139, 37586, &  
39335

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

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

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

The change in place of use applications filed on 12/13/2018 for the above referenced files meet this criteria and surrounding well owners will not be notified.

**Saryerwinnie, Tyler [KDA]**

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Friday, December 14, 2018 1:51 PM  
**To:** 'Rebecca Wilson'  
**Cc:** Conant, Cameron [KDA]  
**Subject:** Recommendation Request - File Nos. 4139, 37586, & 39335  
**Attachments:** 4139etal.Cover Letter.pdf; 4139.Change App.pdf; 37586.Change App.pdf; 39335.Change App.pdf

Rebecca,

I have attached a cover letter and copies of three (3) place of use change applications for GMD review and recommendation. Please provide the GMD recommendation by no later than January 8, 2019.

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

Thank you,  
Tyler

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

STATE OF KANSAS



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

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

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

December 14, 2018

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

RE: Place of Use Change Applications, File No(s). 4139, 37586, & 39335

Dear Mr. Boese,

We are enclosing copies of three (3) applications, as referenced above, for your review and recommendation. At this time the applications appear to be in proper form.

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

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

Sincerely,

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

Enclosure

## Saryerwinnie, Tyler [KDA]

---

**From:** Rebecca Wilson <[rwilson@gmd2.org](mailto:rwilson@gmd2.org)>  
**Sent:** Tuesday, January 15, 2019 4:39 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** RE: Recommendation Request - File Nos. 4139, 37586, & 39335  
**Attachments:** 4139 37586 39335 PU Change Approval Recommendation 1-15-19.pdf

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Here you go!

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](mailto:rwilson@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

**From:** Saryerwinnie, Tyler [KDA] <[Tyler.Saryerwinnie@ks.gov](mailto:Tyler.Saryerwinnie@ks.gov)>  
**Sent:** Tuesday, January 15, 2019 1:20 PM  
**To:** Rebecca Wilson <[rwilson@gmd2.org](mailto:rwilson@gmd2.org)>  
**Subject:** RE: Recommendation Request - File Nos. 4139, 37586, & 39335

Rebecca,

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

Thank you,  
Tyler Saryerwinnie

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Friday, December 14, 2018 1:51 PM  
**To:** 'Rebecca Wilson'  
**Cc:** Conant, Cameron [KDA]  
**Subject:** Recommendation Request - File Nos. 4139, 37586, & 39335

Rebecca,

I have attached a cover letter and copies of three (3) place of use change applications for GMD review and recommendation. Please provide the GMD recommendation by no later than January 8, 2019.

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

Thank you,  
Tyler

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

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 15, 2019

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

Re: Place of Use Change Applications, File Nos. 4139, 37586, 39335 – Merlin Unruh

Dear Mr. Saryerwinnie:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use applications (No. 39335 – groundwater; Nos. 4139 & 37586 - surface water) on January 15, 2019, 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 create an identical place of use overlap between the water rights totaling 155 acres. The proposed place of use results in a total combined water to land ratio of approximately 1.36 acre-feet per acre.

The District's review found that the change applications comply 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 applications are 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

pc: Merlin Unruh, Applicant and Landowner



RECEIVED

JAN 15 2019

Stafford Field Office  
Division of Water Resources



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

- 1) Application No. 37586 Date filed: 12/13/18  
 2) Applicant: Merlin Unruh County: Harvey  
 3) Proposed maximum quantity: 35 (limited) acre-feet/year Rate: 950 (limited) GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: NE 34-23S-2W Geo Center: North \_\_\_\_\_ ft, West \_\_\_\_\_ ft  
 6) Number and type of points of diversion listed on the application 3 Surface diversions
- 
- 7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8?  Yes  No, Why surface  
 8) Meets change app requirements K.A.R. 5-22-8?  Yes  No  N/A  
 9) Overlapping P/UF No. 4139 & 39335 proposed  
 10) Overlapping PD File No. 4139  
 11) Authorized Acres 31 Acres  
 12) Base Acres \_\_\_\_\_ Acres
- 
- 13) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 0; 1.36 combined 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: \_\_\_\_\_ bls at observation well: \_\_\_\_\_
- 
- 16) Date reviewed: 1/15/2019  
 17) Reviewed by: T. Boese Title: Manager  
 18) District recommendation:  Approve  Deny  Other, see comment

**19) Comments and Calculations:**

Review completed for an application to change the place of use submitted by Merlin Unruh.  
 Application proposes to increase the place of use from 31 acres to 155 acres and overlap the place of use and form identical  
 place of use overlap with change applications filed on surface water right No. 4139 & groundwater right no. 39335  
 The proposed place of use is 155 acres and no new acres are proposed between the files - changes filed only for the purpose of  
 creating an identical place of use overlap between the files. Therefore, base acre review is not necessary  
 Water right no 39335 - Authorized for 165 AF groundwater  
 Water right no 4139 - Authorized for 46.5 AF surface water  
 Water right no. 37586 - Authorized for 35 AF surface water (due to limitation with No. 4139, net quantity = 0 AF)  
 Item 13: 0 AF / 155 acres = 0.00 AF/A. Total combined is 211.5 AF / 155 acres = 1.36 AF/A  
 Recommend Approval, complies with K.A.R. 5-22-1 through 5-22-17

RECEIVED  
 JAN 15 2019  
 Stafford Field Office  
 Division of Water Resources

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

1) Application No. 39335 Date filed: 12/13/18  
 2) Applicant: Merlin Unruh County: Harvey  
 3) Proposed maximum quantity: 165 acre-feet/year Rate: 990 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: NW NE SE 27-23S-2W Geo Center: North 2142 ft, West 1215 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 P/UF No. No. 4139 & 37586 proposed  
 10) Overlapping PD File No. \_\_\_\_\_  
 11) Authorized Acres 124 Acres  
 12) Base Acres 115 Acres

13) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 1.06; 1.36 combined 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: \_\_\_\_\_ bls at observation well: \_\_\_\_\_

16) Date reviewed: 1/15/2019  
 17) Reviewed by: T. Boese Title: Manager  
 18) District recommendation:  Approve  Deny  Other, see comment

19) Comments and Calculations:  
 Review completed for an application to change the place of use submitted by Merlin Unruh.  
 Application proposes to increase the place of use from 124 acres to 155 acres and overlap the place of use and form identical place of use overlap with change applications filed on surface water rights Nos. 4139 & 37586  
 The proposed place of use is 155 acres and no new acres are proposed between the files - changes filed only for the purpose of creating an identical place of use overlap between the files. Therefore, base acre review is not necessary  
 Water right no 39335 - Authorized for 165 AF groundwater  
 Water right no 4139 - Authorized for 46.5 AF surface water  
 Water right no. 37586 - Authorized for 35 AF surface water (due to limitation with No. 4139, net quantity = 0 AF)  
 Item 13: 165 AF / 155 acres = 1.06 AF/A. Total combined is 211.5 AF / 155 acres = 1.36 AF/A  
 Recommend Approval, complies with K.A.R. 5-22-1 through 5-22-17

RECEIVED

JAN 15 2019

Staff: \_\_\_\_\_  
 Division: \_\_\_\_\_