

File No. **4139** 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)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	
CHK				21231				1								37586
CHK				5032				4								37586
CHK				3171				5								37586

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	37586 & 39335				
ENT				19794	27	23S	2W	1										36	39.5	12.5	36				124	8b.	No	37586 & 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
 10:15am
 DEC 13 2018

File No. 4139

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 510 GPM (Blanket) Authorized Quantity 46.5 AF (Blanket) Depth of well NA (feet)
(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 37586

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 510 GPM (Blanket) Authorized Quantity 46.5 AF (Blanket) Depth of well NA (feet)
(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 37586

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

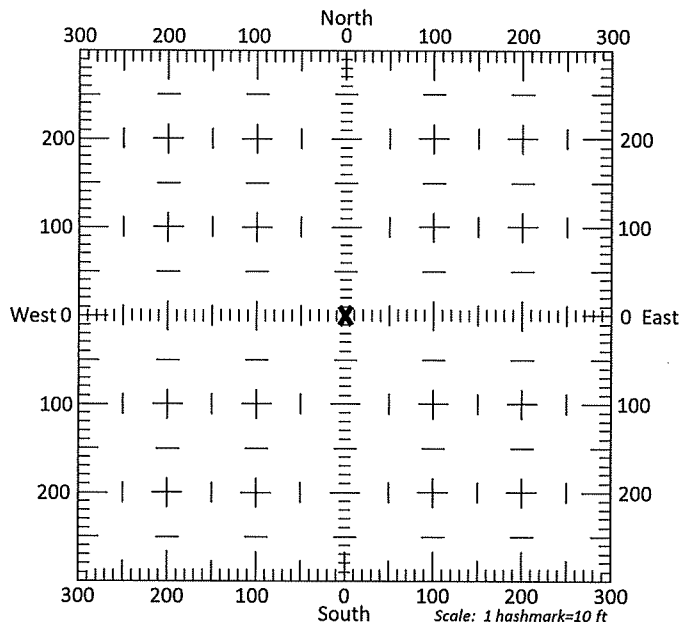
9. The change(s) (was)(will be) completed by?
Upon Approval

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.)

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et seq.*, and rules and regulations promulgated thereunder. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 4139.

1. A change application was received on 12/13/2018 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2019**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
8. **Installation of the works for diversion of water shall be completed on or before December 31, 20____**, or within any authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11. Additional Conditions are attached. Yes No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Cameron R. Couart
Duly Authorized Designee of the Chief Engineer

(Print Name): Cameron R. Couart
Division of Water Resources - Kansas Department of Agriculture

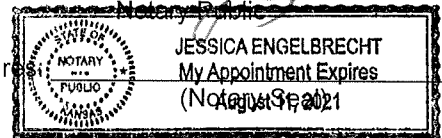
Date of Issuance: January 22, 2019

State of Kansas _____)
County of Stafford) SS

Acknowledged before me on 01/22/2019
by Cameron Couart

Signature: Jessica Engelbrecht
Notary Public

My commission expires _____
JESSICA ENGELBRECHT
My Appointment Expires
(Notary Seal) 01/22/2021



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DEC 13 2018

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 4139

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 510 GPM (Blanket) Authorized Quantity 46.5 AF (Blanket) 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:

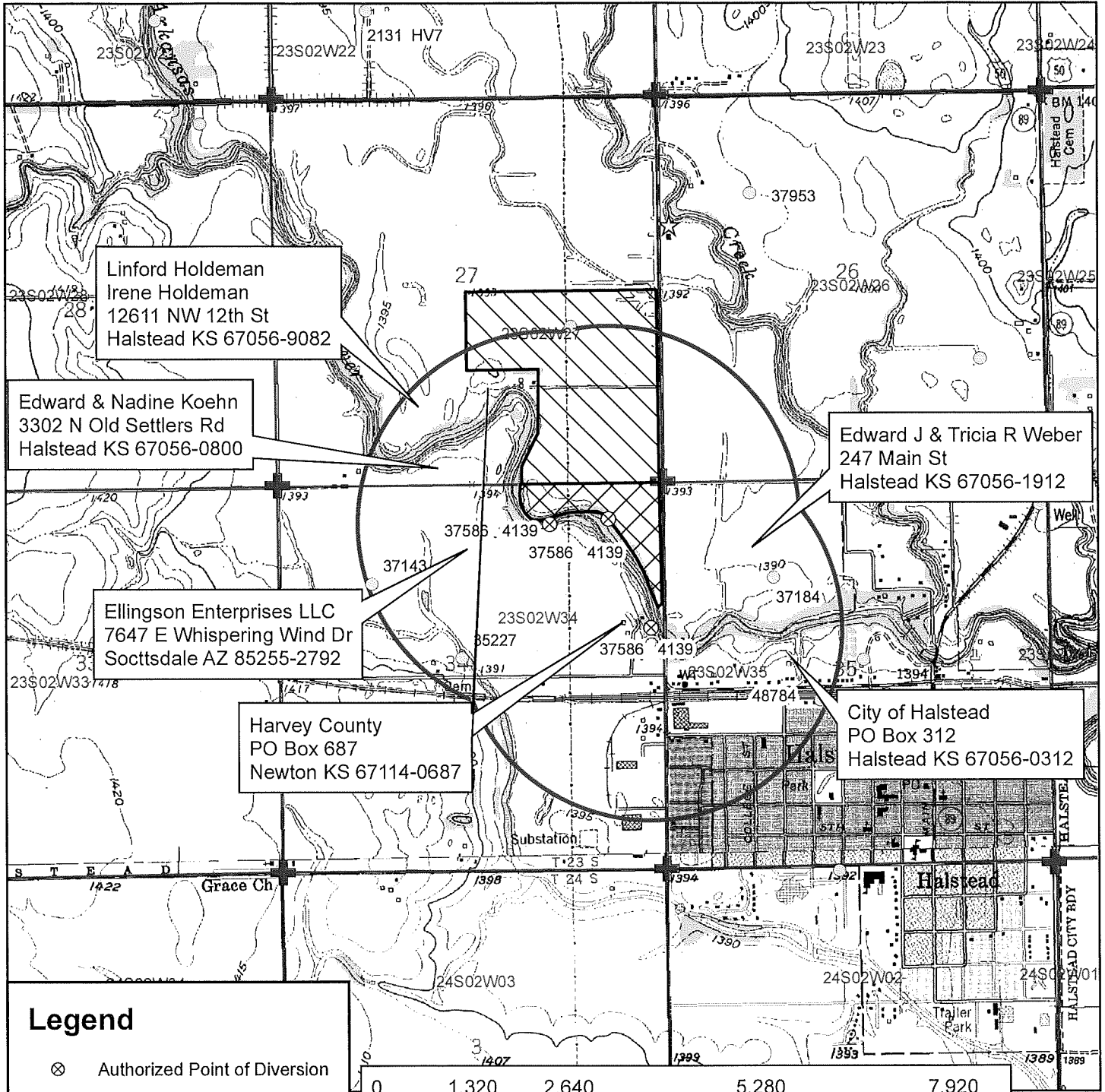
One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: 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) _____

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DEC 18 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

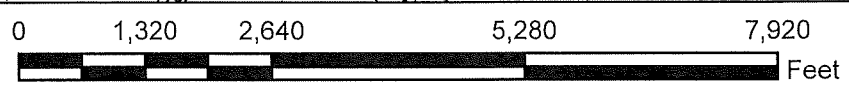
City of Halstead
PO Box 312
Halstead KS 67056-0312

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. 4139
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.

RECEIVED
DEC 13 2018

Merlin Weck
Signature

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). 4139

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

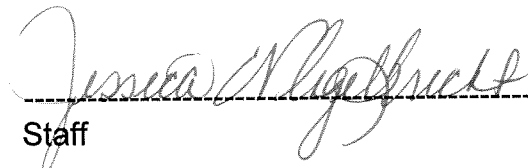
CERTIFICATE OF SERVICE

On this **22nd** day of **January, 2019**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **4139**, 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>
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
www.gmd2.org

From: Saryerwinnie, Tyler [KDA] <Tyler.Saryerwinnie@ks.gov>
Sent: Tuesday, January 15, 2019 1:20 PM
To: Rebecca Wilson <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



JAN 15 2019

Stafford Field Office
Division of Water Resources

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

- 1) Application No. 4139 Date filed: 12/13/18
 2) Applicant: Merlin Unruh County: Harvey
 3) Proposed maximum quantity: 46.5 acre-feet/year Rate: 510 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/UFFile No. 37586 & 39335 proposed
 10) Overlapping PD File No. 37586
 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: 0.30; 1.36 combined acre-feet / acre
 (b) Stockwater max quantity: _____ GPD _____ unit
 (c) Industry max quantity: _____
 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. 37586 & 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: 46.5 AF / 155 acres = 0.30 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