

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

1. File Number: <b>42165</b>	2. Status Change Date: <i>12/15/22</i>	3. Change Num: <b>C3</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>12/2/22</b>			
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID <u>25541</u> Add Seq# <u>1</u>		8d. WUC New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	
<b>DAVID M &amp; SUSAN J STROBERG TRUSTS</b> <b>5016 HENDRICKS ST</b> <b>HUTCHINSON KS 67502-9677</b>				<b>8B</b>			
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/23</u> <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: <b>12/14/22</b> By: <b>TMA</b>	
						Date Entered: <span style="border: 1px solid blue; padding: 2px;"><b>12/19/2022</b></span> By: <b>LMoody</b>	

File No. **42165**      11. County: **RN**      Basin: **COW CREEK**      Stream: ---      Formation Code: **190**      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	Quantity af	Rate gpm	Quantity af	
<b>MOD</b>	<b>81585</b>			<b>SE NE SW</b>	<b>21</b>	<b>22S</b>	<b>6W</b>	<b>5</b>	<b>1547</b>	<b>2982</b>		<b>940</b>	<b>202.5</b>	<b>940</b>	<b>202.5</b>	<b>NO</b>

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																		Total	Owner	Chg?	Overlap Files									
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE¼				NW¼								SW¼				SE¼				
										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>MOD</b>	<b>38700</b>			<b>21</b>	<b>22S</b>	<b>6W</b>	<b>3</b>							<b>38</b>	<b>36</b>	<b>38</b>	<b>39</b>	<b>40</b>	<b>26</b>	<b>1</b>	<b>26</b>		<b>22</b>	<b>14</b>		<b>290</b>	<b>8B</b>	<b>NO</b>	<b>48017,48355</b>	

Base Acres: **135**      Year: **CERT (2001)**      Minimum Reasonable Quantity: **1.12**  
 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. 42165

RECEIVED  
 10:23am  
 DEC 02 2022

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

Stafford Field Office  
 Division of Water Resources

2. Name and address of Applicant: David M. Stroberg  
5016 N. Hendricks, Hutchinson, KS 67502

Phone Number: (620) 669-7624                      Email address: stroberg@cox.net

Name and address of Water Use Correspondent: David M. Stroberg Trust & Susan J. Stroberg Trust  
5016 N. Hendricks, Hutchinson, KS 67502

Phone Number: (620) 669-7624                      Email address: stroberg@cox.net

3. The presently authorized place of use is:

Owner of Land ---- NAME: David M. Stroberg Trust & Susan J. Stroberg Trust  
 ADDRESS: 5016 N. Hendricks, Hutchinson, KS 67502

(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	
21	22S	6W					39	37	39	40	40	32	1	26			22	14	290

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: David M. Stroberg Trust & Susan J. Stroberg Trust  
 ADDRESS: 5016 N. Hendricks, Hutchinson, KS 67502

(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	
21	22S	6W		5	5		38	36	38	39	40	26	1	26			22	14	290

For Office Use Only: Code CPU Fee \$ 200<sup>00</sup> TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 20621



5. **Presently authorized point of diversion: CURRENTLY AUTHORIZED WELL**

One in the SE Quarter of the NE Quarter of the SW Quarter of Section 21, Township 22 South, Range 6W (E/W), in Reno County, Kansas, 1620 feet North 3140 feet West of Southeast corner of section. Authorized Rate 940 GPM Authorized Quantity 202.50 AF Depth of well 67 (feet)

(DWR use only: Computer ID No. 5 GPS 1547 feet North 2982 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 \_\_\_\_\_

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) Changing place of use to 3 pivots with a swing arm and end spray in areas. These changes include areas that overlap with WR #s 48017 & 48355.

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

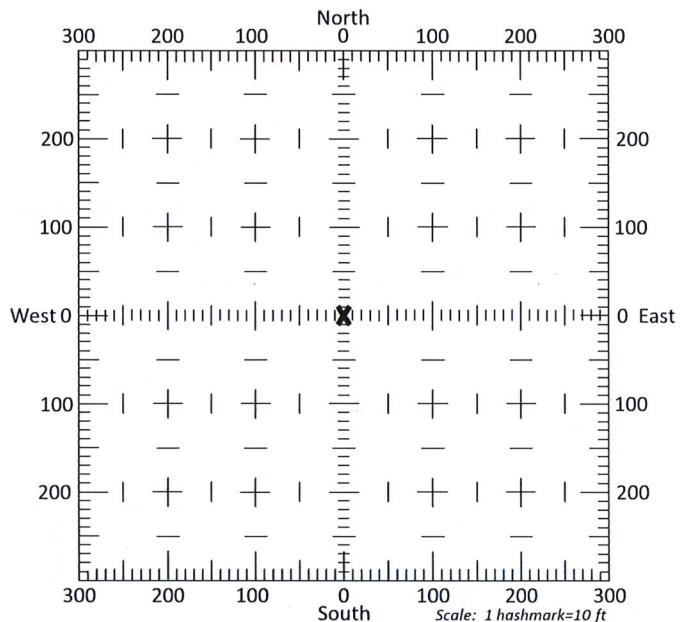
9. The change(s) (was)(will be) completed by? ASAP

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 B. Barton, GMD2

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.)

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 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.)

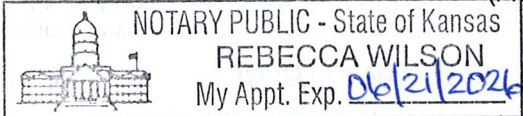
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 HALSTEAD, Kansas, this 30<sup>TH</sup> day of NOVEMBER, 20 22.

<p><u>David Stroberg Trustee</u> (Owner)</p> <p>David M. Stroberg, Trustee of the David M. &amp; Susan J. Stroberg Trusts (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 HARVEY } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30<sup>TH</sup> day of NOVEMBER, 20 22.

Rebecca Wilson  
 Notary Public

My Commission Expires 06/21/2026

**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

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Stafford Field Office  
 Division of Water Resources



**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. 92465.

- A change application was received on December 2, 2022 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.
- 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
- 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
- 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
- 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
- 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
- The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2023, 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
- Installation of the works for diversion of water shall be completed on or before December 31, 2023, or within any authorized extension of time. By March 1, 2024 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
- The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
- 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
- Additional Conditions are attached.  Yes  No
- 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**

**APPLICATION APPROVED AND SUMMARY ORDER ISSUED**

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.

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

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

Date of Issuance: December 15, 2022

State of Kansas \_\_\_\_\_ )  
County of Stafford \_\_\_\_\_ ) SS

Acknowledged before me on 12/15/2022  
by Faith Curtis

Signature: Faith Curtis  
Notary Public

My commission expires: \_\_\_\_\_  
(Notary Seal)

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DEC 02 2022

Stafford Field Office  
Division of Water Resources

FOR OFFICE USE ONLY





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

December 15<sup>th</sup>, 2022

David M & Susan Stroberg Trusts  
5016 Hendricks St  
Hutchinson, KS 67502-9677

Re: Water Right, File No(s). 42165, 48017, 48355

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 <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/new-applications-and-permits>. 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.

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 the referenced website.

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, appearing to read "Jeff Lanterman".

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Groundwater Management District No.

## CERTIFICATE OF SERVICE

On this **15th** day of **December, 2022**, I hereby certify that the attached DWR Field Office Application for Change in Point of Diversion/Place of Use for Water Right, File No. **48355, 48017, 42165**, dated **December 15th, 2022** was mailed via First Class U.S. mail to the following:

David M & Susan J Stroberg Trusts  
5016 Hendricks St  
Hutchinson, KS 67502-9677

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

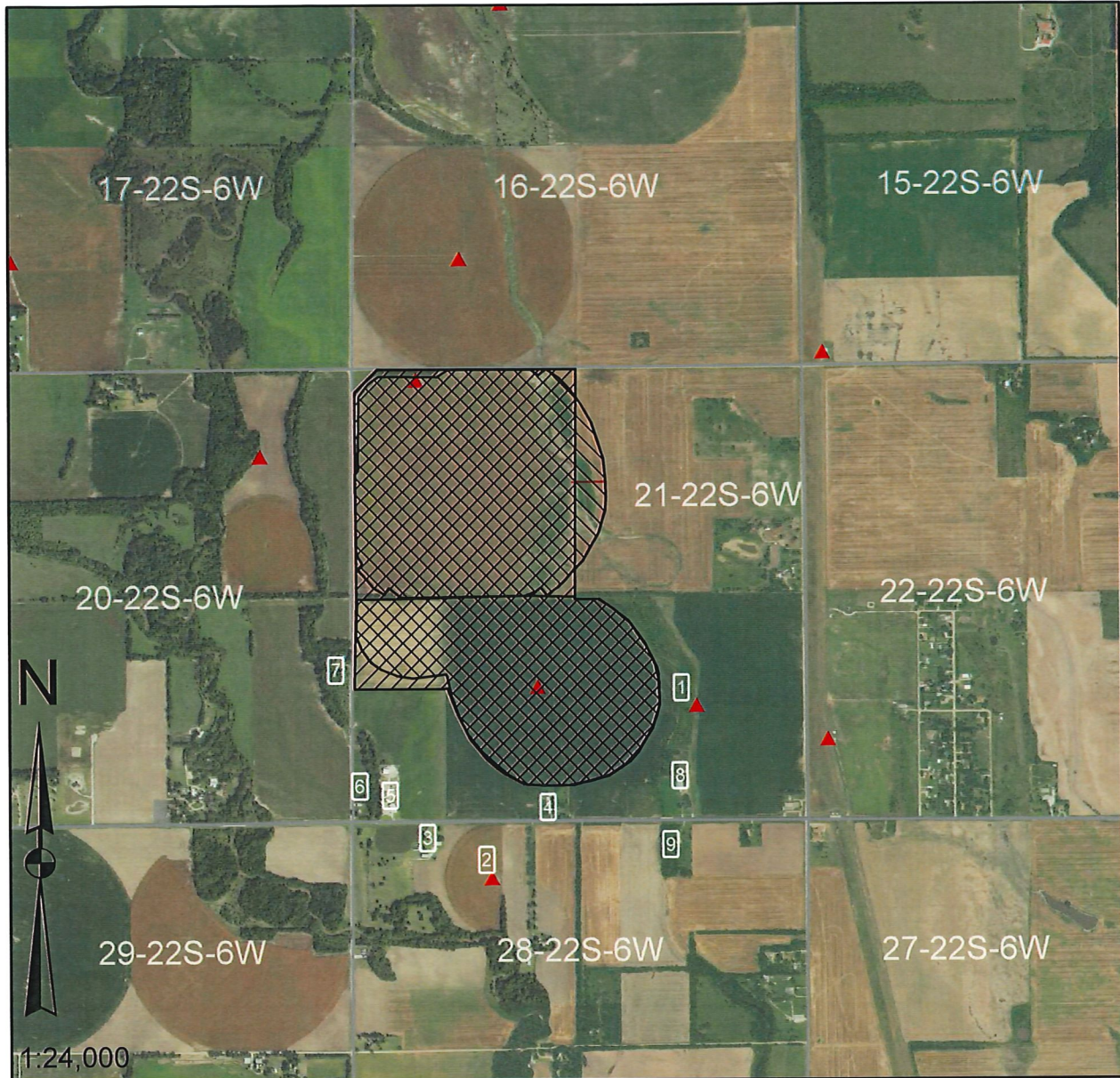
PC: Water Rights Section

*Faith Curtis*

-----  
Staff



# Application Map - File No. 42165



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

*Paul Strokey*  
Signature

11-30-22  
Date

- New Application
- Application No. 42165 To Change:

- Point of Diversion
- Place of Use
- Use Made of Water
- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) See attached sheet for details
- 2)
- 3)

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Division of Water Resources

Wells Within ½ Mile

1. Irrigation Well – No. 8179  
Applicant
2. Irrigation Well – No. 48782  
Michael E. & Kathy S. Trust  
3811 W. 56<sup>th</sup> Ave.  
Hutchinson, KS 67502
3. Domestic Well  
Michael E. & Kathy S. Trust  
3811 W. 56<sup>th</sup> Ave.  
Hutchinson, KS 67502
4. Domestic Well  
Andrew Christopher Roe  
3410 W. 56<sup>th</sup> Ave.  
Hutchinson, KS 67502
5. Domestic Well  
Rosencrantz-Bemis Enterprises, Inc. & DBA Darling Drilling Co.  
3916 W. 56<sup>th</sup> Avenue  
Hutchinson, KS 67502
6. Domestic Well  
Harold K. & Beverly J. Stauffer Revocable Trusts  
5004 W. 43<sup>rd</sup> Dr.  
Hutchinson, KS 67502
7. Domestic Well  
Randi D. Werner  
6619 N. Wilson Rd.  
Hutchinson, KS 67502
8. Domestic Well  
Mitchell L. & Laura P. Rome  
3102 W. 56<sup>th</sup> Avenue  
Hutchinson, KS 67502
9. Domestic Well  
Secretary of Veterans Affairs c/o Pennymac Loan Services, LLC  
3043 Townsgate Rd. Ste. 200  
Westlake Village, CA 91361

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Stafford Field Office  
Division of Water Resources



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



DIRECTORS:  
MICHAEL BAALMANN  
JOE BERGKAMP  
ALAN BURGHART  
RODNEY EGGLESTON  
ETHAN REIMER  
DALE SCHMIDT  
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

December 12, 2022

Chief Engineer, Division of Water Resources  
Attn: Taylor Arrowood  
300 S. Main St.  
Stafford, KS 67587

Re: Place of Use Change Applications, File Nos. 42165, 48017, and 48355 -David Stroberg

Dear Mr. Arrowood:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use applications on December 12, 2022, 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 modify the place of use and remain at 290 acres and form an identical place of use overlap between the referenced water permits/rights. The proposed place of use results in total combined water to land ratio of approximately 1.27 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/BLB



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DEC 13 2022

Stafford Field Office  
Division of Water Resources

pc: David M. Stroberg Trust and Susan J. Stroberg Trust, Applicant & Owners



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

1) Application No. 42165 Date filed: December 2, 2022  
 2) Applicant: David M. Stroberg County: Reno  
 3) Proposed maximum quantity: 202.5 acre-feet/year Rate: 940 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: SE NE SW 21-22S-6W Geo Center: North 1620 ft, West 3140 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 PU File No. 48017,48355  
 10) Overlapping PD File No. None  
 11) Authorized Acres 290 Acres  
 12) Base Acres 135; 280 total between 42165, 48017, 48355 Acres  
 13) Proposed Acres 290 Acres

14) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 0.70; 1.27 combined acre-feet / acre  
 (b) Stockwater max quantity: \_\_\_\_\_ GPD \_\_\_\_\_ unit  
 (c) Industry max quantity: \_\_\_\_\_ Acre \_\_\_\_\_  
 Industry standard: \_\_\_\_\_  
 15) Reasonable rate for intended use?  Yes  No  N/A  
 16) Depth to water: 16.67 ft on 10/12/2022 bls at observation well: EB 252A

17) Date reviewed: 12/8/2022  
 18) Reviewed by: B. Barton Title: Hydrogeologist  
 19) District recommendation:  Approve  Deny  Other, see comment  
*Renewed 12-12-22  
T. A. Lee*

### 20) Comments and Calculations:

Change in place of use application submitted by David M. Stroberg to change the place of use from 290 acres to 290 acres in Reno County to modify the PU to irrigate additional land to the east of the North pivot and reduce acres to the south. Change in PU apps also submitted on Nos. 48017 & 48355 to create identical PU overlap. The app. map shows the areas to be changed. Water Permit No. 42165 has been perfected, base acres are 135 and total base acres between the three water rights is 280 acres and currently authorized acres are 290 acres.

Application requests a change in place of use of the currently authorized acres of 290 to 290 acres, an increase of 0 acres, which is 10 acres (3.6%) increase in the total base acres of 280 acres (meets the base acres maximum increase of 10% or 10 acres whichever is lower).

Item 14:  $202.5 \text{ AF} / 290 \text{ acres} = 0.70 \text{ AF/A}$ . Total of 3 water rights:  $367.63 \text{ AF} / 290 \text{ acres} = 1.27 \text{ AF/A}$ . Max for Reno Co. is 1.4 AF/A

Meter inspection by GMD2 in 2015 and DWR in 2016 showed meter installation was in compliance. Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17.

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

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

**TO:** Files

**DATE:** December 14, 2022

**FROM:** Taylor Arrowood

**RE:** Water Right, File Nos.  
42165,48017,48355  
Place of Use Changes

On December 2, 2022, 3 change applications were received at the Stafford Field Office that had been filled out by GMD 2 to change the place of use of the referenced water right(s). The applicant for the change is listed as David Stroberg. The water rights are completely overlapped in place of use already.

The referenced file is 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.

The presently authorized points of diversion are as follows and will only be modified for better GPS footages:

**File No. 42165:** Located at 1,620' N, 3,140' W, with GPS of 1,547' N and 2,982' W of the SE corner of 21-22S-6W, authorized 202.5 AF @940 GPM

**File No. 48017:** Located at 5,230' N, 4,530' W, with GPS of 5,240' N and 4,290' W of the SE corner of 21-22S-6W, authorized 189 AF, additional quantity of 135.2 AF, and a total combined quantity w/ 42165 of 337.7 AF/year @ 1000 GPM

**File No. 48355:** Located at the same footages, and is the same well as file no. 48017. This file authorizes an additional quantity of 29.93 AF per year at the 1000 GPM rate of 48017.

The place of use overlap will be modified such that the actual irrigated acres within the overlap changes to that outlined on the place of use map in the application. The place of use will now cover "3 pivots with a swing arm and end spray in areas". All 3 of the involved files were already overlapped, and the base acres is sufficient for this change per K.A.R. 5-5-11. There will be no changes to the point of diversion(s), other than to modify the exact location of the two wells, as mentioned above.

This approval would comply with K.A.R. 5-5-3, *Change in consumptive use*, since there is no proposed change in rate or overall quantity of water. Additionally, the number of acres irrigated is not changing. Total irrigated acres remains 290 acres and the AF allotment is 337.7 AF + 29.93 AF to be used between the 3 water rights, which totals 367.63 AF altogether.  $367.63 \text{ AF} / 290 \text{ acres} = 1.27 \text{ AF/acre}$ , which is within the reasonable AF/acre for Reno County.

The application was received in the Stafford Field Office on December 2, 2022 with all the correct payment and necessary signatures present.



Nearby letters were not sent out on this change because it was a place of use change, as outlined in a previous memo produced during the processing of this change application.

A GMD 2 recommendation request was sent out to Tim Boese. The recommendation was received back at the Stafford Field Office on December 13, 2022 with recommendation for approval.

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 local source of supply will occur, it has been recommended that the application be approved.

Taylor M. Arrowood  
Environmental Scientist  
Stafford Field Office

## Arrowood, Taylor [KDA]

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**From:** Arrowood, Taylor [KDA]  
**Sent:** Tuesday, December 6, 2022 11:51 AM  
**To:** tboese@GMD2.org  
**Cc:** rwilson@GMD2.org  
**Subject:** Change in Place of Use Application(s) File Nos. 42165, 48017, 48355  
**Attachments:** 42165,48017,48355\_GMD2CoverLetter.pdf; 42165\_PUchange\_Application\_scanned.pdf; 48017\_PUchange\_Application\_scanned.pdf; 48355\_PUchange\_Application\_scanned.pdf

Hello Tim,

I am attaching a cover letter and change application(s) that proposes to change the place of use under the above file numbers. The change will maintain a complete place of use overlap between the three mentioned files and seeks to modify the place of use slightly to include 3 pivots and a swing arm that will include spray areas. The change will not increase acres and is only shifting the acres water is applied to. Total acres still remains 290 acres. The place of use is detailed in each change application and associated map. It is located in Section 21 of Township 22 South, Range 6 West in Reno County. The point of diversion for file no. 42165 is a standalone well and the point of diversion for 48017 is an overlap with 48355 (additional quantity).

Please provide a recommendation on this change. Let me know if you have any further questions regarding this change. If you need an extension of the 15 business days, as stated in the cover letter, please let me know. As of now, the deadline for the recommendation will be **December 27, 2022**.

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](mailto:taylor.arrowood@ks.gov)



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www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

December 6, 2022

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

RE: Place of Use Change Application, File No(s). 42165, 48017, 48355

Dear Mr. Boese,

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 Arrowood  
Environmental Scientist  
Stafford Field Office  
[taylor.arrowood@ks.gov](mailto:taylor.arrowood@ks.gov)

Enclosure



# KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

## MEMORANDUM

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**TO:** File

**DATE:** 12/6/2022

**FROM:** Taylor Arrowood

**RE:** File No. 42165

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 <sup>2</sup>12/6/2022 for the above referenced file meets this criteria and surrounding well owners will not be notified.