

Kansas Department of Agriculture  
Division of Water Resources  
**PERMIT OF NEW APPLICATION WORKSHEET**

1. File Number: <p align="center"><b>50,260</b></p>	2. Status Change Date: <p align="center"><b>9/3/2020</b></p>	3. Field Office: <p align="center"><b>2</b></p>	4. GMD: <p align="center"><b>2</b></p>
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5. Status:     Approved                       Denied by DWR/GMD                       Dismiss by Request/Failure to Return

6. Enclosures:     Check Valve           N of C Form           Water Tube           Driller Copy           Meter

7a. Applicant(s)                      Person ID 39503  
 New to system                       Add Seq# \_\_\_\_\_

**JEFF GRUENBACHER**  
**21600 W 85TH ST N**  
**MOUNT HOPE, KS 67108**

7b. Landowner(s)                      Person ID \_\_\_\_\_  
 New to system                       Add Seq# \_\_\_\_\_

**7a**

7c. Landowner(s)                      Person ID \_\_\_\_\_

**7d.**

8. WUR Correspondent                      Person ID \_\_\_\_\_  
 New to system                       Add Seq# \_\_\_\_\_  
 Overlap File (s) WUC                      Notarized WUC Form   
 Agree  Yes  No

**7a**

9. Use of Water:    Changing?     Yes     No

<input checked="" type="checkbox"/> Groundwater	<input type="checkbox"/> Surface Water
<input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN	
<input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON	
<input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG	
<input type="checkbox"/> IND    SIC: _____	<input type="checkbox"/> OTHER: _____

10. Completion Date: 12/31/2021                      11. Perfection Date: 12/31/2025                      12. Exp Date: \_\_\_\_\_

13. Conservation Plan Required?  Yes  No    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

14. Water Level Measuring Device?  Yes  No    Date to Comply: \_\_\_\_\_    Date WLMD Installed: \_\_\_\_\_

Date Prepared: **8/17/2020**    By: **KJN**  
 Date Entered: **9/14/2020**    By: **L Moody**

File No. **50,260**      15. Formation Code: **190**      Drainage Basin: **Arkansas River**      County: **SG**      Special Use:      Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
<b>CHK</b>	<b>87557</b>	<b>SE SW SE</b>	<b>25</b>	<b>25S</b>	<b>3W</b>	<b>6</b>	<b>40</b>	<b>1900</b>			

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>1000</b>	<b>196.3</b>	<b>1000</b>	<b>196.3</b>	<b>none</b>

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

20. Meter Required? **x Yes**    No      To be installed by **12/31/2019** **20**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use						NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T	MOD	DEL	ENT	PUSE	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				
<b>CHK</b>	<b>69485</b>	<b>25</b>	<b>25S</b>	<b>3W</b>	<b>4</b>													<b>39</b>	<b>40</b>	<b>39</b>	<b>33</b>	<b>151</b>	<b>7a</b>	<b>No</b>	<b>none</b>

Comments: 9/2/2020  
KAB

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** August 12, 2020

**FROM:** Kris Neuhauser

**RE:** New Application, File No. 50,260

Jeff Gruenbacher has filed the above referenced application to appropriate groundwater for irrigation use, requesting a quantity of 196.3 acre-feet out of one (1) well, at a maximum diversion rate of 1,000 gallons per minute. The proposed well is to be located in the Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 25, more particularly described as being near a point 40 feet North and 1,900 feet West of the Southeast corner of said section, Township 25 South, Range 3 West, Sedgwick County, Kansas. The proposed point of diversion is within the Arkansas River drainage basin and the source of supply appears to be the Equus Beds Aquifer.

There are currently no overlapping water rights on the proposed place of use or point of diversion. The proposed place of use is owned by the applicant, and he has signed the application form stating that he has legal access to the point of diversion.

No domestic or non-domestic wells were identified within  $\frac{1}{2}$  mile of the proposed point of diversion. Therefore, no nearby notification letters were required.

The closest domestic well is roughly 1,600 feet to the east, which is owned by the applicant. The next closest domestic is over a  $\frac{1}{2}$  mile away, and the closest Water Right (File Nos. 32,578 and 48,106) is also over a  $\frac{1}{2}$  mile away. Therefore, minimum well spacing per K.A.R. 5-4-4 is met.

The place of use is 151 acres in the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 25, Township 25 South, Range 3 West, Sedgwick County, Kansas. The 196.3 acre-feet requested appears to be reasonable as it is equal to the maximum reasonable quantity for irrigation use in Sedgwick County (1.3 acre-feet per acre x 151 acres = 196.3 acre-feet).

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant has signed, notarized, and included the required form with the application.

In a letter dated March 31, 2020, Tim Boese, manager of the Equus Beds Groundwater Management District No. 2, recommended approval of the referenced application.

It appears GMD 2 used the full two-mile circle (8,042 acres) in their safe yield calculation (6 inch discharge zone). 4,021 acre-feet of water was available. The application requested 196.3 acre-feet of water, which brought the total existing appropriation to 3,992.10 acre-feet. 28.9 acre-feet remains available in this two-mile circle. The application is thus approvable.

In an email conversation, Cameron Conant, Assistant Water Commissioner of the Stafford Field Office, and Jeff Lanterman, Water Commissioner of the Stafford Field Office, recommended approval of the referenced application on August 13, 2020.

Based on the above discussion, the approval of the application should not impair any senior water rights, nor prejudicially or unreasonably affect the public interest. Therefore, it is recommended that the referenced application be approved.

A handwritten signature in black ink, appearing to read "Kris Neuhauser", with a long horizontal flourish extending to the right.

Kris Neuhauser  
Environmental Scientist

JEFF WINTER, PRESIDENT  
VIN KISSICK, VICE PRESIDENT  
DAVID BOGNER, SECRETARY  
MIKE MCGINN, TREASURER  
TIM BOESE, MANAGER  
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:  
ALAN BURGHART  
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

March 31, 2020

Jeff Gruenbacher  
21600 W. 85<sup>th</sup> Street North  
Mount Hope, KS 67108

Re: Appropriation Application File No. 50260

Dear Mr. Gruenbacher:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that new application No. 50260 be approved. Pursuant to K.A.R. 5-22-4a, the well described in the application must be equipped with a District approved water flowmeter. The well is located in the Southeast quarter of the Southwest Quarter of the Southeast Quarter of Section 25, Township 25 South, Range 3 West, Sedgwick County.

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

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

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

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/tb

Enclosures

Pc: Jeff Lanterman, Division of Water Resources, Stafford

JEFF WINTER, PRESIDENT  
VIN KISSICK, VICE PRESIDENT  
DAVID BOGNER, SECRETARY  
MIKE MCGINN, TREASURER  
TIM BOESE, MANAGER  
THOMAS A. ADRIAN, ATTORNEY



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## 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

March 31, 2020

Chief Engineer, Division of Water Resources  
Attn: Kris Neuhauser  
1320 Research Park Dr.  
Manhattan, KS 66502

Re: Appropriation Application No. 50260 – Jeff Gruenbacher

Dear Mr. Neuhauser:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced application on March 31, 2020, 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 District's review found that the application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Based upon the review, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2.

Please contact the District should you have any questions regarding the review or recommendation.

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

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/db  
Enclosures

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





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

- 1) Application No. 50260 Date filed: 5/24/19  
 2) Applicant: Jeff Gruenbacher County: Sedgwick  
 3) Proposed maximum quantity: 196.3 acre-feet/year Rate: 1000 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: SE SW SE 25-25S-3W Geo Center: North 40 ft, West 1900 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 Safe Yield K.A.R. 5-22-7?  Yes  No  N/A
- (a) Total allowable appropriations: 4021.00 af/yr  
 (b) Total existing appropriations: 3992.10 af/yr  
 (c) Total small user exemptions: 0.00 af/yr  
 (d) Total non-consumptive use: 0.00 af/yr  
 (e) Total consumptive use: 3992.10 af/yr  
 (Total existing appropriations) - (Total non-consumptive use)  
 (f) exempt from regulation?  Yes  No,  
 Cite exemption: \_\_\_\_\_

- 9) Meets Well Spacing K.A.R. 5-22-2?  Yes  No  N/A
- (a) POD in enhanced well spacing area?  Yes  No  
 (b) Domestic well spacing interval: >660 ft  
 (c) Non-Domestic well spacing interval: >1320 ft

- 10) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A
- (a) Irrigation max quantity: 1.3 acre-feet / acre  
 application paragraph 3 value (acre-feet) / proposed acres = Q  
 (b) Stockwater max quantity: \_\_\_\_\_ GPD \_\_\_\_\_ unit  
 (c) Industry max quantity: \_\_\_\_\_ Acre  
 Industry standard: \_\_\_\_\_  
 (d) Municipal max quantity: \_\_\_\_\_ GCD  
 Lesser of either 200 GCD or  
 $1.10 * (X - Y) * 365 d * (z + t)$   
 X - Average of last three years usage in Gallons per Capita per Day (GCD)  
 Y - water usage for industries that use over 200,000 gal/yr (GCD)  
 Z - Projected population in 20 years  
 T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)  
 (e) Pond max quantity is \_\_\_\_\_  
 (Net evap + seepage)/12 x pond area + any initial fill  
 (f) Groundwater pit max Q: \_\_\_\_\_  
 Net evap \* pit area/12

- 11) Reasonable rate for intended use?  Yes  No  N/A  
 12) Depth to water: 5.36 ft bls at observation well: EB244C

- 13) Date reviewed: March 31, 2020  
 14) Reviewed by: T. Boese Title: Manager  
 15) District recommendation:  Approve  Deny  Other, see comment

**16) Comments and Calculations:**

Review complete for a new application submitted by Jeff Gruenbacher for irrigation use in Sedgwick County  
 No Overlapping Place of Use  
 No Overlapping Point of Diversion  
 The owner well within 1/2 mile is the applicant's domestic well, so no nearby well owner notifications sent.  
 Nearby water-level data indicates groundwater levels in the area are stable and not declining.  
 No additional Rate/Quantity Limitations  
 No Special Use Areas or IGUCAs  
 Item 10: 196.30 AF / 151 acres = 1.3 AF/A  
 Recommend Approval. Complies with K.A.R. 5-22-1 through 5-22-17

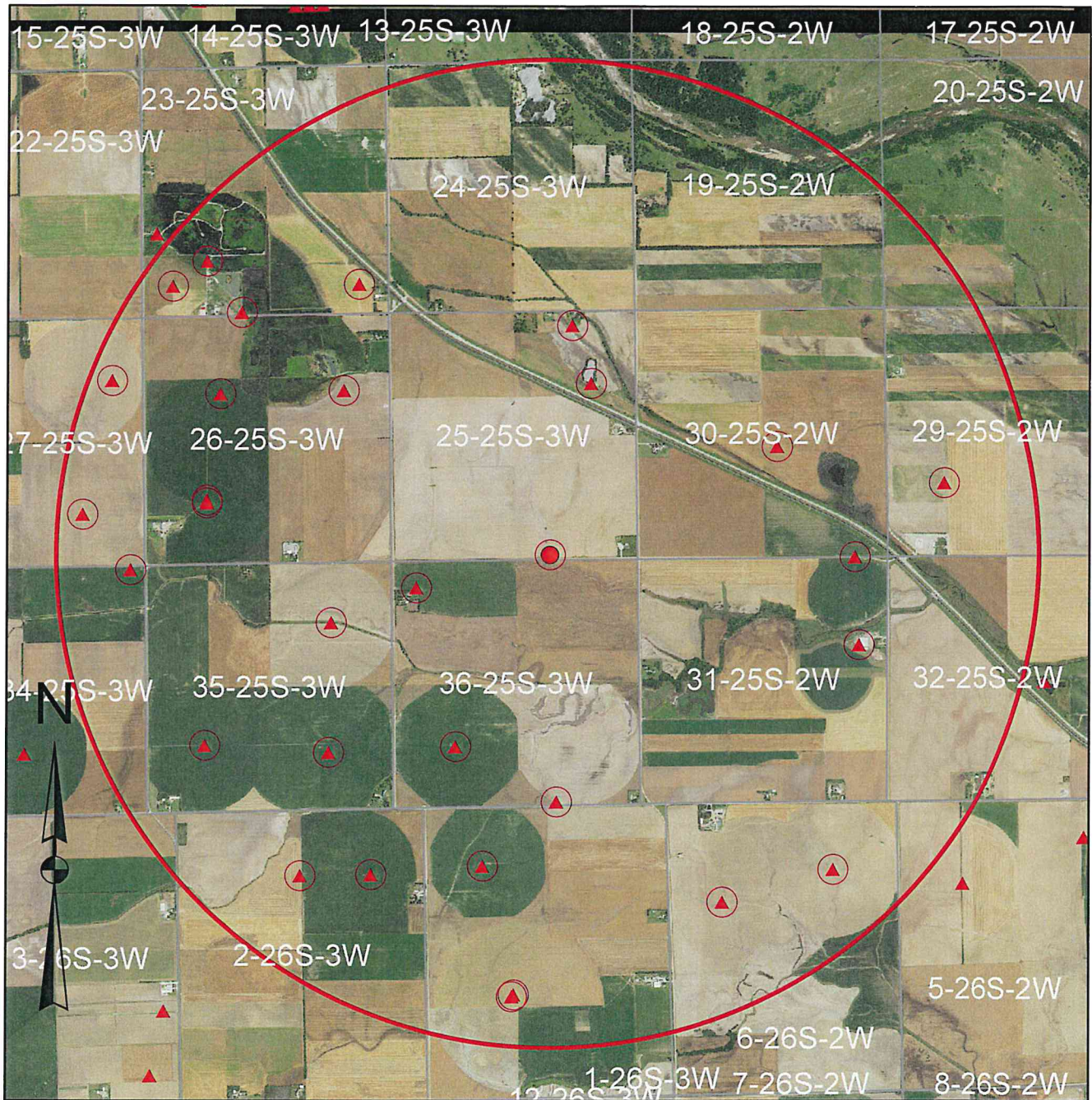


# Equus Beds Groundwater Management District No. 2

## Safe Yield Evaluation #50260 - Jeff Gruenbacher

### SESWSE (40'N & 1900'W) 25-25S-03W, Sedgwick County

Prepared By: T. Boese      Date: 3/31/2020



<ul style="list-style-type: none"> <li><span style="color: red; font-size: 1.2em;">●</span> Proposed Point of Diversion</li> <li><span style="color: red; font-size: 1.2em;">⚡</span> Area of Consideration Boundary</li> <li><span style="color: purple; font-size: 1.2em;">●</span> Monitoring Wells</li> <li><span style="color: red; font-size: 1.2em;">▲</span> Points of Diversion</li> <li><span style="border: 2px solid blue; display: inline-block; width: 20px; height: 10px;"></span> District Boundary</li> </ul>	<p style="text-align: center;"><b>Map Legend</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> Major Highway</li> <li><span style="border-bottom: 1px solid black; width: 20px; display: inline-block;"></span> Other Roadway</li> <li><span style="border-bottom: 2px solid blue; width: 20px; display: inline-block;"></span> Major Stream</li> <li><span style="border-bottom: 1px solid blue; width: 20px; display: inline-block;"></span> Other Water Feature</li> <li><span style="border: 1px dashed gray; width: 20px; height: 10px; display: inline-block;"></span> County Boundary</li> <li><span style="background-color: lightblue; width: 20px; height: 10px; display: inline-block;"></span> City Boundary</li> </ul>
<p>0.45 0.225 0 0.45 Miles</p>	<p style="font-size: 0.8em; margin: 0;">Equus Beds Groundwater Management District No. 2 313 Spruce Street, Halstead, KS 67056 316-835-2224, equusbeds@gmd2.org</p>



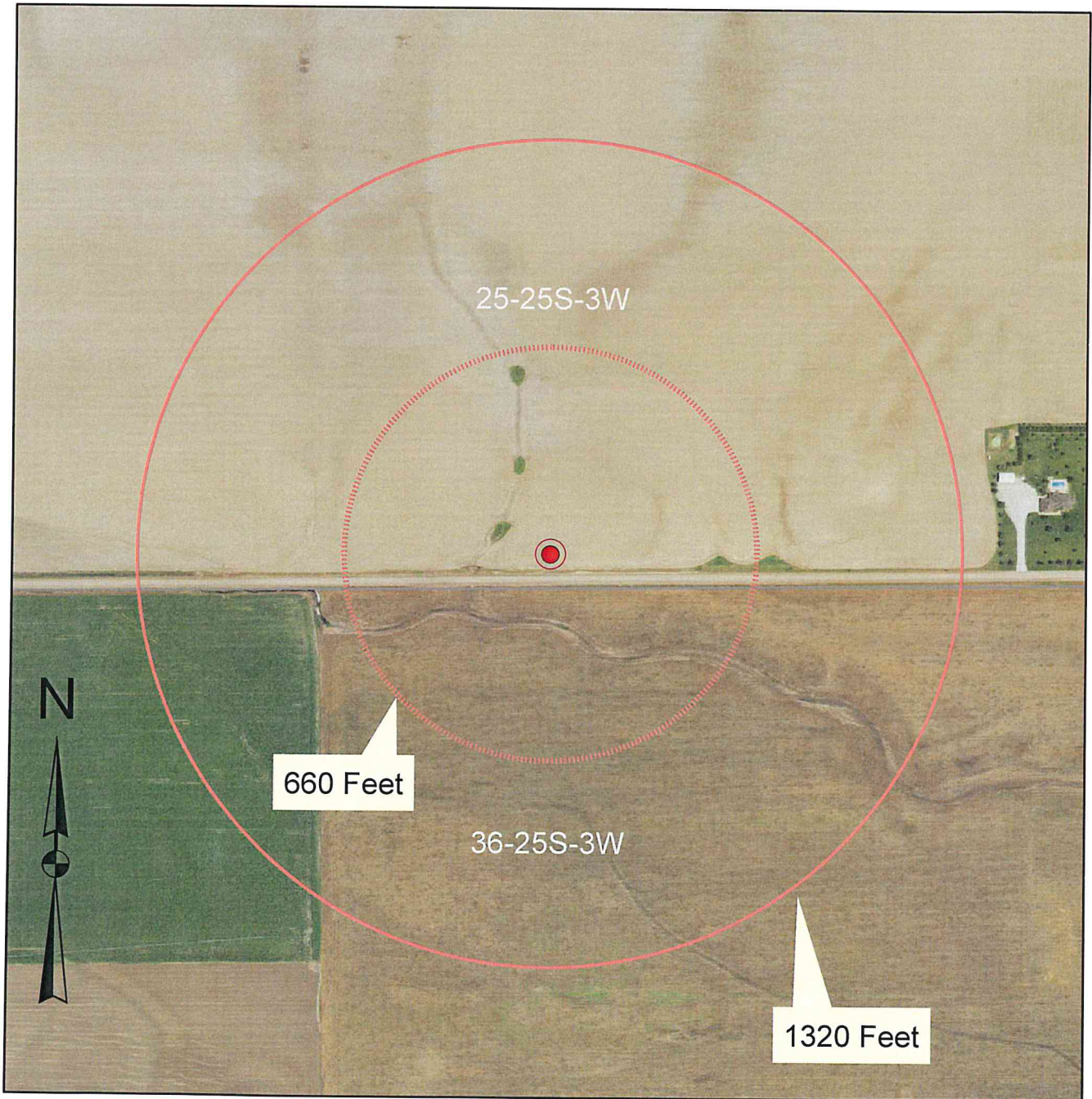
**SAFEYIELD EVALUATION - NO. 50260 - JEFF GRUENBACHER**  
**LOCATION: SESWSW (40'N & 1900'W) 25-25S-03W, Sedgwick County**  
**SPECIAL USE AREA: None**  
**EVALUATION DATE:- 3/31/2020**

Total Areas: 8,042 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 8,042 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A00214300	1592	25S	03W	26	13203960	IRR	195
A00517500	1742	25S	03W	26	NWSENE	REC	29
A00522000	258	25S	03W	26	13203960	IRR	44
A00522000	260	25S	03W	27	NCE2NE	IRR	44
A01231200	266	26S	03W	2	49501300	IRR	230
A01307800	121	25S	02W	30	NWNWSE	IRR	35
A01328800	975	25S	03W	27	11321323	IRR	237
A01591300	1031	26S	03W	1	50124018	IRR	114
A02903600	341	25S	03W	35	13271430	IRR	215
A02907200	667	26S	02W	6	41003800	IRR	188
A03005200	1310	26S	03W	1	22003500	IRR	237
A03257800	394	25S	03W	36	46504780	IRR	86
A03297400	1850	26S	03W	2	48822705	IRR	0
A03327000	1486	25S	02W	31	52000660	IRR	20
A03469300	134	25S	03W	23	6604620	IRR	85
A03573700	387	25S	03W	23	11743867	REC	7.2
A03606800	799	25S	03W	23	5900640	IRR	49
A03667100	843	25S	03W	35	14704075	IRR	188
A03681900	663	25S	03W	34	52400330	IRR	120
A03685800	451	25S	03W	26	13203960	IRR	142
A03686000	108	25S	03W	35	39551315	IRR	194
A03692900	173	26S	02W	6	41003800	IRR	116
A03726200	743	25S	03W	25	49351338	IRR	47
A04055300	199	25S	03W	36	351838	IRR	195
A04058700	333	26S	03W	1	22003500	IRR	70
A04105900	519	25S	03W	36	12553978	IRR	195
A04107200	513	26S	03W	1	50124018	IRR	38
A04148500	2148	25S	03W	25	36960954	REC	5.2
A04571400	3122	25S	02W	31	33180600	IRR	27
A04571500	3123	25S	02W	31	52000660	IRR	34
A04617400	3262	25S	02W	31	33180600	IRR	27
A04643800	3354	25S	02W	29	15534011	IRR	65
A04799600	3866	26S	02W	6	47051405	IRR	120.9
A04810600	3905	25S	03W	36	46504780	IRR	168.8
A04921500	4838	25S	03W	23	5900640	IRR	22.5
A05013300P	5224	25S	03W	23	213149	REC	200.2
A05026000P	5255	25S	03W	25	401900	IRR	196.3
VSG009100	1150	25S	03W	26	13203960	REC	2.5
VSG009100	1151	25S	03W	26	NWSENV	REC	2.5
<b>Allowable Appropriations</b>		<b>4,021.00</b>			<b>Total Existing Appropriation</b>		<b>3,992.10</b>
<b>Small User Quantity</b>		<b>0</b>			<b>Non Consumptive Appropriations</b>		<b>0</b>
<b>Remaining SUQ</b>		<b>45</b>			<b>Consumptive Appropriations</b>		<b>3,992.10</b>
<b>Note- Values are in acre-feet</b>					<b>Available Appropriations</b>		<b>28.9</b>



Equus Beds Groundwater Management District No. 2  
 Spacing Evaluation #50260 - Jeff Gruenbacher  
 SESWSE (40'N & 1900'W) 25-25S-03W, Sedgwick County  
 Prepared By: T. Boese      Date: 3/31/2020



● Proposed Point of Diversion	<b>Map Legend</b>
⋈ Area of Consideration Boundary	— Major Highway
● Monitoring Wells	— Other Roadway
▲ Points of Diversion	— Major Stream
□ District Boundary	— Other Water Feature
0.065 0.0325 0 0.065 Miles	□ County Boundary
	■ City Boundary

**From:** Lanterman, Jeff [KDA]  
**Sent:** Thu 8/13/2020 3:30 PM  
**To:** Neuhauser, Kris [KDA]; Conant, Cameron [KDA]  
**Subject:** RE: New App 50260 recommendation request  
**Attachments:** SafeYieldReport.pdf

I ran a SY of our own and came pretty close to what Tim did. Getting pretty close to fully appropriating that circle.

Right to the east of this well~1600' there is a farmstead that has a domestic well but is owned evidently according to the GMD2 map by applicant. Might revise your memo on that.

Interestingly, there are two junior files in that circle that will probably get approved just because they are east and will drop off a bunch of wells in the circle but there isn't a whole lot of appropriation to the east near the Ark there. But if they were approved first this would be over appropriated. We need to push Tim to do stream nodes on the Ark



Water levels appear steady:

[https://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=375031097394902](https://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375031097394902)  
[https://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=375118097341901](https://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375118097341901)

Everything looks pretty good. Please approve it.

Thanks  
Jeff

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**From:** Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>  
**Sent:** Thursday, August 13, 2020 2:40 PM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>  
**Subject:** New App 50260 recommendation request

Jeff and Cameron,

Here is a memo for New App, File No. 50,260; IRR app from Jeff Gruenbacher in SG County. Let me know if you need anything else on this one.

Thanks!

***Kris Neuhauser***

Environmental Scientist  
Water Appropriations Program – Kansas Dept of Agriculture  
(785) 564-6643



THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
Christopher W. Beightel, Acting Chief Engineer

**APPROVAL OF APPLICATION  
and  
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,260** of the applicant

**JEFF GRUENBACHER  
9107 WEST DOUGLAS  
WICHITA KS 67209**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **May 24, 2019**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
25	25S	3W																39	40	39	33	151

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE¼ SW¼ SE¼) of Section 25, more particularly described as a point 40 feet North and 1,900 feet West of the Southeast corner of said section, in Township 25 South, Range 3 West, Sedgwick County, Kansas, located substantially as shown on the aerial map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **1,000 gallons per minute (2.23 c.f.s.)** and to a quantity not to exceed **196.3 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2021** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.



6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2025** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.



Ordered this 3 day of September, 2020, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.  
Program Manager  
Water Appropriation Program  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas            )  
  ) SS  
County of Riley            )

The foregoing instrument was acknowledged before me this 3 day of September, 2020, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Ashlee Freeman  
Notary Public



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, Secretary

Laura Kelly, Governor

September 15, 2020

JEFF GRUENBACHER  
9107 WEST DOUGLAS  
WICHITA KS 67209

RE: Appropriation of Water, File No. 50,260

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswateruserreport.org](http://www.kswateruserreport.org).

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

KAB: kjn  
Enclosure(s)

pc: Stafford Field Office  
GMD 2



**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

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

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

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary. To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

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

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

**CERTIFICATE OF SERVICE**

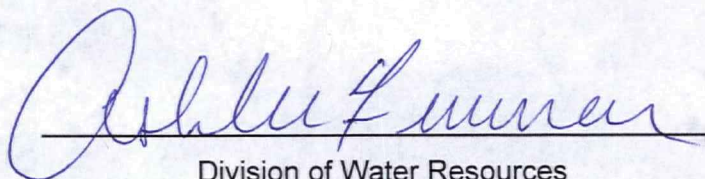
On this 15 day of September, 2020, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,260, dated 3 September 2020 was mailed postage prepaid, first class, US mail to the following:

JEFF GRUENBACHER  
9107 WEST DOUGLAS  
WICHITA KS 67209

With photocopies to:

Stafford Field Office

GMD 2



Ashley L. Munner

Division of Water Resources