

17190 Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D WORKSHEET

Document Signature _____

1. File Number: 48466	2. Status Change Date: <i>10/26/2017</i>	3. Change Num: C1	4. Field Office: 03	5. GMD: 4
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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: 21-FEB-2017
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID <u>14854</u> Add Seq# <u>1</u> GARRY & DEANNA ROBERTS 15343 S ROAD 100 E QUINTER KS 67752-5600	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID <u>14854</u> Add Seq# <u>1</u> GARRY & DEANNA ROBERTS 15343 S ROAD 100 E QUINTER KS 67752-5600 No change	8d. WUC New to system <input type="checkbox"/> Person ID <u>14854</u> Add Seq# <u>1</u> NO CHANGE 8B
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/18</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/18</u>	
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" 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: 10/23/17 By: RAK Date Entered: <i>10/31/2017</i> By: <i>LLM</i>
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File No. **48466** 11. County: **SD** Basin: **SALINE RIVER** Stream: Formation Code: **210**
no change Special Use:

12. Points of Diversion										Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	
ENT	<i>86393</i>	SESENE	16	10	26W		2758	625	GEOCENTER	800 g.p.m.	<u>249 AF</u>	800 g.p.m.	<u>249 AF</u>	NO
MOD	81142	SESENE	16	10	26W	2	2660	591	BATT 1 OF 4 WELLS					NO
MOD	82420	SESENE	16	10	26W	3	2861	657	BATT 1 OF 4 WELLS					NO
MOD	82421	SWSENE	16	10	26W	4	<u>3050</u>	<u>663</u>	BATT 1 OF 4 WELLS					NO
MOD	82422	NENESE	16	10	26W	5	<u>2460</u>	<u>589</u>	BATT 1 OF 4 WELLS					NO

Battery # 2046

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 MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						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				
NO CHANGES TO PU																									

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files
FROM: Richelle A. Krueger

DATE: October 23, 2017
RE: Appropriation of Water
File No. 48,466

Garry and Deanna Roberts, water right owners, filed an application for approval to change the authorized point of diversion, received in the office of the Chief Engineer on February 21, 2017.

The referenced file does not appear abandoned as per K.S.A. 82a-718. The diversion works for File No. 48,466 were completed on December 12, 2016.

File No. 48,466 is authorized 335 acre-feet at a diversion rate of 800 gallons per minute from one(1) battery of four(4)wells with a geographic center located 5,114 feet North and 1,592 feet West of the Southeast corner of Section 16, Township 10 South, Range 26 West, Sheridan County, in the Saline River Basin for irrigation of 223.3 acres in the same section. There are no overlaps in the authorized point of diversion but the authorized place of use overlaps Application, File No. 49,686. It was discovered during a compliance investigation by Stockton Field Office that the geocenter of the authorized battery is not within 300 feet of the authorized location; it is approximately 2,547 feet from the approved location at a point located 2,758 feet North and 625 feet West of the Southeast corner of Section 16.

The water right owners requested a waiver of K.A.R. 5-5-6. Between the time it was discovered that the battery was in the wrong location and the time that a new or change application could have been filed to correct the error, Northwest Kansas Groundwater Management District No. 4 closed the district to new appropriations that partially or wholly request a source of supply that includes the Ogallala Formation. The applicants have proposed to reduce their authorized quantity from 335 acre-feet to 249 acre-feet to meet GMD No. 4 safe-yield requirements before the area was closed to new appropriations. It should also be noted that in an October 11, 2017 e-mail to Brent Turney, Change Application Unit Supervisor from Scott Ross of Water Rights Investigative Services, L.L.C., Scott stated that Garry Roberts has elected to drop his challenge to dismissal of File No. 49,686.

WRIS and the application map indicate the only non-domestic wells within one-half mile of the proposed geocenter is Application, File No. 49,686, under common ownership and filed August 11, 2016 (pending denial and dismissal). One domestic well under common ownership within one-half mile of the proposed geocenter was indicated on the application map.

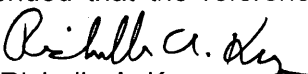
The same local source of supply will remain the same, previously determined to be Ogallala Aquifer (210).

In a letter dated March 27, 2017, Ray Luhman, Manager of the Northwest Kansas Groundwater Management District No. 4, as per the Board of Directors, recommended approval of the referenced application for File No. 48,466 based on their records and the information supplied by the applicant contingent upon the reduction of the authorized quantity to 249 acre-feet and a waiver of K.A.R. 5-5-6.

In an e-mail dated October 12, 2017, Kelly Stewart, Water Commissioner of the Stockton Field Office, indicated he has no objection to approval of the referenced change application.

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, that no change in the local source of supply will occur, and if the Chief Engineer waives K.A.R. 5-5-6, it has been recommended that the referenced application be approved.


Richelle A. Krueger
Environmental Scientist

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

November 3, 2017

GARRY & DEANNA ROBERTS
15343 S ROAD 100 E
QUINTER KS 67752

RE: Appropriation of Water, File No. 48,466
Dismissal of Application, File No. 49,686

FILE COPY

Dear Mr. and Mrs. Roberts:

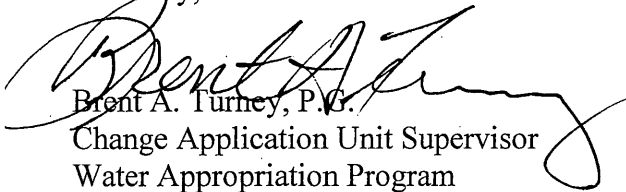
Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,686, for failure to meet K.A.R. 5-24-2 *Allowable withdrawals*.

In addition, enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under File No. 48,466.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the diversion works and/or installation of the required meter as soon as these actions are completed.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,



Brent A. Turney, P.C.
Change Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stockton Field Office
Groundwater Management District No. 4
Water Rights Investigative Services, LLC, Attn Scott Ross



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN
POINT OF DIVERSION
AND ORDER REDUCING THE AUTHORIZED QUANTITY
APPROPRIATION OF WATER
FILE NO. 48,466**

FILE COPY

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Garry and Deanna Roberts, 15343 South Road 100 East, Quinter, Kansas, 67752, received in this office on February 21, 2017, for approval of a change in the location of the point of diversion under Approval of Application, File No. 48,466, for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

This order effectively reduces the authorized quantity to 249 acre-feet of water per calendar year in accordance with the Application for Approval to Change the Point of Diversion, Appropriation of Water, File No. 48,466 received in this office on February 21, 2017.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the point of diversion shall be:

one (1) battery of four (4) wells with a geographic center located in the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, more particularly described as being near a point 2,758 feet North and 625 feet West of the Southeast corner of said section, in Township 10 South, Range 26 West, Sheridan County, Kansas,

located substantially as shown on the map accompanying the application to change the point of diversion.

The point of diversion described herein as a battery of four (4) wells is further limited such that the wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply.

Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

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

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

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Approval of Application, File No. 48,466, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated November 18, 2013.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

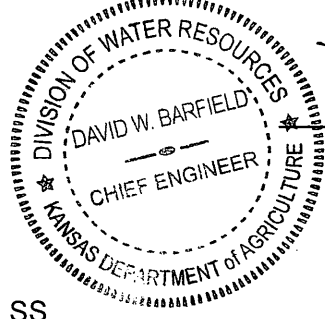
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

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

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

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 – 6777.

Ordered this 26th day of October, 2017, at Topeka, Shawnee County, Kansas.



David W. Barfield
David W. Barfield, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 26th day of October, 2017, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter
Notary Public

CERTIFICATE OF SERVICE

On this 3rd day of November, 2017, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 48,466, dated October 20th, 2017 was mailed postage prepaid, first class, US mail to the following:

GARRY & DEANNA ROBERTS
15343 S ROAD 100 E
QUINTER KS 67752

With photocopies to:

WATER RIGHTS INVESTIGATIVE SERVICES LLC
ATTN SCOTT ROSS
209 SOUTH ASH ST
STOCKTON KS 67669-1921

Stockton Field Office
Groundwater Management District No. 4

Danielle Walker
Division of Water Resources

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: **48,466**

FO: **3**

GMD: **4**

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	02/21/17	55		Diversion Works	Failure to construct at authorized location
Rule Number	Date Granted	Date Denied	Justification:	GMD No. 4 recommends a waiver.	
K.A.R. 5-5-6	10/20/17				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared **10/23/17** By **RAK**

Date Entered **10/31/2017** By **UM**

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**WAIVER OF REGULATION
K.A.R. 5-5-6
Failure to Construct Diversion Works at Authorized Location**

Date: 10/26/17

Re: Appropriation of Water, File No. 48,466

1. That K.A.R. 5-5-6 states in part that if an application to appropriate water for beneficial use is approved by the chief engineer, the location of the point of diversion shall be limited to a specific tract of land and to within 300 feet of a point identified in distances measured in feet north and west from the southeast corner of the legal section.
2. That Appropriation of Water, File No. 48,466 is authorized 335 acre-feet at a diversion rate of 800 gallons per minute from one(1) battery of four(4) wells with a geographic center located 5,114 feet North and 1,592 feet West of the Southeast corner of Section 16, Township 10 South, Range 26 West, Sheridan County, Kansas, for irrigation use.
3. That it was discovered during a compliance investigation by Stockton Field Office staff that the geographic center of the authorized battery is not within 300 feet of the authorized location and is approximately 2,547 feet from the approved location.
4. That the application to change the point of diversion for Appropriation of Water, File No. 48,466 received in the office of the Chief Engineer on February 21, 2017, requests to move the authorized point of diversion from the approved geocenter location to its actual location 2,758 feet North and 625 West of the Southeast corner of the aforementioned section.
5. That the applicants have requested a waiver of K.A.R. 5-5-6 in Paragraph No. 18 of the application since timely processing would have alerted the owner of the need for filing an application to change the point of diversion before the aquifer was closed to new appropriations in the Ogallala Formation.
6. That in a letter dated March 27, 2017, Ray Luhman, Manager of Northwest Kansas Groundwater Management District No. 4, indicated that the Board of Directors of Northwest Kansas Groundwater Management District No. 4 reviewed the application, and has recommended that the referenced change application be approved contingent upon a reduction in quantity to 249 acre-feet and if the Chief Engineer waives K.A.R. 5-5-6.
7. That the referenced change application for File No. 48,466 should be approved with a waiver of K.A.R. 5-5-6.
8. That a waiver of K.A.R. 5-5-6 will neither prejudicially nor unreasonably affect the public interest and it will not impair an existing water right.

Comments:

A handwritten signature in cursive script that reads "David W. Barfield".

David W. Barfield, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
(Check one or more) Point of Diversion
 Use Made of Water

**WATER RESOURCES
RECEIVED**

FEB 21 2017

**2:04
KS DEPT OF AGRICULTURE**

File No. 48466

2. Name of applicant: GARRY ROBERTS

Address: 15343 S ROAD 100 E

City, State and Zip: QUINTER, KS 67752

Phone Number: (785)754-3635

E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: SAME

Address: _____

City, State and Zip: _____

Phone Number: () _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): CHANGE WELL LOCATIONS
TO ACTUAL

The change(s) (was) (will be) completed by COMPLETE

(Date)

For Office Use Only:

F.O. 3 GMD 4 Meets K.A.R. 5-5-1 YES / NO Use IRR Source S County SD By AM Date 2-21-17
Code UGT Fee \$ 200 TR # _____ Receipt Date 2-21-17 Check # 12272

APPLICATION COMPLETE
10/11/17
Reviewer RAIC

Assisted by: RL GMD #4

2/28/2017 ULM

SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: GARRY & DEANNA ROBERTS

ADDRESS: 15343 S ROAD 100 E QUINTER, KS 67752

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	
10	10	26	40	40	23.3	40													223.3

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

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	

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: NO CHANGE PL/USE

ADDRESS: _____

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	

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

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	

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion (is) (are) A 4 WELL BATTERY

(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) A 4 WELL BATTERY

(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NE Quarter of the NW Quarter of the NE Quarter of Section 16, Township 10 South, Range 26 W, in SHERIDAN County, Kansas, 5114 feet North 1592 feet West of Southeast corner of section. Authorized Rate 800 GPM Authorized Quantity 335 AF
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SE Quarter of the SE Quarter of the NE Quarter of Section 16, Township 10 South, Range 26 W, in SHERIDAN County, Kansas, * 2666 feet North * 588 feet West of Southeast corner of section. Proposed Rate 800 GPM Proposed Quantity 249 AF * *Proposed Geocenter 2758'N 625'W*
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the FEB 21 2017 Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

WATER RESOURCES RECEIVED

KS DEPT OF AGRICULTURE

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. NEVER DRILLED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* Proposed Geocenter Feet Distances Modified per 1/26/17 Compliance investigation Stockton FO * RAK/DOWN 3/23/17

SCANNED

12. The presently authorized use of water is for IRR purposes.
It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to 249 AF (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

NO WELLS OTHER THAN ONE DOMESTIC OWNED BY APPLICANT WITHIN 1/2 MILE. NO IMPAIRMENT WILL OCCUR.

APPLICANT'S SIGNATURE

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

WAIVE 5-5-6. TIMELY PROCESSING WOULD HAVE ALERTED OWNER OF NEED FOR CHANGE PT/DIV IN TIME

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

CHANGE PT/DIV
48466

1:12000

1 - PRESENT PT/DIV GEO CTR
AND DOMESTIC - APPLICANT
5114 FT N X 1592 FT W

* 2 - PROPOSED PT/DIV GEO CTR
2686 FT N X 588 FT W

3 - BATTERY WELL
3050 FT N X 663 FT W

4 - BATTERY WELL
2861 FT N X 657 FT W

5 - BATTERY WELL
2660 FT N X 591 FT W

6 - BATTERY WELL
2460 FT N X 589 FT W

NO OTHER WELLS WITHIN 1/2 MILE

Henry Roberts

2-17-2017

CTR 16-10-26

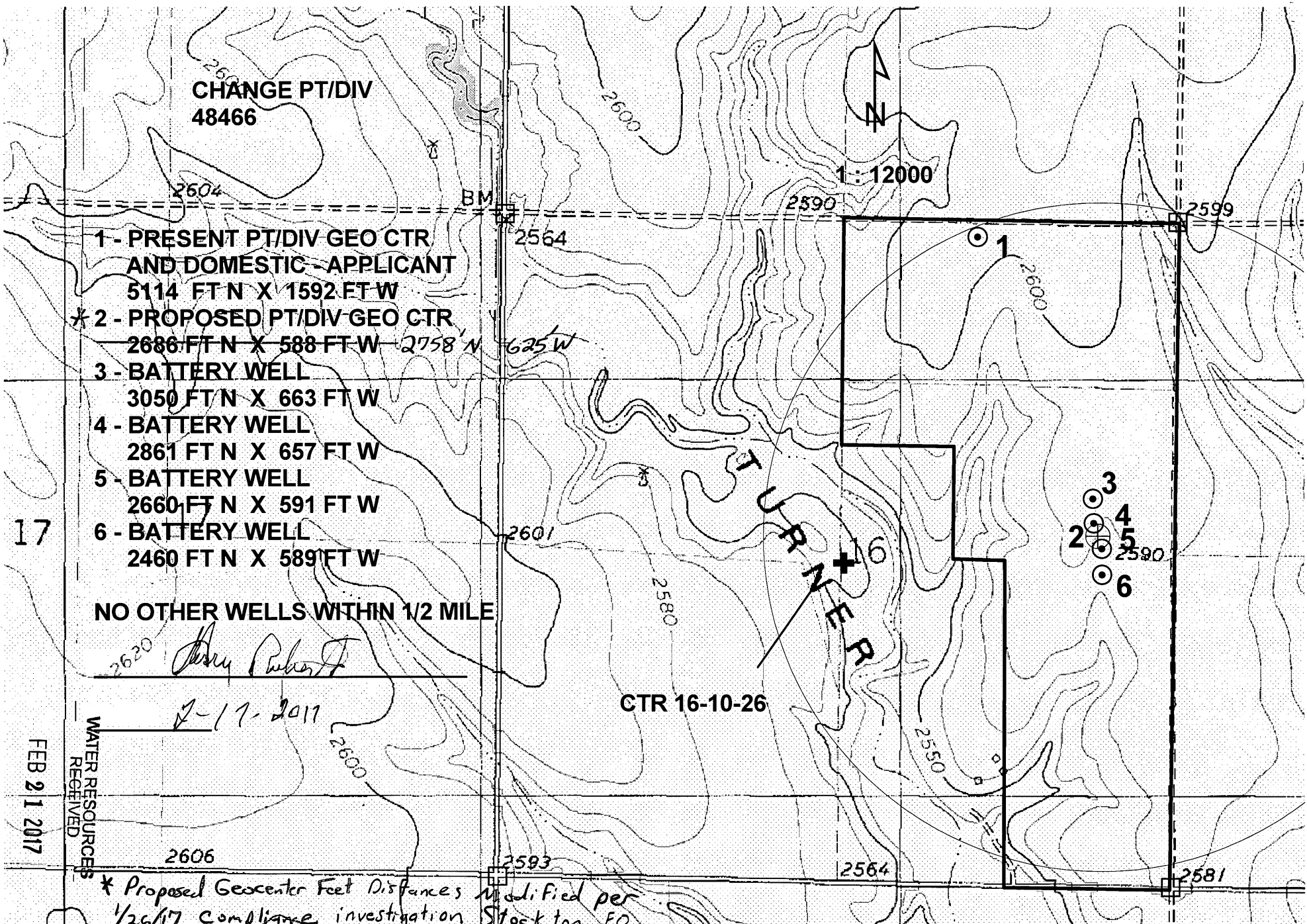
SCANNED DEPT OF AGRICULTURE

FEB 21 2017

WATER RESOURCES
RECEIVED

* Proposed Geocenter Foot Distances Modified per
1/26/17 compliance investigation Stockton FO

* RAK/DWR 3/23/17



Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Quinter, Kansas, this 17th day of February, 20 17.

Mary Roberts
(Owner)

Garry Roberts
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

Deanna Roberts
(Spouse)

Deanna Roberts
(Please Print)

(Spouse)

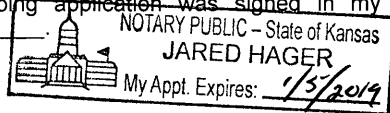
(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Gove } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17 day of February, 20 17.



Jared Hager
Notary Public

My Commission Expires 1/5/2019

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

**WATER RESOURCES
RECEIVED**

FEB 21 2017

KS DEPT OF AGRICULTURE

SCANNED



WATER WELL RECORD Form WWC-5 1269799

Division of Water Resources App. No.

48466

Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: <u>Sheridan</u>	Fraction SW 1/4 SE 1/4 SE 1/4 NE 1/4	Section Number 16	Township Number T 10 S	Range Number R 26 <input type="checkbox"/> E <input checked="" type="checkbox"/> W
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2 WELL OWNER: Last Name: <u>Roberts</u> First: <u>Gary</u> Business: Address: <u>155 S 100 E</u> Address: City: <u>Quinter</u> State: <u>KS</u> ZIP: <u>67752</u>	Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input type="checkbox"/> <u>intersection of 130 S & 120 E--1/2 mile north</u>
--	---

3 LOCATE WELL WITH "X" IN SECTION BOX: N S -----1 mile-----	4 DEPTH OF COMPLETED WELL:103..... ft. Depth(s) Groundwater Encountered: 1)50..... ft. 2) ft. 3) ft., or 4) <input type="checkbox"/> Dry Well WELL'S STATIC WATER LEVEL:50..... ft. <input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr) <u>11/13/2015</u> <input type="checkbox"/> above land surface, measured on (mo-day-yr)..... Pump test data: Well water was ft. after..... hours pumping gpm Well water was ft. after..... hours pumping gpm Estimated Yield: ...80...gpm Bore Hole Diameter: ...20... in. to ...103... ft. and in. to ft.	5 Latitude:39.1836.....(decimal degrees) Longitude:100.2222.....(decimal degrees) Datum: <input checked="" type="checkbox"/> WGS 84 <input type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27 Source for Latitude/Longitude: <input type="checkbox"/> GPS (unit make/model:) (WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No) <input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map <input type="checkbox"/> Online Mapper:
	6 Elevation: 2591.....ft. <input checked="" type="checkbox"/> Ground Level <input type="checkbox"/> TOC Source: <input type="checkbox"/> Land Survey <input type="checkbox"/> GPS <input type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Other <u>KOLAR</u>	

7 WELL WATER TO BE USED AS:

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock	2. <input checked="" type="checkbox"/> Irrigation	3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID	6. <input type="checkbox"/> Dewatering: how many wells?	7. <input type="checkbox"/> Aquifer Recharge: well ID	8. <input type="checkbox"/> Monitoring: well ID	9. Environmental Remediation: well ID	<input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease	11. Test Hole: well ID	<input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical	12. Geothermal: how many bores?	a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water	13. <input type="checkbox"/> Other (specify):
--	---	-------------------------------------	--	--	---	---	---	---	--	--	------------------------------	---	---------------------------------------	--	---

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted:

Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded

Casing diameter10..... in. to63..... ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface18..... in. Weight7.8..... lbs./ft. Wall thickness or gauge No. ...365.....

TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel Fiberglass PVC Other (Specify)

Brass Galvanized Steel Concrete tile None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify)

Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)

SCREEN-PERFORATED INTERVALS: From63..... ft. to103..... ft., From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From20..... ft. to103..... ft., From ft. to ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other

Grout Intervals: From0..... ft. to20..... ft., From ft. to ft., From ft. to ft.

Nearest source of possible contamination:

<input type="checkbox"/> Septic Tank	<input type="checkbox"/> Lateral Lines	<input type="checkbox"/> Pit Privy	<input type="checkbox"/> Livestock Pens	<input type="checkbox"/> Insecticide Storage
<input type="checkbox"/> Sewer Lines	<input type="checkbox"/> Cess Pool	<input type="checkbox"/> Sewage Lagoon	<input type="checkbox"/> Fuel Storage	<input type="checkbox"/> Abandoned Water Well
<input type="checkbox"/> Watertight Sewer Lines	<input type="checkbox"/> Seepage Pit	<input type="checkbox"/> Feedyard	<input type="checkbox"/> Fertilizer Storage	<input type="checkbox"/> Oil Well/Gas Well
<input type="checkbox"/> Other (Specify)				

Direction from well? Distance from well? ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	2	surface			
2	25	loess			
25	33	ine & med sand w/clay lenses			
33	52	clay & caliche w/sand lenses			
52	60	fine sand w/clay lenses			
60	84	fine to some meds and w/clay & caliche le			
84	100	yellow ochre			
			Notes: KS DEPT OF AGRICULTURE		

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 11/09/2015..... and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 881..... This Water Well Record was completed on (mo-day-year) 11/17/2015..... under the business name of Woofer Pump and Well, Inc......



WATER WELL RECORD Form WWC-5 1269801

Division of Water Resources App. No.

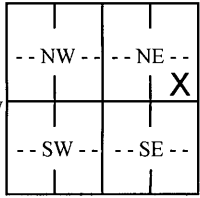
48466

Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: <u>Sheridan</u>	Fraction NW 1/4 SE 1/4 SE 1/4 NE 1/4	Section Number <u>16</u>	Township Number T <u>10</u> S	Range Number R <u>26</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W
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2 WELL OWNER: Last Name: <u>Roberts</u> First: <u>Gary</u> Business: Address: <u>15543 S 100 E</u> Address: City: <u>Quinter</u> State: <u>KS</u> ZIP: <u>67752</u>	Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input type="checkbox"/> <u>intersection of 130 s 7 120 E--1/2 north</u>
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3 LOCATE WELL WITH "X" IN SECTION BOX: N  W E S -----1 mile-----	4 DEPTH OF COMPLETED WELL: <u>103</u> ft. Depth(s) Groundwater Encountered: 1) <u>50</u> ft. 2) _____ ft. 3) _____ ft., or 4) <input type="checkbox"/> Dry Well WELL'S STATIC WATER LEVEL: <u>50</u> ft. <input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr) <u>11/13/2015</u> <input type="checkbox"/> above land surface, measured on (mo-day-yr) _____ Pump test data: Well water was _____ ft. after _____ hours pumping _____ gpm Well water was _____ ft. after _____ hours pumping _____ gpm Estimated Yield: <u>150</u> gpm Bore Hole Diameter: <u>20</u> in. to <u>103</u> ft. and _____ in. to _____ ft.	5 Latitude: <u>39.1841</u> (decimal degrees) Longitude: <u>100.2223</u> (decimal degrees) Datum: <input checked="" type="checkbox"/> WGS 84 <input type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27 Source for Latitude/Longitude: <input type="checkbox"/> GPS (unit make/model: _____) (WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No) <input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map <input type="checkbox"/> Online Mapper: _____
	6 Elevation: <u>2594</u> ft. <input checked="" type="checkbox"/> Ground Level <input type="checkbox"/> TOC Source: <input type="checkbox"/> Land Survey <input type="checkbox"/> GPS <input type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Other <u>KOLAR</u>	

7 WELL WATER TO BE USED AS:

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock	2. <input checked="" type="checkbox"/> Irrigation	3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID _____	6. <input type="checkbox"/> Dewatering: how many wells? _____	7. <input type="checkbox"/> Aquifer Recharge: well ID _____	8. <input type="checkbox"/> Monitoring: well ID _____	9. Environmental Remediation: well ID _____ <input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease _____	11. Test Hole: well ID _____ <input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical	12. Geothermal: how many bores? _____ a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water	13. <input type="checkbox"/> Other (specify): _____
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Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted: _____
 Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other _____ CASING JOINTS: Glued Clamped Welded Threaded
 Casing diameter 10 in. to 63 ft., Diameter _____ in. to _____ ft., Diameter _____ in. to _____ ft.
 Casing height above land surface 18 in. Weight 7.8 lbs./ft. Wall thickness or gauge No. 365
TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel Fiberglass PVC Other (Specify) _____
 Brass Galvanized Steel Concrete tile None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify) _____
 Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)
SCREEN-PERFORATED INTERVALS: From 63 ft. to 103 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
GRAVEL PACK INTERVALS: From 20 ft. to 103 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other _____
 Grout Intervals: From 0 ft. to 20 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
Nearest source of possible contamination:
 Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage
 Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well
 Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well
 Other (Specify) _____
 Direction from well? _____ Distance from well? _____ ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	2	surface			
2	27	loess			
27	36	fine & med sand & gravel w/clay lenses			WATER RESOURCES RECEIVED
36	52	clay & caliche w/sand lenses			
52	60	fine sand & sandy clay mix w/clay lenses			FEB 21 2017
60	85	fine & med sand w/traces of clay			
85	100	yellow ochre			
			Notes: KS DEPT OF AGRICULTURE		

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 11/10/2015 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 881 This Water Well Record was completed on (mo-day-year) 11/17/2015 under the business name of Woofer Pump and Well, Inc.

SCANNED



WATER WELL RECORD Form WWC-5 1269798

Division of Water Resources App. No.

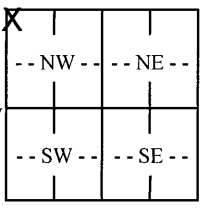
48466

Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: <u>Sheridan</u>	Fraction W2 1/4 E2 1/4 E2 1/4 E2 1/4	Section Number 16	Township Number T 10 S	Range Number R 26 <input type="checkbox"/> E <input checked="" type="checkbox"/> W
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2 WELL OWNER: Last Name: <u>Roberts</u> First: <u>Gary</u> Business: Address: <u>15543 S 100 E</u> Address: City: <u>Hoxie</u> State: <u>KS</u> ZIP: <u>67740</u>	Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input type="checkbox"/> <u>intersection of 130 S & 120 E</u>
--	---

3 LOCATE WELL WITH "X" IN SECTION BOX: N  W E S -----1 mile-----	4 DEPTH OF COMPLETED WELL: <u>103</u> ft. Depth(s) Groundwater Encountered: 1) <u>50</u> ft. 2) ft. 3) ft., or 4) <input type="checkbox"/> Dry Well WELL'S STATIC WATER LEVEL: <u>50</u> ft. <input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr) <u>11/13/2015</u> <input type="checkbox"/> above land surface, measured on (mo-day-yr) Pump test data: Well water was ft. after hours pumping gpm Well water was ft. after hours pumping gpm Estimated Yield: <u>60</u> gpm Bore Hole Diameter: <u>20</u> in. to <u>103</u> ft. and in. to ft.	5 Latitude: <u>39.1830</u> (decimal degrees) Longitude: <u>100.2220</u> (decimal degrees) Datum: <input checked="" type="checkbox"/> WGS 84 <input type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27 Source for Latitude/Longitude: <input type="checkbox"/> GPS (unit make/model:) (WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No) <input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map <input type="checkbox"/> Online Mapper:
	6 Elevation: <u>2590</u> ft. <input checked="" type="checkbox"/> Ground Level <input type="checkbox"/> TOC Source: <input type="checkbox"/> Land Survey <input type="checkbox"/> GPS <input type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Other <u>KOLAR</u>	

7 WELL WATER TO BE USED AS:

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock	2. <input checked="" type="checkbox"/> Irrigation	3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID	6. <input type="checkbox"/> Dewatering: how many wells?	7. <input type="checkbox"/> Aquifer Recharge: well ID	8. <input type="checkbox"/> Monitoring: well ID	9. Environmental Remediation: well ID	<input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease	11. Test Hole: well ID	<input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical	12. Geothermal: how many bores?	a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water	13. <input type="checkbox"/> Other (specify):
--	---	-------------------------------------	--	--	---	---	---	---	--	--	------------------------------	---	---------------------------------------	--	---

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted:

Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded
 Casing diameter 10 in. to 63 ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface 18 in. Weight 7.8 lbs./ft. Wall thickness or gauge No. 365

TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel Fiberglass PVC Other (Specify)
 Brass Galvanized Steel Concrete tile None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify)
 Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)

SCREEN-PERFORATED INTERVALS: From 63 ft. to 103 ft., From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 20 ft. to 103 ft., From ft. to ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other

Grout Intervals: From 0 ft. to 20 ft., From ft. to ft., From ft. to ft.

Nearest source of possible contamination:
 Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage
 Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well
 Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well
 Other (Specify)

Direction from well? Distance from well? ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	2	surface			
2	25	loess			
25	33	fine & med sand w/clay lenses			WATER RESOURCES RECEIVED
33	51	clay & caliche w/sand lenses			
51	60	fine sand w/clay lenses			FEB 21 2017
60	85	fine to some med sand w/clay lenses			
85	100	yellow ochre			
			Notes: KS DEPT OF AGRICULTURE		

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 11/06/2015 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 881 This Water Well Record was completed on (mo-day-year) 11/17/2015 under the business name of Woofer Pump and Well, Inc.



WATER WELL RECORD Form WWC-5 1258001

Division of Water Resources App. No.

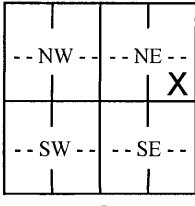
48466

Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: Sheridan	Fraction NW 1/4 SE 1/4 SE 1/4 NE 1/4	Section Number 16	Township Number T 10 S	Range Number R 26 <input type="checkbox"/> E <input checked="" type="checkbox"/> W
--	---	----------------------	---------------------------	---

2 WELL OWNER: Last Name: Roberts First: Gary Business: Address: 15543 S 100 E Address: City: Quinter State: KS ZIP: 67752	Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input type="checkbox"/> intersection of 120 S & 120 E
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3 LOCATE WELL WITH "X" IN SECTION BOX: N  W E S -----1 mile-----	4 DEPTH OF COMPLETED WELL:100..... ft. Depth(s) Groundwater Encountered: 1)53..... ft. 2) ft. 3) ft., or 4) <input type="checkbox"/> Dry Well WELL'S STATIC WATER LEVEL:53..... ft. <input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr) 07/06/2015 <input type="checkbox"/> above land surface, measured on (mo-day-yr)..... Pump test data: Well water was ft. after..... hours pumping gpm Well water was ft. after..... hours pumping gpm Estimated Yield:150.....gpm Bore Hole Diameter:20..... in. to100..... ft. and in. to ft.	5 Latitude:39.1845.....(decimal degrees) Longitude:100.2221.....(decimal degrees) Datum: <input checked="" type="checkbox"/> WGS 84 <input type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27 Source for Latitude/Longitude: <input type="checkbox"/> GPS (unit make/model:) (WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No) <input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map <input type="checkbox"/> Online Mapper:
	6 Elevation:2595.....ft. <input checked="" type="checkbox"/> Ground Level <input type="checkbox"/> TOC Source: <input type="checkbox"/> Land Survey <input type="checkbox"/> GPS <input type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Other KOLAR	

7 WELL WATER TO BE USED AS:

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock	2. <input checked="" type="checkbox"/> Irrigation	3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID	6. <input type="checkbox"/> Dewatering: how many wells?	7. <input type="checkbox"/> Aquifer Recharge: well ID	8. <input type="checkbox"/> Monitoring: well ID	9. Environmental Remediation: well ID	<input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease	11. Test Hole: well ID	<input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical	12. Geothermal: how many bores?	a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water	13. <input type="checkbox"/> Other (specify):
--	---	-------------------------------------	--	--	---	---	---	---	--	--	------------------------------	---	---------------------------------------	--	---

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted:

Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded
 Casing diameter10..... in. to60..... ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface18..... in. Weight7.8..... lbs./ft. Wall thickness or gauge No.365.....
TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel Fiberglass PVC Other (Specify)
 Brass Galvanized Steel Concrete tile None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify)
 Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)
SCREEN-PERFORATED INTERVALS: From60..... ft. to100..... ft., From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From20..... ft. to100..... ft., From ft. to ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other
 Grout Intervals: From0..... ft. to20..... ft., From ft. to ft., From ft. to ft.
Nearest source of possible contamination:
 Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage
 Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well
 Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well
 Other (Specify)
 Direction from well? Distance from well? ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	2	surface			
2	10	loess			
10	23	clay & caliche w/sandy clay strks			WATER RESOURCES RECEIVED
23	33	fine & med sand & small gravel w/clay len			
33	43	clay & caliche w/sandy clay strks			FEB 21 2017
43	83	fine & med sand w/clay lenses			
83	90	clay & caliche w/sand strks			KS DEPT OF AGRICULTURE
90	100	yellow ochre			

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 07/14/2015..... and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 881..... This Water Well Record was completed on (mo-day-year) 07/30/2015..... under the business name of Woofer Pump and Well, Inc......

Krueger, Richelle

From: Stewart, Kelly
Sent: Thursday, October 12, 2017 1:24 PM
To: Krueger, Richelle
Cc: Billinger, Mark; Turney, Brent; Baum, Kristen; Hageman, Rebecca
Subject: RE: Request for Recommendation Change in pd File No. 48466 Garry Roberts

Richelle,

I have no objection to the approval of this change application.

Kelly

From: Krueger, Richelle
Sent: Thursday, October 12, 2017 12:39 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark <Mark.Billinger@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>; Baum, Kristen <Kristen.Baum@ks.gov>
Subject: Request for Recommendation Change in pd File No. 48466 Garry Roberts

Hi Kelly,

Scott informed Brent that Mr. Roberts will not appeal the dismissal of Application File No. 49686, so I will dismiss it. Attached is the draft memo for the change in pd for File No. 48466. Do you recommend approval?

Thanks,
Richelle

Krueger, Richelle

From: Turney, Brent
Sent: Wednesday, October 11, 2017 3:17 PM
To: Krueger, Richelle; Baum, Kristen
Subject: FW: Garry Roberts File Nos. 48,466 and 49,686

Richelle and Kristen,

As far as I can remember, the change to File No. 48,466 was approvable with a waiver of 5-5-6, however, it was withheld from processing depending on the outcome of the new application. I don't remember much about File No. 49,686. Do you require anything from Mr. Roberts?

Brent A. Turney, P.G.
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan Kansas 66502
(785) 564-6645
Brent.Turney@ks.gov
www.agriculture.ks.gov

From: Scott Ross [mailto:water.rights.llc@gmail.com]
Sent: Wednesday, October 11, 2017 3:14 PM
To: Turney, Brent <Brent.Turney@ks.gov>
Subject: Garry Roberts File Nos. 48,466 and 49,686

Brent,

I just got a call from Garry Roberts regarding these two files. He has elected to drop the challenge of 49,686 and would like to have you all move forward on the change under 48,466. I don't know much about this file, so if additional information is needed, please let me know.

Garry is interested in a time line as he'd like to be able to water some wheat this fall.

Thanks
Scott

Scott E. Ross
General Manager
Water Rights Investigative Service LLC

209 South Ash ST. Stockton, KS. 67669
785-543-8254

Krueger, Richelle

From: Turney, Brent
Sent: Wednesday, July 19, 2017 11:16 AM
To: Stewart, Kelly
Cc: Baum, Kristen; Krueger, Richelle
Subject: Roberts, File No. 49686

Kelly,

We talked to Ray this morning about the plan to process the Roberts application. We told him that after your review it was determined that there was Ogallala present and we would like to move towards dismissal. Ray was fine with that, he would like the opportunity to submit a new recommendation. We are sending the application to Ray today asking for a Re-Re-recommendation.

Brent

Brent A. Turney, P.G.
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan Kansas 66502
(785) 564-6645
Brent.Turney@ks.gov
www.agriculture.ks.gov

Krueger, Richelle

From: Krueger, Richelle
Sent: Tuesday, May 16, 2017 7:35 AM
To: Baum, Kristen
Cc: Turney, Brent
Subject: RE: Gary Roberts File No. 49,686

Hi Kristen,

They have an extension until June 17th, I told him he needs to talk to Ray about their recommendation, so hopefully he will do that.

Richelle

From: Baum, Kristen
Sent: Monday, May 15, 2017 3:20 PM
To: Krueger, Richelle <Richelle.Krueger@ks.gov>
Subject: Gary Roberts File No. 49,686

Hi Richelle,

Scott Ross called about this application. It looks like GMD4 recommended denial of the app. He said that he visited the site and does believe there's no doubt the alluvium and Ogallala are connected, so he was wanting to make the no new water argument to get it approved. I told him I wasn't sure, but I think Ray recommended denial because the app was filed after the reg change that closed the Ogallala for GMD4. The quantity of water requested wasn't the issue. He was going to take a look at GMD4's new reg.

Kristen A. Baum
Division of Water Resources – Water Appropriations
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan KS 66502
(785) 564-6627

My email address has changed: kristen.baum@ks.gov



**NORTHWEST KANSAS
GROUNDWATER MANAGEMENT
DISTRICT NO. 4**

1290 West 4th Street
P.O. Box 905
Colby, Kansas 67701-0905

WATER RESOURCES
RECEIVED

MAR 31 2017

March 27, 2017

KS DEPT OF AGRICULTURE

Richelle Krueger
Division of Water Resources
1320 Research Park Drive
Manhattan KS 66502

RE: Applications: 48,466 and 49,686
Garry Roberts

Dear Richelle

The Northwest Kansas Groundwater Management District has reviewed the above referenced application and based on our records and the information supplied by the applicant, we have determined that the following recommendations be made to the Chief Engineer:

Application: **48,466**: Reduce authorized amount to 249 acre-feet; waive K.A.R. 5-5-6 and approve.

Application: **49,686**: Deny application - does not meet requirements under K.A.R. 5-24-2.

If you have any questions, please contact this office.

Sincerely,

Ray Luhman
Manager

RPL: rw

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 24, 2017

NORTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 4
ATTN RAY LUHMAN
PO BOX 905
COLBY KS 67701-0905

Re: Appropriation of Water, File No. 48,466
Application, File No. 49,686

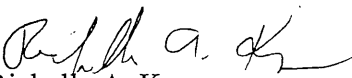
Dear Ray:

We are enclosing copies of the application to change the point of diversion under Appropriation of Water, File No. 48,466 and of Application, File No. 49,686.

We are delaying further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications.

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stockton Field Office

Krueger, Richelle

From: Krueger, Richelle
Sent: Thursday, March 23, 2017 11:59 AM
To: Stewart, Kelly
Cc: Billinger, Mark; Turney, Brent
Subject: RE: Question Change in PD File No. 48466 / NEW App File No. 49686 Garry Roberts

Kelly,

I think that is what they were trying to do on the map but they somehow overlooked the proposed geocenter. I will modify the proposed geocenter to the 2758'N 625'W and let the feet distances shown for the individual wells on the map stand as is, which matches your calculated geocenter. Only two of the wells ft distances were adjusted on the map and only by a few feet so they should be within a few feet of the compliance investigation ft distances.

I will proceed, thanks!

Richelle

From: Stewart, Kelly
Sent: Thursday, March 23, 2017 11:50 AM
To: Krueger, Richelle <Richelle.Krueger@ks.gov>
Cc: Billinger, Mark <Mark.Billinger@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: RE: Question Change in PD File No. 48466 / NEW App File No. 49686 Garry Roberts

Richelle,

We should definitely use our compliance inspection numbers because that is what is actually out there. Please keep in mind that our GPS's are typically 10' to 20' off in accuracy when obtaining readings. We would never call something out of compliance because our GPS indicated 3' off. If you needed to "tweak" a few of the numbers by a foot or two to make it "fit", I would recommend doing that.

From: Krueger, Richelle
Sent: Thursday, March 23, 2017 11:43 AM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark <Mark.Billinger@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: Question Change in PD File No. 48466 / NEW App File No. 49686 Garry Roberts

Hi Kelly,

I spoke with Brent about this package, the change in pd for File No. 48466 filed because battery of 4 wells was not drilled within 300 feet of the approved location. Time to complete expired.

Which proposed geocenter feet distances/ well feet distances should be used on the change app - ft distances shown on the compliance investigations vs ft distances shown on the change app&map?

If I use the feet distances on the compliance investigations it appears the wells (3054'N 665'W) and (2456'N 586'W) are 603 feet apart so out of 600 ' battery diameter.

If I use the proposed feet distances for individual wells shown on map it works out, however the calculated geocenter shown on the map app does not appear correct. The geocenter you calculated on the compliance investigation appears correct (2758'N 625'W) vs proposed geocenter shown on application (2686'N 588'W).

When you get a chance would you mind looking at this and let me know which are the correct numbers to be using. Once I have that I will send the change and the new app out to GMD 4 for recommendation.

Thanks, as always, for your help!

Richelle



Pat J. Haffner
7380 E RD 10 S
Hoxie, KS 67740
Cell: 785-675-1053
Home and Fax:
785-675-3475

July 29, 2015

KDA/DWR
Kenneth Kopp
1320 Research Park Drive
Manhattan, Kansas 66506

RE: File number 49,075

Mr. Kopp,

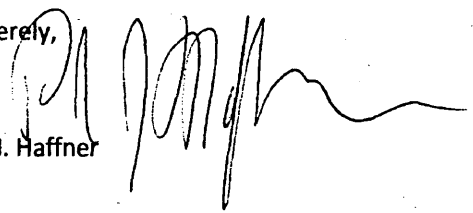
I am writing to request additional time to relocate the proposed geo center to a location that meets KAR 5-24-2. As you know, file number 48,466 is in its last period of time to construct. Ray Luman indicated he has visited with the owner and know they are considering filing a change to the point of diversion to move that location south.

If File 48,466 is either dismissed or moved, it will expand the safe yield area for File 49,075. For that reason, I request a postponement of the time to select a modified point of diversion for File 49,075 until sometime after Jan. 1, 2016 or until a change to the point of diversion is filed on File 48,466.

Sincerely,

Pat J. Haffner

jkh



WATER RESOURCES
RECEIVED

AUG 03 2015

KS DEPT OF AGRICULTURE



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

February 22, 2017

GARRY ROBERTS
15343 S ROAD 100 E
QUINTER, KS

RE: File No. 48466

FILE COPY

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PD
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STOCKTON Field Office GMD 4