

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

1. File Number: 15146	2. Status Change Date: 9/8/22	3. Change Num: 1	4. Field Office: 02	5. GMD: 05	
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: 8/31/22	
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"/> FRED GRUNDER 122 S MAIN ST SAINT JOHN KS 67576-2117		Person ID 6628 Add Seq# 1		8d. WUC New to system <input type="checkbox"/> 8B	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/22 <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: _____ Date to Comply: _____					
10. Use Made of Water From: --- _____ To: --- _____					
Date Prepared: 9/2/22 By: TMA Date Entered: _____ By: _____					

File No. **15146** 11. County: **PR** Basin: **S F NINNESCAH RIVER** Stream: **---** Formation Code: **180** Special Use: **---**

12. Points of Diversion										Rate and Quantity				
CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	
MOD	16747	NE NW SE	24	26S	15W	2	2442	1356		930	84	0	84	15145

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

14. Limitation: _____ af/yr at **930** gpm (**2.49** cfs) when combined with file number(s) **15145**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

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

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
MOD	2990	24	26S	15W	3	5	5	37.5	37.5									26.25	26.25			137.5	8B	N	15145	

Base Acres: **56** Year: **CERT** Minimum Reasonable Quantity: **1.24**
 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



STATE OF KANSAS

WATER METER REQUIRED

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.

File No. 15146

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

Place of Use Point of Diversion

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: Fred Grunder
122 S Main St, Saint John, KS 67576-2117

Phone Number: (620)549-6422 Email address: fred.grunder@hotmail.com

Name and address of Water Use Correspondent: Fred Grunder

122 S Main St, Saint John, KS 67576-2117

Phone Number: (620)549-6422 Email address: fred.grunder@hotmail.com

3. The presently authorized place of use is:
 Owner of Land ---- NAME: FRED N GRUNDER

ADDRESS: 122 S MAIN ST, ST JOHN, KS 67576

(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	
24	26S	15W			28	28													56

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: FRED N GRUNDER

ADDRESS: 122 S MAIN ST, ST JOHN, KS 67576

(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		
24	26S	15W	5	5	37.5	37.5										26.25	26.25			137.5

For Office Use Only: Code CP4 Fee \$ 200 TR # _____ Receipt Date _____ Check # 14321

RECEIVED
 3:00 pm
 AUG 31 2022

Stafford Field Office
 Division of Water Resources

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the SE Quarter of Section 24, Township 26 South, Range 15 (W), in Pratt County, Kansas, 2,500 feet North 1,310 feet West of Southeast corner of section. Authorized Rate 930 gpm (lim) Authorized Quantity 84 AF Depth of well 129 (feet)
(DWR use only: Computer ID No. 2 GPS 2,442 feet North 1,356 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 NE Quarter of the NW Quarter of the SE Quarter of Section 24, Township 26 South, Range 15 (W), in Pratt County, Kansas, 2,442 feet North 1,356 feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) no change.
 This point is: Additional Well Geo Center List other water rights that will use this point 15145.

6. **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 _____.

7. The changes herein are desired for the following reasons?
 (please be specific) The place of use must be overlapped because the two water rights are currently both watering unauthorized acres as irrigated (15145 and 15146).

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

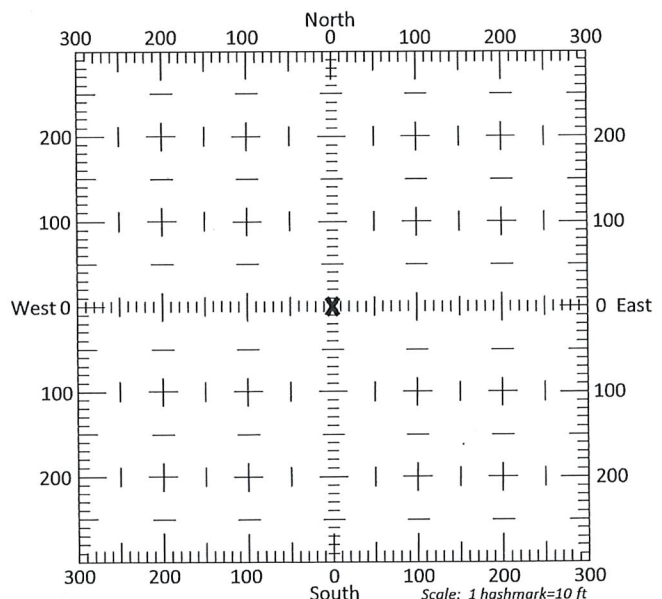
9. The change(s) (was)(will be) completed by?
ASAP

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

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by TMA 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.)**

RECEIVED
 AUG 31 2022
 Stafford Field Office
 Division of Water Resources

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 8.31.22, Kansas, this _____ day of _____, 20_____.

<p><u>Fred Grunber</u> _____ (Owner)</p> <p><u>Fred Grunber</u> _____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
--	---

State of Kansas }
 County of Stafford } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31st day of August, 2022.



Faith Curtis

Notary Public

My Commission Expires _____

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

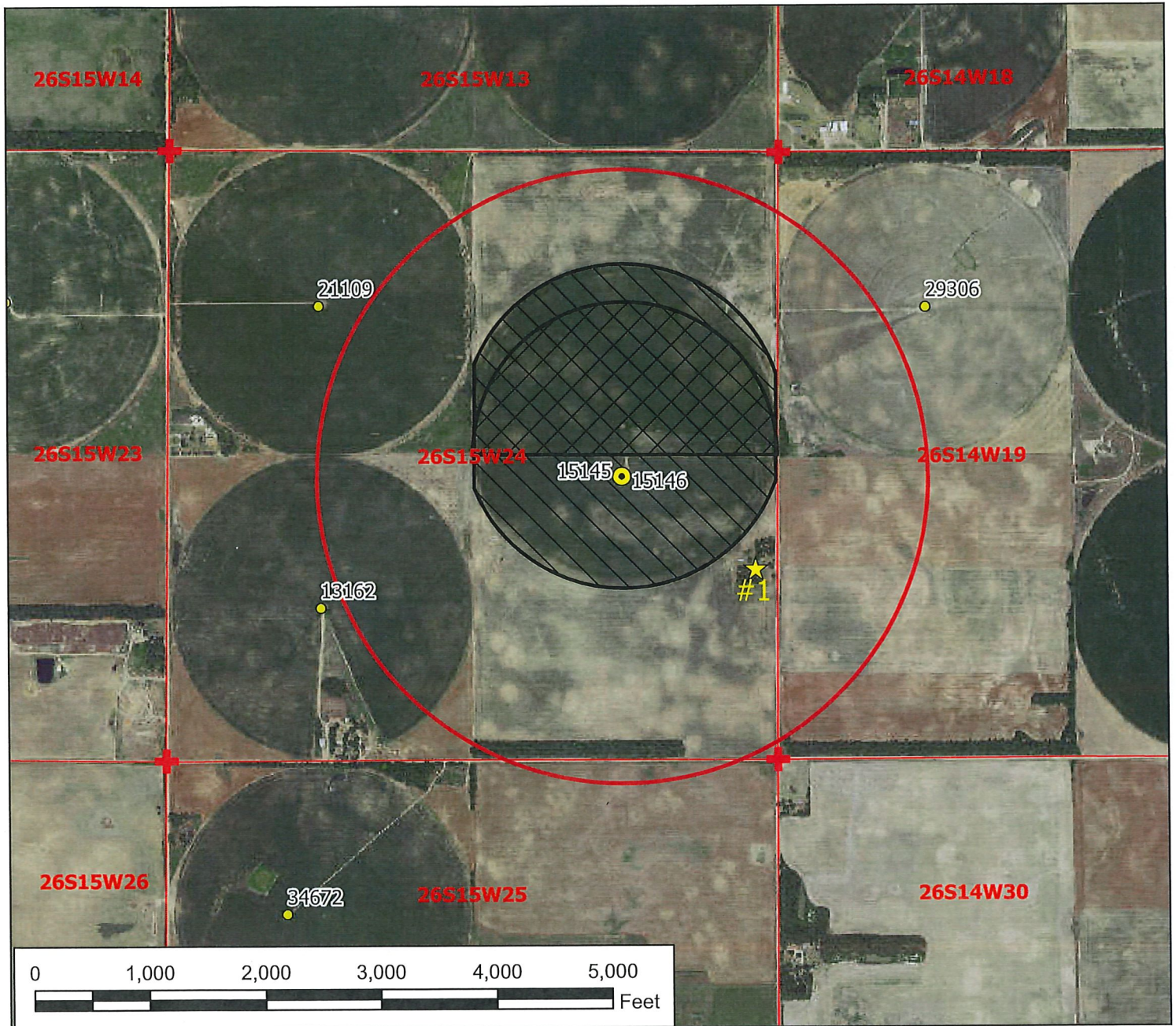
Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

(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

AUG 31 2022

Stafford Field Office
Division of Water Resources



Legend

- Water Appropriation
- Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle
- ▨ Authorized Place of Use
- ▨ Proposed Place of Use

Water Right, File No. 15146

Change in Place of Use Map
24-26-15W // Pratt County

To the best of my knowledge, all points of diversion within one-half mile of the authorized point of diversion have been shown.

Fred Grunch

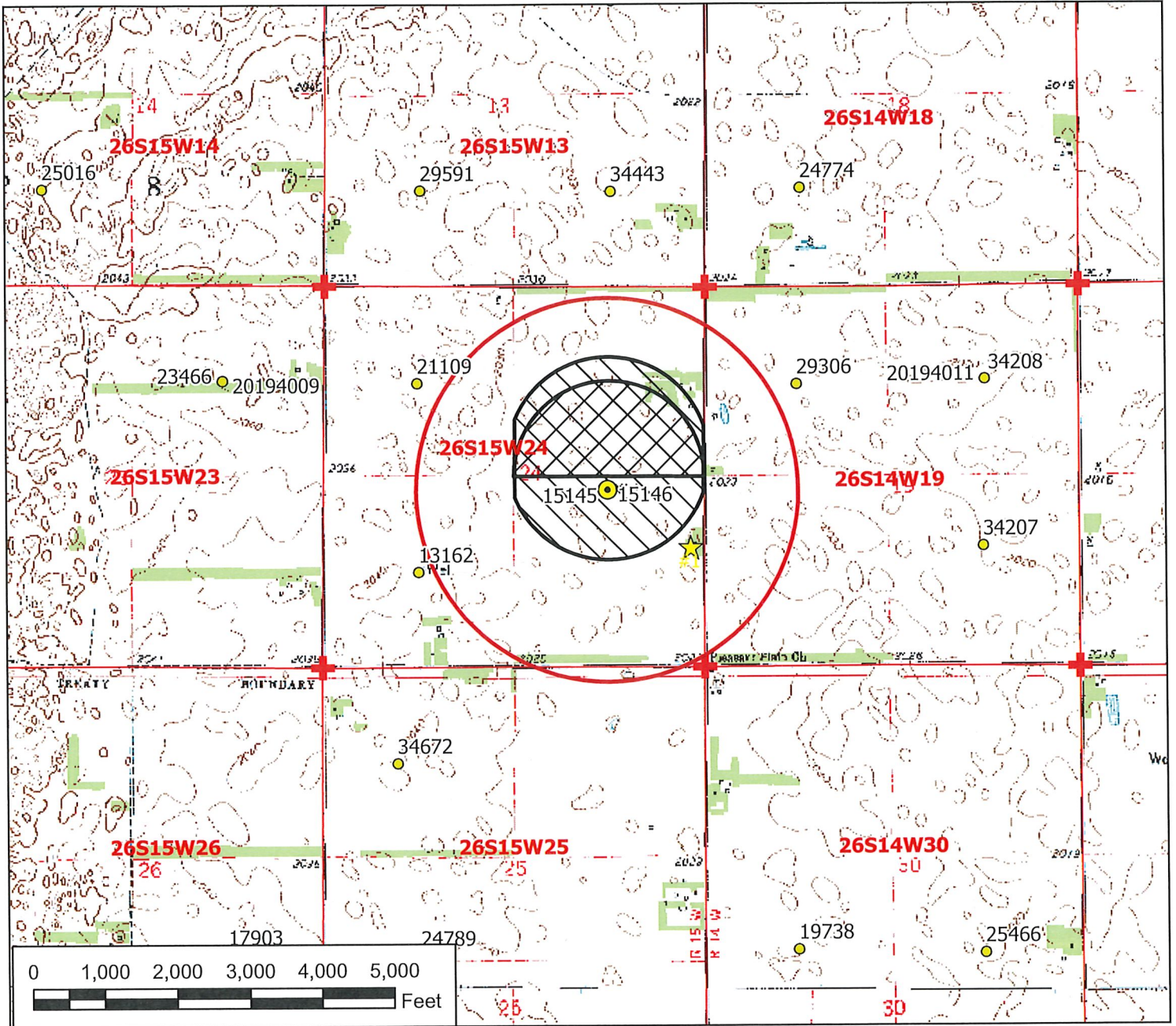
Signature / Date

RECEIVED
AUG 31 2022
Stafford Field Office
Division of Water Resources

8-31-22

08/25/2022 TMA/SFFO 1:15,000 scale





Legend

- Water Appropriation
- Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle
- ▨ Authorized Place of Use
- ▩ Proposed Place of Use

Water Right, File No. 15146

**Change in Place of Use Map
24-26-15W // Pratt County**

To the best of my knowledge, all points of diversion within one-half mile of the authorized point of diversion have been shown.



RECEIVED

AUG 31 2022

Stafford Field Office
Division of Water Resources

Signature / Date

08/25/2022 TMA/SFFO 1:24,000 scale

Stafford Field Office
300 S. Main Street
Stafford, KS 67578-1521



Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

September 8th, 2022

Fred Grunder
122 S Main St
St. John, KS 67576

Re: Water Right, File No(s). 15146

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 can be found at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters. Regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation>. This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/change-applications. 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.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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,

A handwritten signature in black ink that reads "Jeff Lanterman".

Jeff Lanterman
Water Commissioner

Enclosures

pc: Water Rights Section
Groundwater Management District No. 5

CERTIFICATE OF SERVICE

On this **8 September 2022**, I hereby certify that the attached Change in Place of Use, File No. 15146 & 15145 dated 9/8/2022 was mailed to the following:

Fred Grunder
122 S Main St
St. John, KS 67576

pc: Water Rights Section
GMD #5

Faith Curtis

Staff

Water Right, File No. 15145,15146 // NEARBY WELL OWNERS

Change in Place of Use

The domestic wells we were able to identify are listed below and labeled as stars on the attached maps. Please check the box below to confirm there are no more wells, irrigation or domestic, within either red half-mile circle on the map. Please mark the locations of any other wells on the map should more exist.

<u>DOMESTIC WELLS</u>	<u>OWNER</u>	<u>ADDRESS</u>
Well #1:	DAVID & BRENDA HEAD	80167 NW 90 th Ave. Byers, KS 67021

Note: Nearby well owners will not be notified for a place of use change. This documentation is provided primarily to supplement the map with the application.

RECEIVED
AUG 31 2022
Stafford Field Office
Division of Water Resources

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: September 2, 2022

FROM: Taylor Arrowood

RE: Water Right, File Nos. 15145, 15146
Place of Use Change Application

In late August of 2022, while doing water banking on the referenced files, an incomplete overlap was noticed by Cameron Conant of the Stafford Field Office. Fred Grunder was notified of this immediately but stated he believed it had already been addressed with a recent change.

The referenced files are in compliance with 82a-732. A review of the application finds that it complies with K.A.R. 5-5-1, *Filing an application for change*. The referenced file does not appear abandoned as per K.S.A. 82a-718.

This change needed to fix the place of use for the two files because there is presently a point of diversion overlap between the two, but they have separate places of use but both water the same pivot that is located in the East ½ of Sec. 24, Township 26 South, Range 15 West in Pratt County, KS. In addition, the pivot is not irrigating acres that are entirely authorized at present. The pivot is also larger than the 125 acres that is 69 acres + 56 acres combined. The pivot is actually 137.5 acres in total. Luckily, base acres for the two files turned out to be 137.5 acres exactly. This was determined through the 10% rule: 69 + 6.9 + 56 + 5.6 acres allowed. Thus, this change will comply with K.A.R. 5-5-11. The files will now both be authorized to pump to the entire pivot, not just one file per half of the pivot.

These approvals will comply with K.A.R. 5-5-3, *Change in consumptive use*, as there is no proposed change in quantity and the quantity remains reasonable for the acres irrigated. The minimum reasonable quantity for Pratt County is 1.24 AF/acre and this change would authorize the file for 1.37 AF/acre, also below the maximum.

The change applications were emailed out to Fred Grunder on August 26, 2022. Fred came into the office to do water banking on separate files on August 31, 2022 and ended up just signing the change applications in the office. The applications and a check for the correct amount were received at the Stafford Field Office on August 31, 2022. All owners had signed the applications and they appeared in proper form.

Because this is a field office place of use change, nearby well owners, as stated in a previous memo, were not notified of this change. A GMD5 recommendation request was sent out September 1, 2022 and was received at the Stafford Field Office the same day with recommendation for approval of the change.

A water flow meter is required. A check valve is required if any chemical or foreign substance is

injected into the water through the diversion works.

Based on the above discussion that the change is reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended that the applications are approved.

Taylor Arrowood
Environmental Scientist - SFFO

Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Tom Taylor - At-Large (Sec.)
Craig Zwick - Rice
Marlyn Spare - Stafford
Phil Martin - Barton
Kerry Froetschner - Pawnee
Gary Hornbaker - Reno



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

September 1, 2022

Taylor Arrowood
Division of Water Resources
Kansas Department of Agriculture
300 S. Main Street
Stafford, Kansas 67578-1342

RE: Water Right File No. 15145 & 15146
Change in the Place of Use

Dear Mr. Arrowood,

Big Bend Groundwater Management District #5 has reviewed the above referenced application. The applicant is requesting to modify the place of use to create a complete overlap between these two water right files and to better represent how the system is currently configured. Based on information received in the office, the application appears to be consistent with 5-25-20(b) and is therefore recommended for approval.

The application to change is subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril
Manager

RECEIVED

SEP 01 2022

Stafford Field Office
Division of Water Resources

Arrowood, Taylor [KDA]

From: Arrowood, Taylor [KDA]
Sent: Thursday, September 1, 2022 11:31 AM
To: Orrin Feril
Cc: Conant, Cameron [KDA]
Subject: Change in Point of Diversion Applications File Nos. 15145, 15146
Attachments: 15145_15146_GMD5CoverLetter.pdf; 15145_PUchange_Scanned.pdf; 15146_PUchange_Scanned.pdf

Hello Orrin,

I have attached two change applications and a cover letter to this email. These changes create a place of use overlap for two files that have been an incomplete overlap. The PD is already overlapped and both files have individual quantities but different places of use authorized but water the same place of use. 15145 is authorized the South ½ of the pivot and then 15146 is authorized the North ½. This means that 15145 is irrigating unauthorized acres in the North half of the pivot, while 15146 is irrigating unauthorized acres in the South half of the pivot. Additionally, the place of use is shifted north of what is authorized, so this change incorporates the extra acres covered by this shift as well. Base acre reviews were done on both files but their proposed certificates suggest base is 56 acres on 15146 and 69 acres on 15145. A change up to 137.5 acres is allowable per K.A.R 5-5-11 (69+6.9+56+5.6) and it just so happens that this is the correct size of the pivot as it is operating right now. This place of use is located in the NE and SE ¼ of 24-26S-15W in Pratt County.

Please provide a recommendation on this change. Let me know if you need any further information or have questions regarding this change. **The deadline for this recommendation would be September 22, 2022.** If an extension is needed just let me know.

Thank you,

Taylor M. Arrowood
Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311
taylor.arrowood@ks.gov



Stafford Field Office
300 S. Main Street
Stafford, KS 67578-1521

Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

September 1, 2022

Orrin Feril
Big Bend – GMD No. 5
125 S Main St.
Stafford, KS 67578

RE: Place of Use Change Application, File No. 15,145 & 15,146

Dear Mr. Feril,

We are enclosing a copy of the application, as referenced above, for your review and recommendation. At this time the application appears 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 application. 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,

Taylor M Arrowood
Environmental Scientist
Stafford Field Office
taylor.arrowood@ks.gov

Enclosure



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File

DATE: 9/1/2022

FROM: Taylor M Arrowood

RE: File Nos. 15145, 15146

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 filed on **8/31/2022** for the above referenced file meets this criteria and surrounding well owners will not be notified.