

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

**OWNERSHIP CHANGE PER ORKA**

|   |   |   |                               |   |
|---|---|---|-------------------------------|---|
| 1. File Number:<br><b>45700</b>   | 2. Status Change Date:<br><i>12/29/22</i> | 3. Change Num:<br><b>C1</b>   | 4. Field Office:<br><b>02</b> | 5. GMD:<br><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:<br><b>12/5/22</b>                           |
| 8a. Applicant(s)<br>New to system <input type="checkbox"/>  |   | Person ID _____<br>Add Seq# _____   |                               | 8c. Landowner(s)<br>New to system <input checked="" type="checkbox"/> |
|   |   |   |                               | Person ID <b>55250</b><br>Add Seq# _____                              |
|   |   | <b>DOROTHY A DICK TRUST<br/>12703 E 82<sup>ND</sup> AVE<br/>BUHLER KS 67522</b> |                               |   |
| 8b. Landowner(s)<br>New to system <input type="checkbox"/>  |   | Person ID <b>57482</b><br>Add Seq# <b>1</b>                                     |                               | 8d. WUC<br>New to system <input type="checkbox"/>                     |
| <b>RUSSELL A &amp; MELANEY A DICK TRUSTS<br/>10415 N BUHLER RD<br/>INMAN KS 67546</b>   |   |   |                               | <b>8B</b>   |
| 9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/23</b> <input type="checkbox"/> N & P Date to Comply: _____  |   |   |                               |   |
| <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter |   |   |                               |   |
| <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____   |   |   |                               |   |
| 10. Use Made of Water    From: ---    To: ---   |   |   |                               |   |
| Date Prepared: <b>12/14/22</b> By: <b>TMA</b><br>Date Entered: <span style="border: 1px solid blue; padding: 2px;">1/4/2023<br/>LMoody</span> By:   |   |   |                               |   |

File No. **45700**      11. County: **HV**      Basin: **LITTLE ARKANSAS RIVER**      Stream: **---**      Formation Code: **190**      Special Use: **029**

| 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<br>gpm | Quantity<br>af | Rate<br>gpm | Quantity<br>af |                  |
| <b>CHK</b>              | <b>69561</b> |     |      | <b>NC SW</b> | <b>15</b> | <b>22S</b> | <b>3W</b> | <b>1</b> | <b>1321</b> | <b>3969</b>       |                    | <b>745</b>  | <b>145.6</b>   | <b>745</b>  | <b>145.6</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 |              |     |     |                  |          |   |   |    |  | NE¼     |         |         |         | NW¼     |         |              |              | SW¼       |           |           |           | SE¼     |         |         |         | Total        | Owner     | Chg?       | Overlap Files |  |
|------------------|--------------|-----|-----|------------------|----------|---|---|----|--|---------|---------|---------|---------|---------|---------|--------------|--------------|-----------|-----------|-----------|-----------|---------|---------|---------|---------|--------------|-----------|------------|---------------|--|
| CHK              | MOD          | DEL | ENT | PUSE             | S        | T | R | ID |  | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼      | SE<br>¼      | NE<br>¼   | NW<br>¼   | SW<br>¼   | SE<br>¼   | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ |              |           |            |               |  |
| <b>MOD</b>       | <b>55981</b> |     |     | <b>15 22S 3W</b> | <b>1</b> |   |   |    |  |         |         |         |         |         |         | <b>11.75</b> | <b>11.75</b> | <b>37</b> | <b>37</b> | <b>15</b> | <b>15</b> |         |         |         |         | <b>127.5</b> | <b>8B</b> | <b>NO</b>  | <b>NO</b>     |  |
| <b>MOD</b>       | <b>55982</b> |     |     | <b>15 22S 3W</b> | <b>2</b> |   |   |    |  |         |         |         |         |         |         | <b>1.75</b>  | <b>1.75</b>  |           |           |           |           |         |         |         |         | <b>3.5</b>   | <b>8C</b> | <b>YES</b> | <b>NO</b>     |  |
|                  |              |     |     |                  |          |   |   |    |  |         |         |         |         |         |         |              |              |           |           |           |           |         |         |         |         |              |           |            |               |  |
|                  |              |     |     |                  |          |   |   |    |  |         |         |         |         |         |         |              |              |           |           |           |           |         |         |         |         |              |           |            |               |  |
|                  |              |     |     |                  |          |   |   |    |  |         |         |         |         |         |         |              |              |           |           |           |           |         |         |         |         |              |           |            |               |  |

Base Acres: **121**      Year: **2017 (CERT)**      Minimum Reasonable Quantity: **1.00**  
 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.

RECEIVED  
 9:30am  
 DEC 05 2022

File No. 45700

Stafford Field Office  
 Division of Water Resources

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: Russell Dick  
10415 N. Buhler Rd., Inman, KS 67546

Phone Number: (620) 727-0650                      Email address: melrussdick@gmail.com

Name and address of Water Use Correspondent: Russell A. & Melaney A. Dick Trusts  
10415 N. Buhler Rd., Inman, KS 67546

Phone Number: (620) 727-0650                      Email address: melrussdick@gmail.com

3. The presently authorized place of use is:  
 Owner of Land --- NAME: Russell A. & Melaney A. Dick Trusts  
 ADDRESS: 10415 N. Buhler Rd., Inman, KS 67546

(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 |             |
| 15   | 22S  | 3W    |     |     |     |     |     |     | 0.5 | 0.5 | 33  | 33  | 22  | 32  |     |     |     |     | 121         |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |

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: A.) Russell A. & Melaney A. Dick Trusts    B.) Dorothy A. Dick Trust

ADDRESS: A.) 10415 N. Buhler Rd., Inman, KS 67546    B.) 12703 E. 82<sup>nd</sup> Ave Buhler, KS 67522

(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 |             |
| A.) 15      | 22S  | 3W    |     |     |     |     |     |     | 11.75 | 11.75 | 37  | 37  | 15  | 15  |     |     |     |     | 127.5       |
| B.) 15      | 22S  | 3W    |     |     |     |     |     |     | 1.75  | 1.75  |     |     |     |     |     |     |     |     | 3.5         |
| Total = 131 |      |       |     |     |     |     |     |     |       |       |     |     |     |     |     |     |     |     |             |

For Office Use Only: Code CPU Fee \$ 200<sup>00</sup> TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 4037

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

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the NC-SW Quarter of Section 15, Township 22 South, Range 3W (E/W), in Harvey County, Kansas, 1321 feet North 3969 feet West of Southeast corner of section. Authorized Rate 745 GPM Authorized Quantity 145.60 AF Depth of well 175 (feet) (DWR use only: Computer ID No. 1 GPS 1321 feet North 3969 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 \_\_\_\_\_

*\*TMA 12/5/22*

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 by moving the center pivot North approximately 775 feet to complete the circle and add 10 acres to the POU.

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

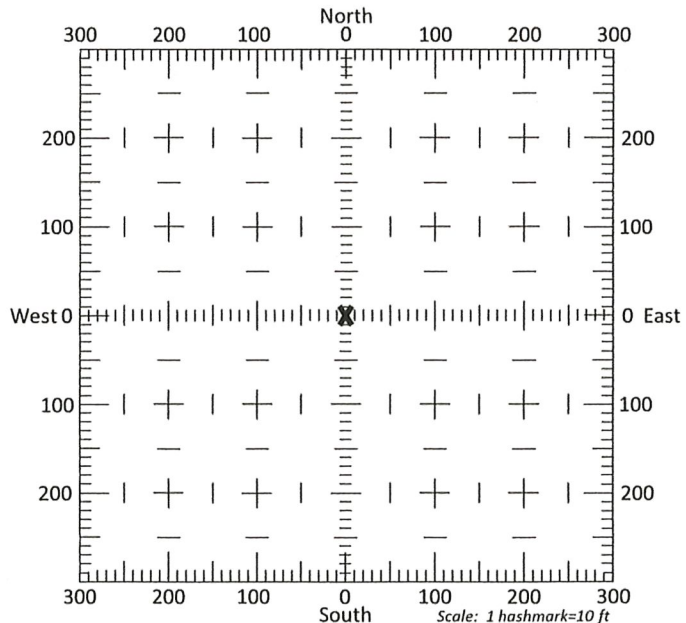
9. The change(s) (was)(will be) completed by?  
ASAP

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  
*12/29/22 CRC*

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.)

**DEC 05 2022**

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 PRAIRIE BANK OF KANSAS, Kansas, this 1st day of DECEMBER, 20 22

Russell A. Dick, Trustee  
(Owner)

Melaney A. Dick Trustee  
(Spouse)

Russell A. Dick Trustee of Russell A. Dick Trust

Melaney A. Dick Trustee of Melaney A. Dick Trust

(Please Print)

(Please Print)

Russell A. Dick

Melaney A. Dick

(Owner)

(Spouse)

Russell A. Dick

Melaney A. Dick

(Please Print)

(Please Print)

(Owner)

(Spouse)

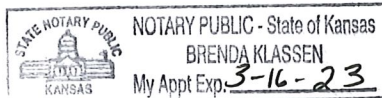
(Please Print)

(Please Print)

State of Kansas

County of RENO

} SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 1st day of DECEMBER, 20 22

Brenda Klassen  
Notary Public

My Commission Expires 3-16-23

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 ..... **RECEIVED** ..... \$200

DEC 05 2022

**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. 45700.

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

**Administrative Appeal and Effective Date of Order**

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

*For Use by Register of Deeds*

RECEIVED

DEC 05 2022

Stafford Field Office  
Division of Water Resources

FOR OFFICE USE ONLY

**APPLICATION APPROVED AND SUMMARY ORDER ISSUED**

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

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

Date of Issuance: December 29, 2022

State of Kansas )

) SS

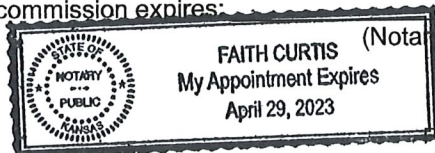
County of Stafford )

Acknowledged before me on 12/29/2022

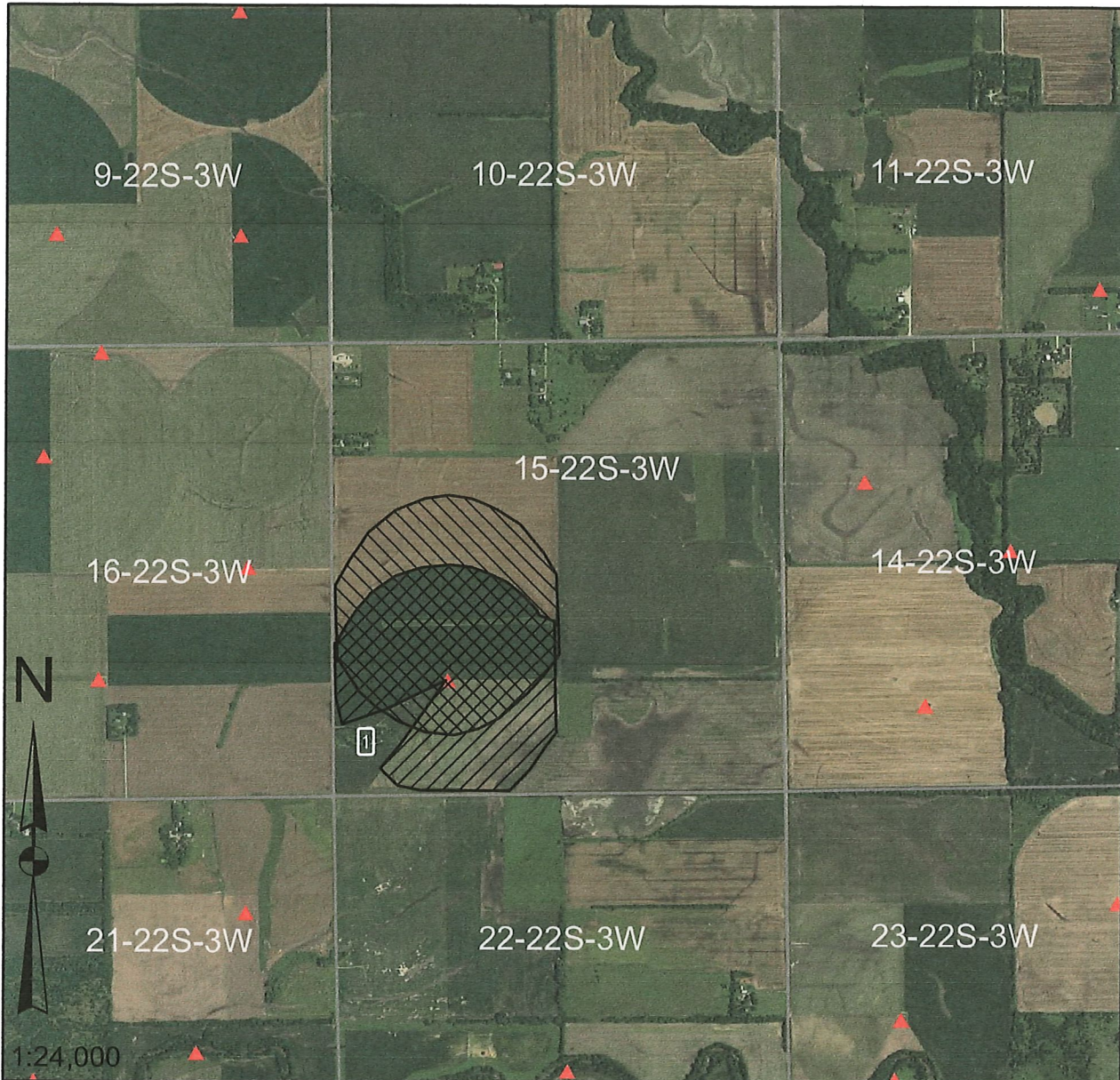
by Faith Curtis

Signature: Faith Curtis  
Notary Public

My commission expires: \_\_\_\_\_



# Application Map - File No. 45700



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.

Russell A. Dick Melany Dick  
Signature

12-1-22  
Date

- New Application
- Application No. 45700 To Change:

- Point of Diversion RECEIVED
- Place of Use DEC 05 2022
- Use Made of Water

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

Stafford Field Office  
Division of Water Resources

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

- 1) Domestic well  
Deborah Jean Grow  
7310 N Prairie Lake Rd.  
Buhler, KS 67522-9638
- 2)
- 3)

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



Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

December 29, 2022

Russell Dick  
10415 N Buhler Rd  
Inman, KS 67546

Re: Water Right, File No(s). 45700

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. 2



## CERTIFICATE OF SERVICE

On this **29th** day of **December, 2022**, I hereby certify that the attached DWR Field Office Application for Change in Point of Diversion for Water Right, File No. **45700**, dated **December 29th, 2022** was mailed via First Class U.S. mail to the following:

Russell Dick  
10415 N Buhler Rd  
Inman, KS 67546

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

PC: Water Rights Section 2

*Faith Curtis*  
-----  
Staff

**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.  
45700 Place of Use Change

On December 5, 2022, a change application was 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 Russell Dick.

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 not be modified on this change:

**File No. 45700:** Located at 1,321' N and 3,969' W of the SE corner of 15-22S-3W in Harvey County, authorized 145.6 AF @ 745 GPM on 121 acres

The place of use will be modified such that the actual irrigated acres changes to that outlined on the place of use map in the application. The place of use will now cover 131 acres, the maximum increase in acres allowable per K.A.R. 5-5-11, a 10-acre increase. There will be no changes to the point of diversion(s). The pivot point will move 775 feet to the north and the place of use will now be a full circle at the new location.

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. The number of acres being irrigated is changing from 121 to 131. The AF/acre will now be 145.6 AF/131 acres for 1.11 AF/acre. The minimum reasonable for Harvey County is 1.00 AF/acre. The maximum reasonable AF/acre is 1.3.

The application was received in the Stafford Field Office on December 5, 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 on December 6, 2022. The recommendation was received back at the Stafford Field Office on December 12, 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

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



DIRECTORS:  
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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

Russell A. & Melaney A. Dick Trusts  
Attn: Russell Dick  
10415 N. Buhler Road  
Inman, KS 67546

Re: Water Right No. 45700

Dear Mr. Dick:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that change in place of use application No. 45700 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 near the center of the Southwest quarter of Section 15, Township 22 South, Range 3 West, Harvey County.

The well must be properly equipped with an approved meter within 30 days after the approval of the change application and prior to operation of the well. 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 in place of 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 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/db

Enclosures

Pc: Jeff Lanterman, Division of Water Resources, Stafford

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DEC 12 2022

Stafford Field Office  
Division of Water Resources

JEFF WINTER, PRESIDENT  
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DAVID BOGNER, SECRETARY  
MIKE MCGINN, TREASURER  
TIM BOESE, MANAGER  
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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

December 12, 2022

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

Re: Place of Use Change Application, File No. 45700 – Russell Dick

Dear Mr. Arrowood:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use application 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 application proposes to increase the place of use from 121 acres to 131 acres. The proposed place of use results in a water to land ratio of approximately 1.11 acre-feet per acre.

The District's review found that the change 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.

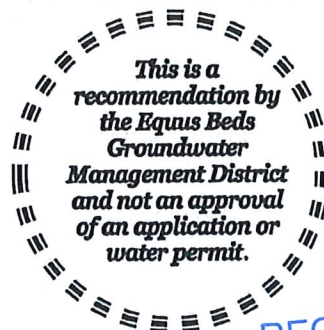
A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12. Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/BLB

Enclosure

pc: Russell A. & Melaney A. Dick Trusts, Applicant & Owners  
Dorothy A. Dick Trust, Owner



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DEC 12 2022

Stafford Field Office  
Division of Water Resources

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

1) Application No. 45700 Date filed: December 5, 2022  
 2) Applicant: Russell Dick County: Harvey  
 3) Proposed maximum quantity: 145.6 acre-feet/year Rate: 745 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: NC SW 15-22S-3W Geo Center: North 1321 ft, West 3969 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. None  
 10) Overlapping PD File No. None  
 11) Authorized Acres 121 Acres  
 12) Base Acres 121 Acres  
 13) Proposed Acres 131 Acres

14) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 1.11 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: 44.70 ft on 10/7/2022 bls at observation well: EB 25A

17) Date reviewed: 12/8/2022  
 18) Reviewed by: B. Barton Title: Hydrogeologist  
 19) District recommendation:  Approve  Deny  Other, see comment  
*Reviewed 12-02-22 T. Brown*

**20) Comments and Calculations:**

Change in place of use application submitted by Russell Dick to change the place of use from 121 acres to 131 acres in Harvey County to modify the PU to move the center pivot to the north and complete a full circle. The app. map shows the areas to be added.

Water Permit No. 45700 has been perfected, base acres are 121 acres and currently authorized acres are 121 acres. Application requests a change in place of use of the currently authorized acres of 121 to 131 acres, an increase of 10 acres, which is 10 acres (8.3%) increase in the base acres of 121 acres (meets the base acres maximum increase of 10% or 10 acres whichever is lower).

Item 14: 145.6 AF / 131 acres = 1.11 AF/A. Max for Harvey Co. is 1.3 AF/A

Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17.

## Arrowood, Taylor [KDA]

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**From:** Arrowood, Taylor [KDA]  
**Sent:** Tuesday, December 6, 2022 3:00 PM  
**To:** tboese@GMD2.org  
**Cc:** rwilson@GMD2.org  
**Subject:** Change in Place of Use Application File No. 45700  
**Attachments:** 45700\_GMD2CoverLetter.pdf; 45700\_PUchange\_Application.pdf

Hello Tim,

I am attaching a cover letter and change application that proposes to change the place of use under the above file number. The change will increase the place of use by 10 acres from what is currently authorized. The acreage will go from 121 acres to 131 acres per K.A.R. 5-5-11. The pivot is being shifted to the north which is shifting the place of use, but now the circle is completed so the other 10 acres will be irrigated for a 131 acre pivot system. The place of use is located in Section 15 of Township 22 South, Range 3 West, in Harvey County.

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 28, 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)

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



Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://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). 45700

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. 45700

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 12/5/2022 for the above referenced file meets this criteria and surrounding well owners will not be notified.