

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

Document Signature DWB

1. File Number: 7917-D1	2. Status Change Date: 1/31/2017	3. Change Num: C4	4. Field Office: 04	5. GMD: 03
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 8/1/2016
8a. Applicant(s) New to system <input type="checkbox"/> BETTY LEE REV TRUST 206 S WASHINGTON ST HUGOTON KS 67951		Person ID 2254 Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/> BETTY LEE REV TRUST 206 S WASHINGTON ST HUGOTON KS 67951		Person ID 2254 Add Seq# _____	8d. WUC New to system <input type="checkbox"/> 8B Person ID <u>2254</u> Add Seq# _____	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/17</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/17</u>				
<input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> H&E Letter METER SEAL REQUIRED				
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 1/20/17 By: LI Date Entered: 1/31/2017 By: UM				

File No. **7917-D1** 11. County: SV Basin: **CIMMARON RIVER** Stream: **NA** Formation Code: **211 & 331** Special Use: **NA**

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		
MOD			85015	SE SE SE	4	32	36W	4	84	266	GPS UPDATE	800	320	800	320	NONE	20127312 MF
MOD			47487	SW SW NE	9	32	36W	1	2690	2121	GPS UPDATE	734	320	734	320	7917-D2 & 20127313 MF	

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) **NONE**
 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
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼										
NO CHANGE																																	

Comments:

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

File Number: 7917-D1

FO: 4

GMD: 3

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	8/1/16	28	GMD 3	Well Spacing Change Apps	Well Spacing
Rule Number	Date Granted	Date Denied	Justification:	Owner is shifting quantity and rate between existing wells to provide a more balanced distribution. Wells currently do not meet the required spacing. GMD 3 recommends a waiver of the rule.	
K.A.R. 5-23-3(b)	1/31/2017				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
				K.A.R.		

Date Prepared 1/20/17 By LI

Date Entered 1/31/2017 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. 5-23-3 (b)

Date: 1/31/17

Re: File No. 7,917-D1

1. That K.A.R. 5-23-3(b) states in part that the location of a well or well on an application for approval to change the point of diversion under an existing water right shall be no more than 2,640 feet from the currently authorized and completed point of diversion.
2. The referenced file authorizes two (2) points of diversion that are approximately 3,200 feet apart. The proposed change requests to move quantity and rate between these wells to modify the currently assigned allocations.
3. That waiver is requested to allow a shift of 32 acre-feet and 200 gallons per minute from the South well to the North well. The proposed change meets all of the other regulations.

That the Southwest Kansas Groundwater Management District No. 3, (GMD 3) recommended approval of the proposed change.

4. That the application to change the point of diversion will not impair an existing right. That both points of diversion were developed under the same right. The change should be approved with a waiver of K.A.R. 5-23-3(b).
5. That the waiver will not prejudicially or unreasonably affect the public interest.

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
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: January 20, 2017

FROM: Leslie Ireland

RE: Water Right,
File No. 7,917-D1

Betty Lee on behalf of the Betty Lee Revocable Trust, as owner of the referenced file completed an application for change in point of diversion. The application to change this irrigation right was received on August 1, 2016.

The referenced file was found to be in good standing, as per K.S.A. 82a-718 and 82a-732. The application complies with K.A.R. 5-5-2a.

Water Right, File No. 7,917-D1 authorizes two (2) wells with the quantity and rate assigned per well. The right authorizes a total quantity of 640 acre-feet (AF) and a rate of 1,534 gallons per minute for the irrigation of 330 acres. The wells are located in Section 4 & 9 of Township 32 South, Range 36 west, Stevens County, approximately 3,200 feet apart. The well in Section 9 overlaps with File No. 7,917-D2. Both of the wells under the referenced file had been authorized by multi-year flex accounts, that expired in 2016. The source of supply for the wells has been determined to be the Ogallala and unconfined Dakota formations. The right is not in a special use area.

The application originally proposed to reduce the right to one well, moving all of the quantity and rate to the North well. After several comments and further review by the owner and tenant, the application was modified by the owners to keep both wells and reassign the quantity and rate.

Well Location	Authorized		Proposed	
	Quantity, AF	Rate, mgy	Quantity, AF	Rate, mgy
SE SE SE (ID 4) Sec 4	288	600	320	800
SW SW NE (ID 1) Sec 9	352	934	320	734

The well located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ approximately 102 feet North and 321 feet West of the Southeast corner of Section 4 will increase by 32 acre-feet and 200 gpm. The location of this well will also be updated to the May 2016 Compliance Investigation to show the actual well location of 88 feet North and 266 feet West of the Southeast corner of Section 4. The feet distances for the well located in Section 9 will also be updated to 4,162 feet North and 4,037 feet West of the Southeast corner.

As the original application requested to move all of the quantity and rate to the North well the owners of water wells located within one-half ($\frac{1}{2}$) mile of the well in Section 4 were notified of the proposed change. Written comments were received from two nearby well owners. The owner of the well authorized by Water Right, File No. 12,793, indicated a concern due to the increase in rate that would be permitted by the change when 1,534 gallons per minute was proposed to be diverted from the North well. An analysis to evaluate the drawdown at this rate was completed by Division staff utilizing the GMD3 Groundwater Model Projected 2066 Values. It indicated approximately a 3.8 foot maximum drawdown as compared to 3.2 foot at existing conditions. The increase of 0.6 feet would not indicate a significant impact on the approximately 160 feet of saturated thickness. The wells are approximately 510 and 640 feet deep with a 2015 static water level of 316 feet. The nearby well owners comments were acknowledged by letter. The original pumping scenario became a moot point with the November 3, 2016, modification of the application proposing to only shift a portion of the quantity and rate to the North well as detailed in the table above.

The original and modified proposed change does not comply with part (b) of K.A.R. 5-23-3, *Minimum well spacing requirements: high plains aquifer*, as the requested change in point of diversion exceeds the maximum allowable distance to move of 2,640 feet. The change will move quantity and rate approximately 3,200 feet between existing wells that are under the same priority. As the wells are under the same priority the change will not alter the local source of supply that was developed under the referenced file. **A waiver of part (b) of K.A.R. 5-23-3 is needed.** The north well in Section 4 that will receive quantity by the reallocation increasing its diversion to 320 acre-feet complies with the well to well with the nearest well under File No. 12,793 located approximately 2,500 feet away.

A January 16, 2016, letter of Jason Norquest, Assistant Manager of the Southwest Kansas Groundwater Management District No. 3, stated their Board **recommended approval of the application for change with the needed waiver of K.A.R. 5-23-3(b)** due to the wells being under the same priority and that a small quantity and rate is being redistributed between existing wells.

Michael Meyer, Water Commissioner, Garden City Field Office was sent the summary memo for his review and recommendation of the proposal. In his email of January 20, 2017, he recommend approval of the requested change with the additional requirement that the meters be sealed. The additional wording will be added to the approval.

Conditions of the approval will require the installation of water flowmeters and check valves if chemigating. A water level measurement tube and WWC-5 are not applicable, as no new wells will be authorized to be drilled. Based on the above discussion, it appears the requested change is reasonable, the change should not cause impairment of existing rights and the source of supply will remain the same, it is recommended that the referenced application be approved.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

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

January 31, 2017

BETTY LEE REV TRUST
BETTY LEE TRUSTEE
206 S WASHINGTON ST
HUGOTON KS 67951

FILE COPY

RE: Water Right, File No. 7,917-D1

Dear Ms. Lee:

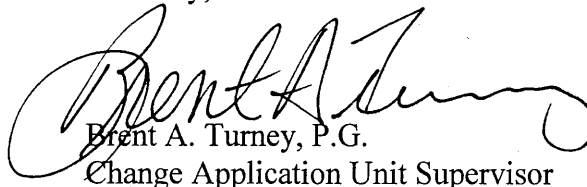
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flowmeter must be installed on the diversion works and a seal placed on each meter, both of which are required prior to the diversion of water. Please contact the Garden City Field Office at (620) 276-2901 for the installation of the required seals and the *Notification of the Completion of the Diversion Works and/or Installation of a Flowmeter*.

Since the enclosed order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions regarding the enclosed documents, please contact Leslie Ireland, Environmental Scientist, at (785) 564-6633. 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, P.G.
Change Application Unit Supervisor

BAT:LI:li:
Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3

THE STATE



OF KANSAS

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 UNDER
WATER RIGHT, FILE NO. 7,917-D1**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Betty Lee, on behalf of the Betty Lee Revocable Trust, 206 S. Washington Street, Hugoton, Kansas 67951, received in this office on August 1, 2016, for approval of a change in the location of the points of diversion under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated April 28, 2003, in the matter of the point of diversion, and by the Findings and Order of the Chief Engineer dated April 29, 2003, which administratively divided Water Right, File No. 7,917, and by the Order of the Chief Engineer dated April 30, 2003, approving the application to change the place of use, and by the order of the Chief Engineer dated January 26, 2016, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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 points of diversion shall be:

one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 4, more particularly described as being near a point 84 feet North and 266 feet West of the Southeast corner of said section, at a quantity not to exceed 320 acre-feet per calendar year and at a diversion rate not in excess of 800 gallons per minute (1.78 c.f.s.), and

one (1) well located in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 9, more particularly described as being near a point 2,690 feet North and 2,121 feet West of the Southeast corner of said section, at a quantity not to exceed 320 acre-feet per calendar year and at a diversion rate not in excess of 734 gallons per minute (1.64 c.f.s.),

both in Township 32 South, Range 36 West, Stevens County, Kansas

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

Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. The applicant 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.

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.

A seal shall be placed on the water flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the written permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right.

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.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 7,917, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 20, 1979, as modified and amended by the aforementioned orders.

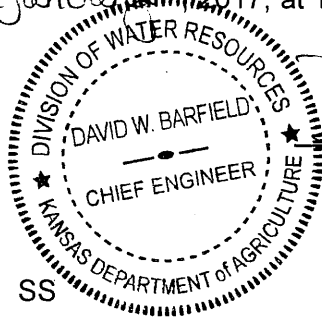
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Summary Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

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 31st day of January, 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 31st day of January, 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 ^{31st} day of January, 2017, I hereby certify that the attached Approval of Application for Change in Point of Diversion, Water Right, File No. 7,917-D1, dated, January 31st, 2017 was mailed postage prepaid, first class, US mail to the following:

Betty Lee Rev Trust
Betty Lee Trustee
206 S Washington Street
Hugoton, KS 67951

With photocopies sent to:

Garden City Field Office
Groundwater Management District No. 3


Division of Water Resources

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 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

AUG 01 2016

2:06
KS DEPT OF AGRICULTURE

File No. 7917D1

2. Name of applicant: BETTY LEE REV TRUST

Address: 206 S WASHINGTON ST

City, State and Zip: HUGOTON KS 67951

Phone Number: () _____ E-mail address: Gtsolcum51@gmail.com

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

Name of water use correspondent: BETTY LEE REV TRUST

Address: 206 S WASHINGTON ST

City, State and Zip: HUGOTON KS 67951

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific):
to stack the two current wells to one.

The change(s) (was) (will be) completed by Fall 2016
(Date)

For Office Use Only:

F.O. 4 GMD 3 Meets K.A.R. 5-5-1 (YES) / NO Use IRR Source (G) S County SV By ASW Date 8/2/16
Code CGT Fee \$ 200 TR # _____ Receipt Date 8/2/16 Check # 4361

APPLICATION COMPLETE

1 / 20 / 17
Reviewer LE

NOV 3 2016

KS DEPT OF AGRICULTURE

File No. 7917 D1

6. The presently authorized point(s) of diversion (is) (are) 2 wells
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) 1 well
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the sw Quarter of the sw Quarter of the ne Quarter
 of Section 9, Township 32 South, Range 36 W,
 in stevens County, Kansas, 2697 feet North 2124 feet West of Southeast corner of section.
 Authorized Rate 934 Authorized Quantity 352 *OVERLAPED w/ 7917-D2*
 (DWR use only: Computer ID No. 1 GPS 352* feet North 2124 feet West) *MYFA*
 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 SW Quarter of the se SW Quarter of the se NE Quarter
 of Section 9, Township 32 South, Range 36 W,
 in stevens County, Kansas, 2697 feet North 2124 feet West of Southeast corner of section.
 Proposed Rate 934 Proposed Quantity 352 *2121'*
 This point is: Additional Well Geo Center List other water rights that will use this point *NONE MYFA DISMISSED*

*4817 D1
12-20-16*

9. **Presently authorized point of diversion:** *TOTAL Q 640 AF @ 1,534 GPM - 12/21/16*
 One in the se Quarter of the se Quarter of the se Quarter
 of Section 4, Township 32 South, Range 36 w,
 in stevens County, Kansas, 102 feet North 321 feet West of Southeast corner of section.
 Authorized Rate 600 Authorized Quantity 288 *320 AF*
 (DWR use only: Computer ID No. 4 GPS 84 feet North 266 feet West)
 This point will not be changed This point will be changed as follows: *COMPLIANCE INVESTIGATION COMPLETED 5/11/16*
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 _____ (EW),
 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 *7917-D2? 2127313 NF*

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (EW),
 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 _____ (EW),
 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 _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. 7917 D2
will still be authorized at the original well WITH ITS 320AF

*AT 766 GPM *
LI/OWR 9/16/16*

WATER RESOURCES RECEIVED
AUG 01 2016
KS DEPT OF AGRICULTURE

*OWNER
See ha 3 2016
DATE*

SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: BETTY LEE REV TRUST

ADDRESS: 206 S WASHINGTON ST HUGOTON KS 67951

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					
* 4	32	36W																	28	30	30	22	110
9	32	36W*	30	30	30	30													25	25	25	25	220

List any other water rights that cover this place of use. 20127312, 20127313

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 to irrigated acres

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. _____

WATER RESOURCES RECEIVED

* 11/01/16
10/11/16

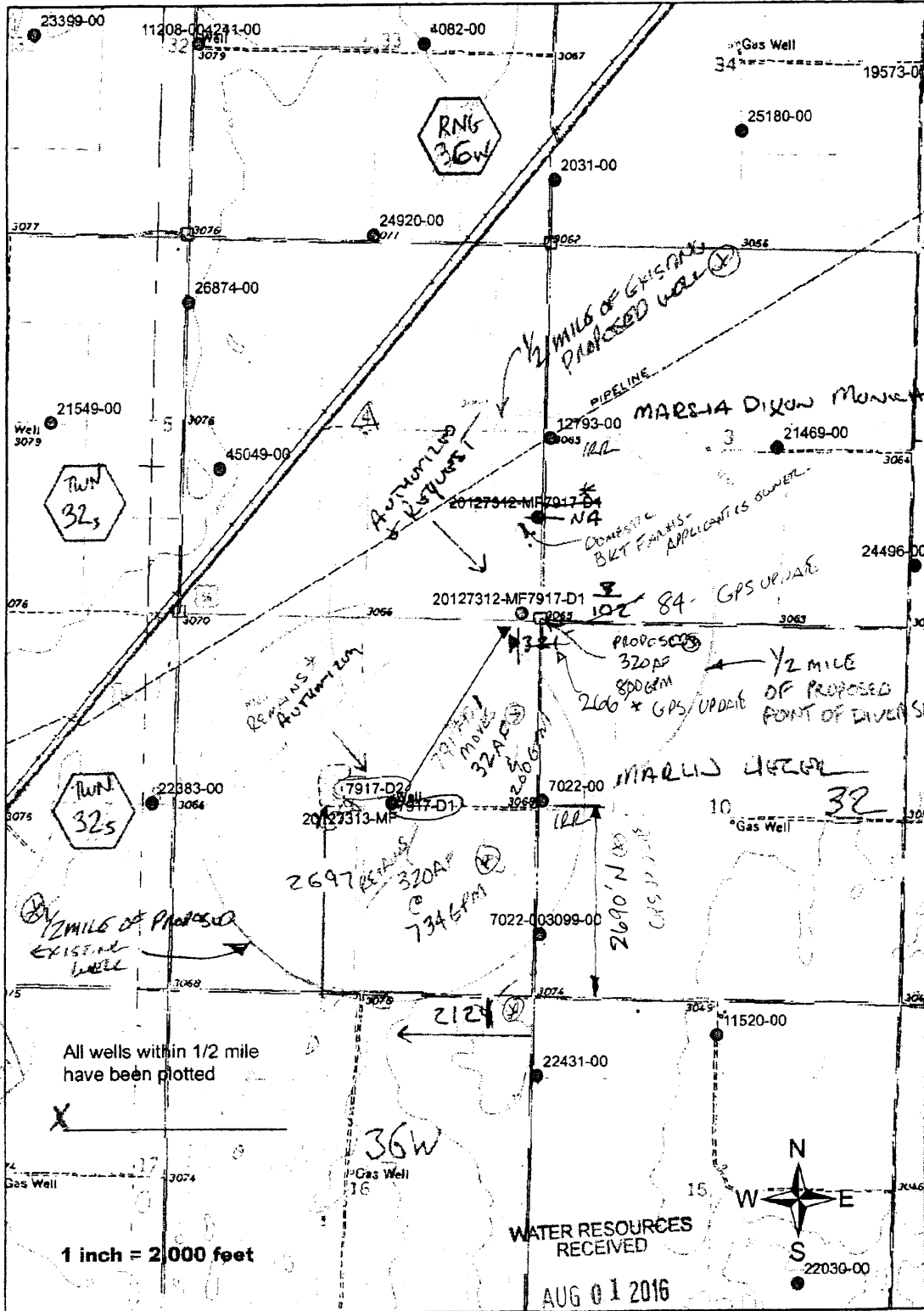
AUG 01 2016

SCANNED

NOV 3 2016

7917 D1

KS DEPT OF AGRICULTURE



2011-11-16
 10-11-16

INITIALS *bl* DATE *Nov 3-2016*

KS DEPT OF AGRICULTURE * *LI/10/22* *10/11/16*
 AUG 01 2016
 10/11/16
 11/3/16
 SCANNED

SCANNED

- 6. The presently authorized point(s) of diversion (is) (are) 2 wells
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) 1 well
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the sw Quarter of the sw Quarter of the ne Quarter of Section 9, Township 32 South, Range 36 W, in stevens County, Kansas, 2697 feet North 2124 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ *OVERLAPPED W/ 7917-D2*
 (DWR use only: Computer ID No. 1 GPS _____ feet North _____ feet West) *MYFA -*
 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 SW Quarter of the se SW Quarter of the se NE Quarter of Section 9, Township 32 South, Range 36 W, in stevens County, Kansas, 2697 feet North 2124 feet West of Southeast corner of section.
 Proposed Rate GPM 934 734 Proposed Quantity 352 320 AF
 This point is: Additional Well Geo Center List other water rights that will use this point NONE MYFA DISMISSED

9. **Presently authorized point of diversion:** *TOTAL Q 640 AF @ 1,534 GPM -*
 One in the se Quarter of the se Quarter of the se Quarter of Section 4, Township 32 South, Range 36 w, in stevens County, Kansas, 102 feet North 321 feet West of Southeast corner of section.
 Authorized Rate GPM 600 800 Authorized Quantity 288 320 AF
 (DWR use only: Computer ID No. 4 GPS 84 feet North 266 feet West)
 This point will not be changed This point will be changed as follows: *COMPLIANCE MONITORING PLAN 5/11/16*
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 _____ (EW), 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 _____ (EW), 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 _____ (EW), 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 _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. 7917 D2
 will still be authorized at the original well WITH ITS 320AF

*AT 760 GPM. * LI/OUR 9/16/16. LI/OUR 11/3/16*
 AUG 01 2016
 WATER RESOURCES RECEIVED
 OWNER REVIEWED 11/3/16
 FINAL SCANNED DATE
 KS DEPT OF AGRICULTURE

12. The presently authorized use of water is for irr purposes.

It is proposed that the use be changed to nc purposes.

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

NA

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to na (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.

both wells have equal priority and are drilled into the same source

WATER RESOURCES
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AUG 01 2016

KS DEPT OF AGRICULTURE

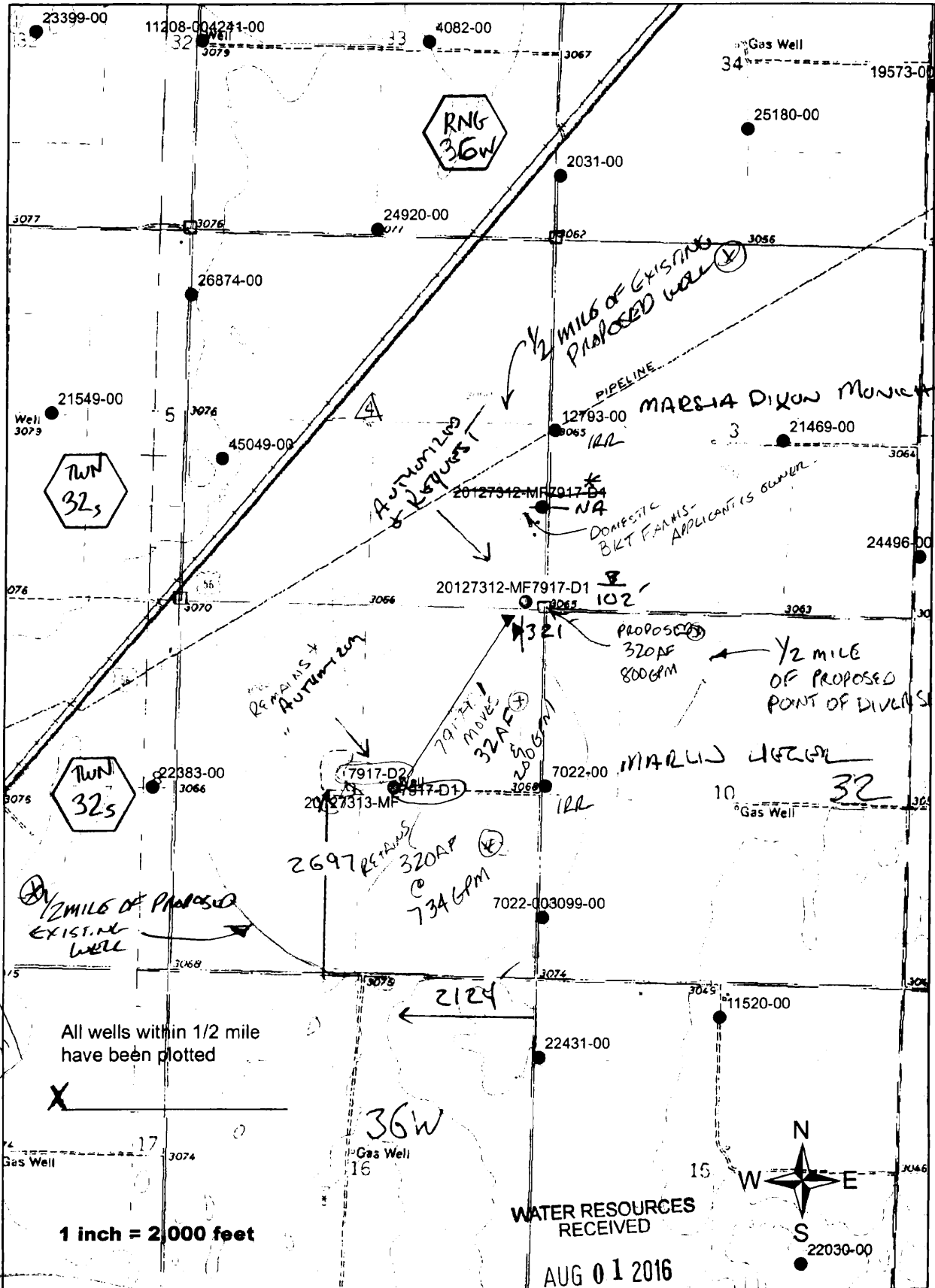
18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing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

The wells are over 2640 feet.

owner wishes to retain the ability to move back the authority to the original well.

RECEIVED

7917 D1



AUTORIZED
SEC 4 WELL
Q 288
R 600

SEC 9 WELL
Q 352 ACF
R 934 GPM
(W/ LOW W/ 7917 D2)
PROPOSED

SEC 4 WELL
Q 320
R 800

SEC 9 WELL
Q 320 ACF
R 734 GPM
(W/ LOW W/ 7917 D1)

RIGHTS
TOTAL Q 630 ACF
TOTAL R 1534 GPM

All wells within 1/2 mile have been plotted

1 inch = 2,000 feet

WATER RESOURCES RECEIVED

AUG 01 2016

RECEIVED UP P L T O 11/3/2016

KS DEPT OF AGRICULTURE

* LI LOWR 10/11/16

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 Hugo ton, Kansas, this 25 day of July, 2016.

Betty Lee
(Owner)

(Spouse)

Betty Lee
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Stevens } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25 day of July, 2016.

Adria Kaiser
Notary Public

My Commission Expires 8-14-2016

FEE SCHEDULE

ADRIA KAISER
Notary Public - State of Kansas
My Appt. Expires 8-14-2016

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

AUG 01 2016

KS DEPT OF AGRICULTURE

CGAINLES

Ireland, Leslie

From: Meyer, Mike
Sent: Friday, January 20, 2017 1:35 PM
To: Ireland, Leslie
Subject: RE: Recommendation for change in PD File No. 7917_D1- Lee

I recommend approval
Need to include additional condition to add the sealing the meter to the pipe for each pd.

Thanks

(NO ARV language)

Mike

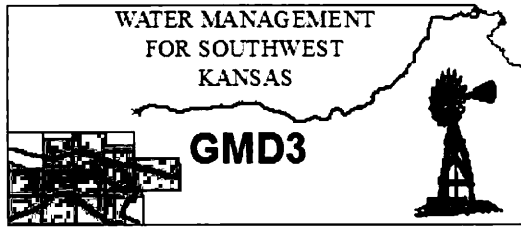
From: Ireland, Leslie
Sent: Friday, January 20, 2017 12:05 PM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Subject: Recommendation for change in PD File No. 7917_D1- Lee

Mike,

Please let me know if you could recommend this change that will distribute quantity between the two wells authorized by this right. A waiver of K.A.R. 5-23-3 has been recommended by GMD3.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

January 16, 2017

Leslie Ireland
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

**WATER RESOURCES
RECEIVED**

JAN 20 2017

RE: Change Application,
Water Right, File No. 7,917 D1

KS DEPT OF AGRICULTURE

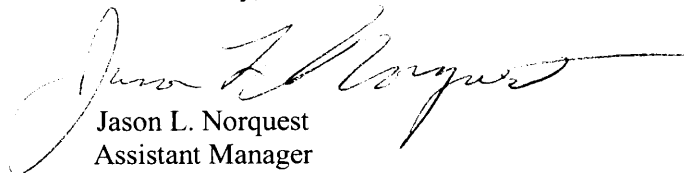
Dear Leslie:

We have completed a review of the application for the above referenced water right. The proposal is in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). More specifically, the proposed reallocation between wells under this water is further than a half mile allowed in accordance with K.A.R. 5-23-3(b). We reviewed the application at our January 13, 2017 Board meeting.

A brief history of the water right shows that there was a change application approved in 2016 to redrill the north well under this water right. This current application is requesting moving 32 acre feet from the south well up to the north well under the same water right in order to balance out the authority. Since each well has its own individual authorized quantity, this is considered a move further than a half mile. The first submittal of this application was requesting moving a larger amount of acre feet and drew concern from neighboring wells. Then the application was modified, to the current form, equalizing the authority. Due to the fact that we are dealing with a relative small quantity of water and both wells are under the same water right, the Board therefore recommends a waiver for distance moved and that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest
Assistant Manager



WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1
January 18, 2016

Leslie Ireland
Environmental Scientist
Water Appropriation Program
1320 Research Park Dr
Manhattan, KS 66502

WATER RESOURCES
RECEIVED

JAN 20 2017

KS DEPT OF AGRICULTURE

Re: Application for Change, Water Right File No. 14,483

Dear Ms. Ireland:

At the January 17th, 2016 Western Ks
Groundwater Management District No. 1 board meeting,
the Board of Directors voted unanimously to waive
K.A.R. 5-21-3 and recommends approving the
application. In addition, they also recommend requiring
installation of a separate meter for the irrigation use of
the standby well by the Scott County Golf Course.

If you have questions or need further information,
please contact this office.

Sincerely,

Kyle Spencer
District Manager

Ks/vr

Ireland, Leslie

From: Jason Norquest <norquest@gmd3.org>
Sent: Tuesday, December 20, 2016 3:31 PM
To: Ireland, Leslie
Subject: RE: 7917D1

Thanks for the extension.

We try not to double up the letters. When we send out notices, we go out a mile from the proposed locations. Sometimes if there has been concerns raised by your notice, we might contact them by phone to answer questions. We generally have not had too much concerns raised.

Jason Norquest

Assistant Manager, GMD3
Office: 620-275-7147 Cell: 620-271-1289
norquest@gmd3.org
www.gmd3.org

From: Ireland, Leslie [mailto:Leslie.Ireland@ks.gov]
Sent: Tuesday, December 20, 2016 2:36 PM
To: Jason Norquest <norquest@gmd3.org>
Cc: Turney, Brent <Brent.Turney@ks.gov>
Subject: RE: 7917D1

Jason,

I'll put together an extension to January 17, 2017.

On the notification, we notified the nearby well owners of the worst case scenario this is when all the quantity and rate was proposed to be moved to the North well. The modification of the change reallocates the quantities between the existing wells and is similar to that currently authorized. It would appear additional notification of the reassignment isn't necessary. Anyway.. that is what we determined based on the modification. Do you guys still notify and in a larger area then us?

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

From: Jason Norquest [mailto:norquest@gmd3.org]
Sent: Tuesday, December 20, 2016 2:09 PM
To: Ireland, Leslie <Leslie.Ireland@ks.gov>
Subject: 7917D1

Good afternoon Leslie, hope you made it through the freezer of a weekend. Feeling hot today with temps almost 40.

SCANNED

After discussion in the office, I am asking for an extension on this change app in order to get a recommendation from the Board at our January meeting. Even though both wells of this reallocation proposal are under the same water right, they are currently each authorized their own rate and quantity. So the reallocation needs a waiver of the distance moved. I apologize for the delay. Our next meeting will be January 13th.

Also, was new notice sent out to the neighboring wells after the application was modified? Was wondering if they responded to the revision or not.

Thanks again.

Jason Norquest

Assistant Manager, GMD3

Office: 620-275-7147 Cell: 620-271-1289

norquest@gmd3.org

www.gmd3.org

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

December 21, 2016

FILE COPY

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

Re: Application for Change, Water Right, File No. 7917-D1

Dear Mr. Rude:

In response to your December 20, 2016, E-mail, the Chief Engineer has extended the time in which to submit a recommendation concerning the August 01, 2016, application to change the point of diversion for the above referenced file.

At your request the Chief Engineer has delayed any further action until January 17, 2017.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosure

pc: Garden City Field Office
Betty Lee

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

November 9, 2016

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

FILE COPY

Re: Application for Change, Water Right, File No. 7917-D1
Modified November 3, 2016

Dear Mr. Rude:

We are enclosing a copy of the application referred to above which has been modified by the owner on November 3, 2016. The application appears to be in proper form.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning the modified application.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li
Enclosure

pc: Garden City Field Office
Betty Lee

FILE COPY

SCANNED

6. The presently authorized point(s) of diversion (is) (are) 2 wells
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) 1 well
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the sw Quarter of the sw Quarter of the ne Quarter of Section 9, Township 32 South, Range 36 W, in stevens County, Kansas, 2697 feet North 2124 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ *OVERLAPED w/ 7917-D2*
 (DWR use only: Computer ID No. 1 GPS _____ feet North _____ feet West) *MYFA*
 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 se Quarter of Section 4, Township 32 South, Range 36 W, in stevens County, Kansas, 84102 feet North 20021 feet West of Southeast corner of section. Proposed Rate 934 Proposed Quantity 352
 This point is: Additional Well Geo Center List other water rights that will use this point *NONE MYFA DISMISSED*

9. **Presently authorized point of diversion:** *TOTAL Q 640 AF @ 1,534 GPM*
 One in the se Quarter of the se Quarter of the se Quarter of Section 4, Township 32 South, Range 36 W, in stevens County, Kansas, 102 feet North 321 feet West of Southeast corner of section. Authorized Rate 600 Authorized Quantity 288
 (DWR use only: Computer ID No. 4 GPS 84 feet North 260 feet West) *COMPLIANCE INVESTIGATION COMPLETED 5/11/16*
 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 _____ (E/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 _____ (E/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 _____ (E/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 _____

VOID
FILE COPY

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. 7917 D2
will still be authorized at the original well WITH ITS 320AF

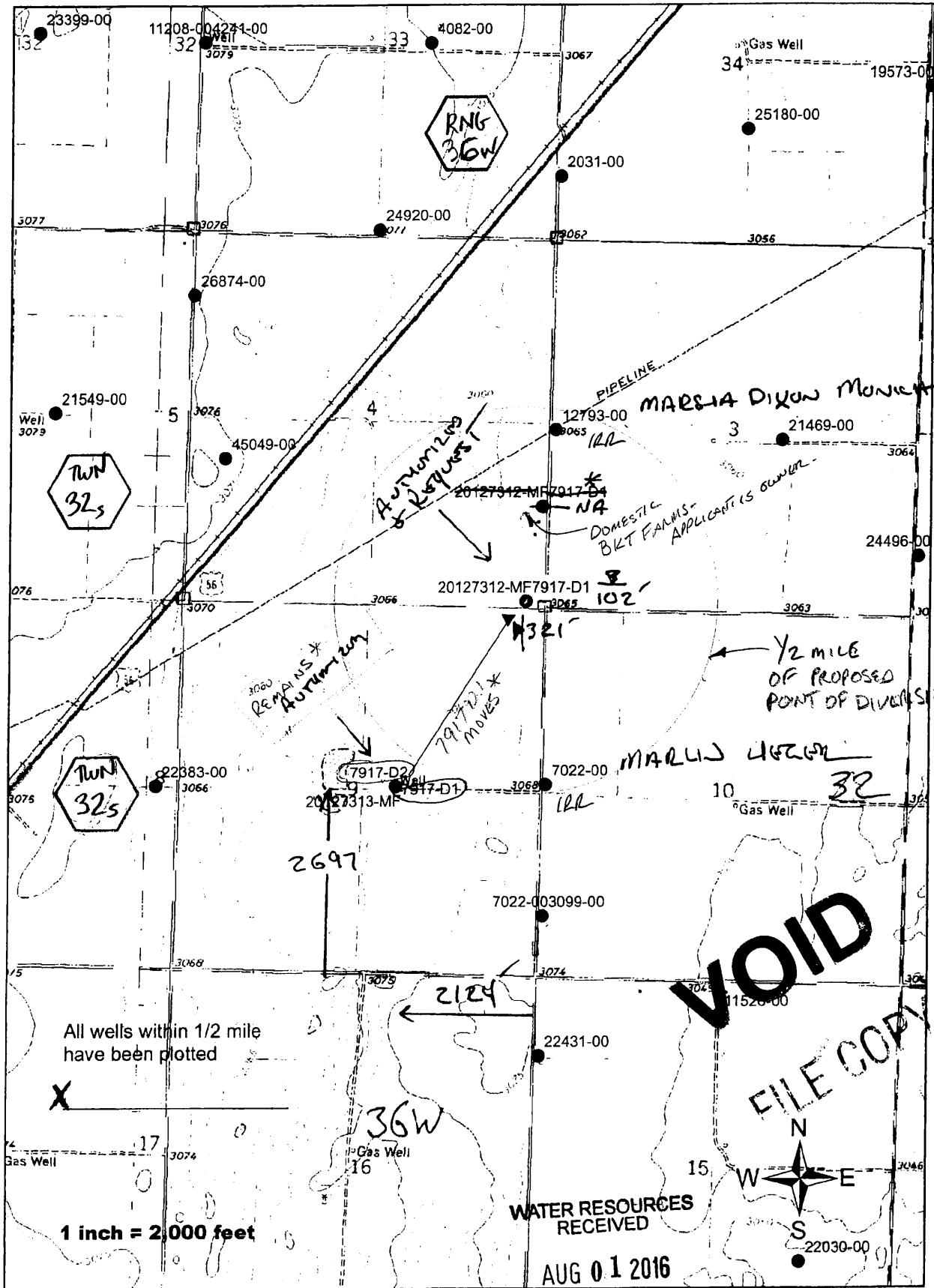
*AT 766 GPM. *
LI/DWR 9/16/16.*

AUG 01 2016

SCANNED

WATER RESOURCES RECEIVED

7917 D1



* APPROVED 1/26/16 *

PROPOSED EXISTING WELL

SE 1/4 - 4 - 32 - 36 W SW Q.

3795 W. Jones Ave.
Garden City, KS 67846
PH: 620-277-2389



Hydro
resources

PO Box 839
Garden City, KS 67846
Fax: 620-277-0224

BETTY LEE CELL 620-544-9574
TRENT SLOCUM CELL 620-544-1999

Customer Name: Betty Lee Date: 12/10/15
 Street Address: 206 WASHINGTON Test #: 1 E LOG: _____
 City, State: HUGOTON KS 67951 Driller: Dale Guinn
 County: Stevens Quarter: SE Section: 4 Township: 32 Range: 36
 Location: _____ GPS: N 37.28626 W -101.23145
 Rig #: 10002 WO#: 975 Elevation: _____ Static WL: 316 Estimated? _____
 Proposed Well: _____

WELL LOCATION 205 SW 1/4

%	Footage			Description of Strata	
	From	Pay	To		
	0		2	Top soil	RECEIVED
	2		35	Brown sandy clay	
	35		45	Fine sand	MAR 21 2016
	45		78	Brown sandy clay	
	78		87	Sand fine to med coarse brown rock	
	87		105	Brown clay	Garden City Field Office Division of Water Resources
	105		113	Sand fine to med	
	113		140	Brown clay	
	140		165	Brown sandy clay	
	165		180	Sand fine to med coarse w/ some clay ledges	
	180		200	Sand fine to med coarse small gravel	
	200		205	Brown clay	
	205		275	Sand fine to med coarse w/ few clay ledges	
	275		285	Brown clay	
	285		304	Sand fine to med coarse	
	304		312	Brown sandy clay w/ many sand beds	
20	312	14	330	Sand fine to med few coarse w/ couple clay ledges	
	330		336	Brown sandy clay	
30	336	68	404	Sand fine to med coarse w/ brown & tan rock	
	404		413	Brown clay (Sticky)	
30	413	12	425	Sand fine to med coarse w/ brown & tan rock	
	425		449	Brown clay (Sticky)	
30	449	14	463	Sand fine to med coarse w/ brown & tan rock	
	463		472	Brown sandy clay w/ couple sand strips	
30	472	18	490	Sand fine to med coarse w/ tan rock	
	490		498	Brown clay	
25	498	11	509	Sand fine to med coarse	
	509		514	Brown sandy clay	
25	514	9	523	Sand fine to med coarse	
	523		540	Brown sandy clay w/ few small sand strips	
25	540	80	620	Sand fine to med coarse w/ few thin clay stringers	
	620		640	Red bed - Drilled Hard-	
	640				
					3 Max gel
					5 Grout
					5 Hole plug 3/4
					1 Perma plug
					1 1/4 Drag blade
					7917 01

WATER WELL RECORD

Form WWC-5

Division of Water Resources App. No.

1 LOCATION OF WATER WELL: County: Stevens	Fraction ¼ NE ¼ SE ¼ SE ¼	Section Number 4	Township No. T 32 S	Range Number R 36 <input type="checkbox"/> E <input checked="" type="checkbox"/> W
Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here <input type="checkbox"/> 1 West 2 South of Moscow		Global Positioning System (GPS) information: Latitude: 37.2893 (in decimal degrees) Longitude: 101.2319 (in decimal degrees) Elevation: _____ Datum: <input type="checkbox"/> WGS 84, <input type="checkbox"/> NAD 83, <input type="checkbox"/> NAD 27 Collection Method: <input checked="" type="checkbox"/> GPS unit (Make/Model: <u>Garmin</u>) <input type="checkbox"/> Digital Map/Photo, <input type="checkbox"/> Topographic Map, <input type="checkbox"/> Land Survey Est. Accuracy: <input type="checkbox"/> <3 m, <input type="checkbox"/> 3-5 m, <input type="checkbox"/> 5-15 m, <input type="checkbox"/> >15 m		
2 WATER WELL OWNER: Betty Lee <u>BKT Farms, LP,</u> RR#, Street Address, Box #: <u>206 S Washington</u> City, State, ZIP Code: <u>Huqoton, KS</u>				

3 LOCATE WELL WITH AN "X" IN SECTION BOX: 	4 DEPTH OF COMPLETED WELL 510 ft. Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft. WELL'S STATIC WATER LEVEL.....ft. below land surface measured on mo/day/yr..... Pump test data: Well water was.....ft. after..... hours pumping..... gpm EST. YIELD..... gpm. Well water was.....ft. after..... hours pumping..... gpm Bore Hole Diameter <u>9 7/8</u> in. to ft., and in. to ft. WELL WATER TO BE USED AS: <input type="checkbox"/> Public water supply <input type="checkbox"/> Geothermal <input type="checkbox"/> Injection well <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Feedlot <input type="checkbox"/> Oil field water supply <input type="checkbox"/> Dewatering <input type="checkbox"/> Other (Specify below) <input type="checkbox"/> Irrigation <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic-lawn & garden <input type="checkbox"/> Monitoring well Was a chemical/bacteriological sample submitted to Department? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, mo/day/yr sample was submitted..... Water well disinfected? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	--

5 TYPE OF CASING USED: Steel PVC Other Eagle Log

CASING JOINTS: Glued Clamped Welded Threaded
 Casing diameter .5 in. to 510 ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface 24 in., Weight SDR 17 lbs./ft., Wall thickness or gauge No.

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

SCREEN OR PERFORATION OPENINGS ARE:
 Continuous slot Mill slot Gauze wrapped Torch cut Drilled holes None (open hole)
 Louvered shutter Key punched Wire wrapped Saw cut Other (specify)

SCREEN-PERFORATED INTERVALS: From 410 ft. to 430 ft., From 450 ft. to 470 ft.
 From 490 ft. to 510 ft., From ft. to ft.

GRAVEL PACK INTERVALS: From 21 ft. to 510 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: Neat cement Cement grout Bentonite Other

Grout Intervals: From 0 ft. to 21 ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination:
 Septic tank Lateral lines Pit privy Livestock pens Insecticide storage Other (specify below)
 Sewer lines Cesspool Sewage lagoon Fuel storage Abandoned water well
 Watertight sewer lines Seepage pit Feedyard Fertilizer storage Oil well/gas well

Direction from well East Distance from well 15'

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	20	Topsoil & Clay			
20	80	Sandy Clay. Fine Sand & Lt Cliche			
80	120	Sand & Gravel Little Clay			
120	180	Clay & Cliche			
180	320	Fine Sand Little Clay Streaks			
320	340	Sand Coarse			
340	400	Sand Medium to Coarse			
400	500	Sand Medium Little Clay			
500	510	Brown Shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo/day/year) 6-6-11 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 473 This Water Well Record was completed on (mo/day/year) 6-13-11 under the business name of Tyler Water Well Inc by (signature) [Signature]

INSTRUCTIONS: Use typewriter or ball point pen. *PLEASE PRESS FIRMLY* and *PRINT* clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.

WATER WELL RECORD

Form WWC-5

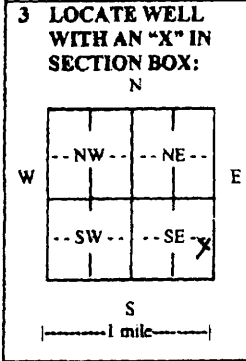
Division of Water Resources App. No.

1 LOCATION OF WATER WELL: County: <u>Stevens</u>	Fraction <u>¼ NE ¼ SE ¼ SE ¼</u>	Section Number <u>4</u>	Township No. <u>T 32 S</u>	Range Number <u>R 36</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W
--	-------------------------------------	----------------------------	-------------------------------	--

Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here
1 West 2 South of Moscow

Global Positioning System (GPS) information:
Latitude: 37.2893 (in decimal degrees)
Longitude: 101.2319 (in decimal degrees)
Elevation: _____
Datum: WGS 84. NAD 83. NAD 27
Collection Method:
 GPS unit (Make/Model: Garmin)
 Digital Map/Photo. Topographic Map. Land Survey
Est. Accuracy: <3 m. 3-5 m. 5-15 m. >15 m

2 WATER WELL OWNER: ~~Betty Lee~~ BKT Farms, LP,
RR#, Street Address, Box #: 206 S Washington
City, State, ZIP Code : Huqoton, KS 67951



4 DEPTH OF COMPLETED WELL 510 ft.

Depth(s) Groundwater Encountered (1) _____ ft. (2) _____ ft. (3) _____ ft.

WELL'S STATIC WATER LEVEL _____ ft. below land surface measured on mo/day/yr. _____

Pump test data: Well water was _____ ft. after _____ hours pumping _____ gpm

EST. YIELD _____ gpm. Well water was _____ ft. after _____ hours pumping _____ gpm

Bore Hole Diameter 9.7/8 in. to _____ ft., and _____ in. to _____ ft.

WELL WATER TO BE USED AS: Public water supply Geothermal Injection well
 Domestic Feedlot Oil field water supply Dewatering Other (Specify below)
 Irrigation Industrial Domestic-lawn & garden Monitoring well

Was a chemical/bacteriological sample submitted to Department? Yes No
If yes, mo/day/yr sample was submitted _____

Water well disinfected? Yes No

5 TYPE OF CASING USED: Steel PVC Other Easy Loc

CASING JOINTS: Glued Clamped Welded Threaded
Casing diameter .5 in. to .510 ft., Diameter _____ in. to _____ ft., Diameter _____ in. to _____ ft.
Casing height above land surface .24 in., Weight SDR 17 lbs./ft., Wall thickness or gauge No. _____

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

SCREEN OR PERFORATION OPENINGS ARE:
 Continuous slot Mill slot Gauze wrapped Torch cut Drilled holes None (open hole)
 Louvered shutter Key punched Wire wrapped Saw cut Other (specify) _____

SCREEN-PERFORATED INTERVALS: From 410 ft. to .430 ft., From .450 ft. to 470 ft.
From 490 ft. to .510 ft., From _____ ft. to _____ ft.

GRAVEL PACK INTERVALS: From .21 ft. to .510 ft., From _____ ft. to _____ ft.
From _____ ft. to _____ ft., From _____ ft. to _____ ft.

6 GROUT MATERIAL: Neat cement Cement grout Bentonite Other _____

Grout Intervals: From 0 ft. to .21 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.

What is the nearest source of possible contamination:
 Septic tank Lateral lines Pit privy Livestock pens Insecticide storage Other (specify below)
 Sewer lines Cesspool Sewage lagoon Fuel storage Abandoned water well
 Watertight sewer lines Sepage pit Feedyard Fertilizer storage Oil well/gas well

Direction from well East Distance from well .15

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	20	Topsoil & Clay			
20	80	Sandy Clay, Fine Sand & Lt Cliche			
80	120	Sand & Gravel Little Clay			
120	180	Clay & Cliche			
180	320	Fine Sand Little Clay Streaks			
320	340	Sand Coarse			
340	400	Sand Medium to Coarse			
400	500	Sand Medium Little Clay			
500	510	Brown Shale			

CORRECTED

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo/day/year) 6-6-11 and this record is true to the best of my knowledge and belief.
Kansas Water Well Contractor's License No. 473 This Water Well Record was completed on (mo/day/year) 6-13-11
under the business name of Tyler Water Well Inc. by (signature) [Signature]

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.

Change Application, File No. 7917-D1

Theis Drawdown Analysis for 50 years of pumping cycles pumping at indicated rates and quantities

Points of Diversion	Status	Authorized Rate (gpm)	Historic Rate (gpm)	Authorized Quantity (AF)	Historic Quantity (AF)
File 7917-D1 ID4: 102N 321W 4-32-36W	Original PD		600 Not reported	288	195
File 7917-D1 ID1: 2697N 2124W 9-32-36W	Original PD		934 Not reported	352	433
File 7917-D1 ID4: 102N 321W 4-32-36W	Proposed PD	1534		640	
File 12793: 2554N 5200W 3-24-32W	Target PD				

Change proposes to move PD in section 9 to the existing PD in section 4

File No. 7917-D1 Points of Diversion	Target Point of Diversion	Distance Between (ft)
File 7917-D1 ID4: 102N 321W 4-32-36W	File 12793: 2554N 5200W 3-24-32W	5465
File 7917-D1 ID1: 2697N 2124W 9-32-36W	File 12793: 2554N 5200W 3-24-32W	2351

File 7917-D1 ID1 Reported Water Use

Year	AF	Rate
2015		206 Not Reported
2014		181
2013		146
2012		190
2011		250
Avg		194.6

File 7917-D1 ID4 Reported Water Use

Year	AF	Rate
2015		243 Not Reported
2014		442
2013		410
2012		451
2011		617
Avg		432.6

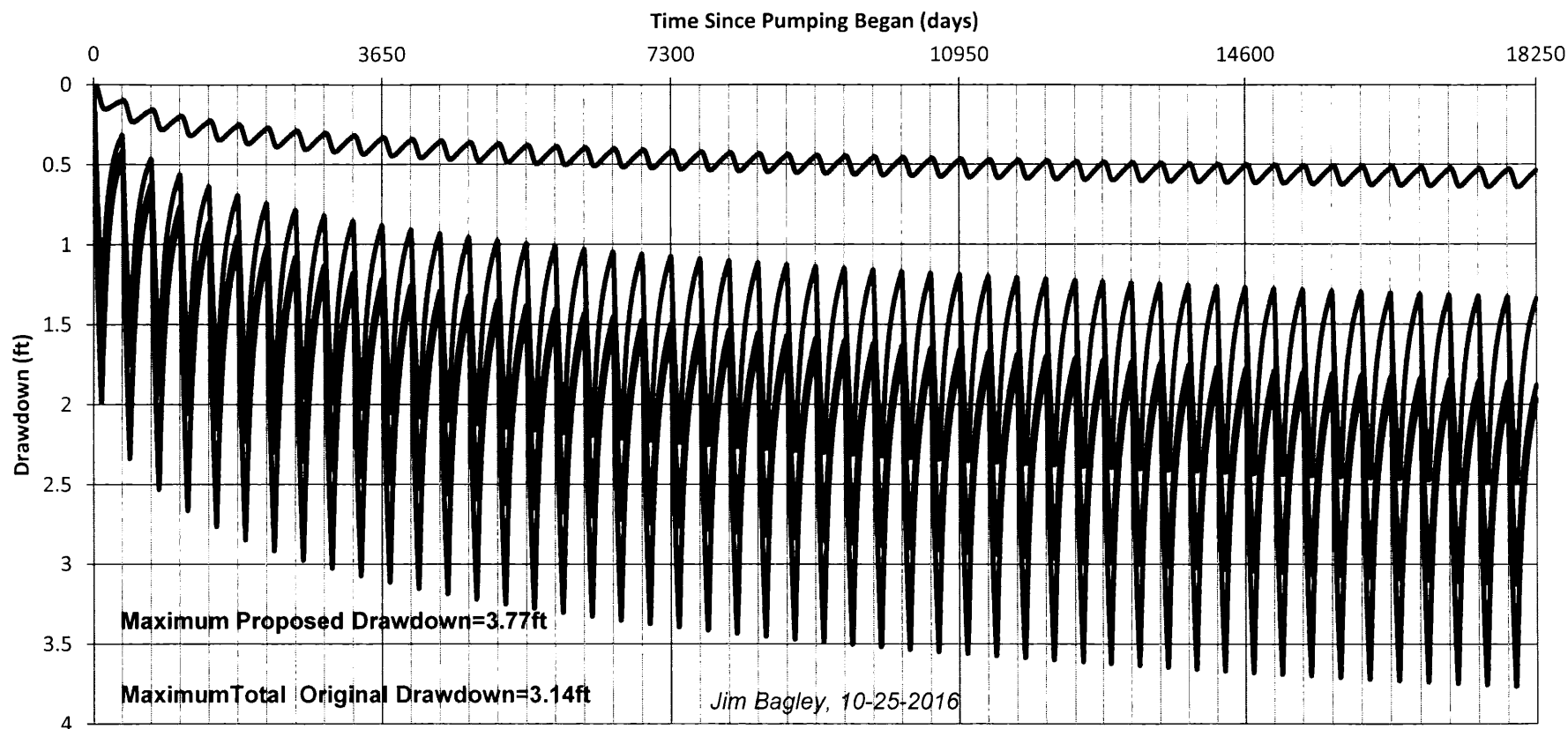
GMD3 Groundwater Model Projected 2066 Values

Section	Saturated Thickness (ft)	Storage Coefficient	Trnsmmissivity (ft ² /d)	Transmissivity (gpd/ft)
3-32-36W	175.4	0.2095	14314	107068.72 Most conservative value in area
4-32-36W	168.6	0.2675	26420	197621.6
9-32-36W	171.2	0.2218	8914	66676.72
Average	171.7333333	0.232933333	16549.33333	123789.0133

Summary of effects after 50 years of pumping cycles

Maximum Proposed Drawdown (ft)	3.77
Maximum Original Drawdown (ft)	3.14
Difference (ft)	0.63
Percent of Remaining Saturated Thickness	0.37%

Change Application, File No. 7917-D1 Effect on File No. 12793: Theis Drawdown after 50 Years of Pumping Cycles: $S=0.2095$, $T=107069\text{gpd/ft}$



— Original File 7917-D1 ID4: 102N 321W 4-32-36W, $r=2351\text{ft}$ from Target File 12793: 2554N 5200W 3-24-32W, $t_p=104.90\text{days}$, $Q=934\text{gpm}$, $V=433\text{AF}$

— Original File 7917-D1 ID1: 2697N 2124W 9-32-36W: $r=5465\text{ft}$ from Target File 12793: 2554N 5200W 3-24-32W, $t_p=73.54\text{days}$, $Q=600\text{gpm}$, $V=195\text{AF}$

— Total Original

— Proposed File 7917-D1 ID4: 102N 321W 4-32-36W, $r=2351\text{ft}$ from Target File 12793: 2554N 5200W 3-24-32W, $t_p=94.41\text{days}$, $Q=1534\text{gpm}$, $V=640\text{AF}$

Water Rights and Points of Diversion Within 1.25 miles of point defined as:

84 ft N and 266 ft W of the SE Corner of Section 4, T 32S, R 36W
 Located at: 101.231261 West Longitude and 37.286211 North Latitude
 GROUNDWATER ONLY

ACTUAL FILE NO. 7917-D1

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 2031 00	IRR	NK	G	6203	--	NW	SW	SW	-----	-----	34	31	36W	1		1050.00	1050.00	AF	
A__ 3099 00	IRR	NK	G	4544	--	NW	SW	SW	860	5163	10	32	36W	3		537.00	537.00	AF	
A__ 7022 00	IRR	NK	G	4544	--	NW	SW	SW	860	5163	10	32	36W	3		1210.00	673.00	AF	
Same				<i>DISTANCE - 2708</i>	--	SW	SW	NW	2705	5190	10	32	36W	4					
A__ 7917 D1	IRR	NK	G*	58	--	SE	SE	SE	102	321	4	32	36W	4	<i>AUTH</i>	288.00	288.00	AF	
Same				3250	--	SW	SW	NE	2697	2124	9	32	36W	1		352.00	352.00	AF	
A__ 7917 D2	IRR	NK	G	3250	--	SW	SW	NE	2697	2124	9	32	36W	1		320.00	320.00	AF	
A__ 11520 00	IRR	NK	G	6591	--	CN	NW	NE	4775	2570	15	32	36W	1		300.00	300.00	AF	
A__ 12793 00	IRR	NK	G	2479	--	--	--	--	2554	5200	3	32	36W	1		760.00	760.00	AF	
A__ 21469 00	IRR	NK	G	4328	--	NE	NW	SE	2475	1930	3	32	36W	3		520.00	520.00	AF	
A__ 22383 00	IRR	NK	G	5980	--	CN	NE	SE	2600	310	8	32	36W	1		580.00	314.00	AF	
A__ 22431 00	IRR	NK	G	6560	--	SE	NW	NW	4110	5220	15	32	36W	4		466.00	466.00	AF	
A__ 24496 00	IRR	NK	G	5688	--	CW	SW	SW	880	5165	2	32	36W	2		520.00	520.00	AF	
A__ 24920 00	IRR	NK	G	5739	--	SW	SW	SE	70	2562	33	31	36W	3		260.00	260.00	AF	
A__ 26874 00	IRR	NK	G	6553	--	--	--	--	4355	5240	4	32	36W	2		600.00	600.00	AF	
A__ 45049 00	IND	NK	G	4865	--	NW	NW	SW	2035	4722	4	32	36W	3		2.51	2.51	AF	
T 20127312	MF	IRR	GY	G	58	--	SE	SE	SE	102	321	4	32	36W	4		974.00	.00	AF
T 20127313	MF	IRR	GY	G	3250	--	SW	SW	NE	2697	2124	9	32	36W	1		1555.00	.00	AF

MOV'D DISMISS

DISMISSED

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	6962.51	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	6962.51	.00

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.25 miles of point defined as:
 101.231261 West Longitude and 37.286211 North Latitude
 GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 2031 00	IRR	NK	G
> JEREMY ELLSAESSER			
>			
> 146 S JEFFERSON ST			
> HUGOTON KS 67951			

A__ 3099 00	IRR	NK	G
> MARLIN & ERMA HEGER			

Water Rights and Points of Diversion Within 1.50 miles of point defined as:
 102 ft N and 321 ft W of the SE Corner of Section 4, T 32S, R 36W
 Located at: 101.231450 West Longitude and 37.286260 North Latitude
 GROUNDWATER ONLY

PROPOSED FILE NO. 7917-01

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 2031	00	IRR	NK	G	6190	--	NW	SW	SW	-----	34	31	36W	1		1050.00	1050.00	AF
A__ 3099	00	IRR	NK	G	4567	--	NW	SW	SW	860	5163	10	32	36W	3	537.00	537.00	AF
A__ 7022	00	IRR	NK	G	4567	--	NW	SW	SW	860	5163	10	32	36W	3	1210.00	673.00	AF
Same					2734	--	SW	SW	NW	2705	5190	10	32	36W	4			
A__ 7917	D1	IRR	NK	G*	0	--	SE	SE	SE	102	321	4	32	36W	4	288.00	288.00	AF
Same					3234	--	SW	SW	NE	2697	2124	9	32	36W	1	352.00	352.00	AF
A__ 7917	D2	IRR	NK	G	3234	--	SW	SW	NE	2697	2124	9	32	36W	1	320.00	320.00	AF
A__ 11520	00	IRR	NK	G	6631	--	CN	NW	NE	4775	2570	15	32	36W	1	300.00	300.00	AF
A__ 12793	00	IRR	NK	G	2470	--	--	--	CW	2554	5200	3	32	36W	1	760.00	760.00	AF
A__ 21469	00	IRR	NK	G	4365	--	NE	NW	SE	2475	1930	3	32	36W	3	520.00	520.00	AF
A__ 21549	00	IRR	NK	G	7314	--	NE	NW	SE	2600	1909	5	32	36W	1	633.00	573.00	AF
A__ 22383	00	IRR	NK	G	5939	--	CN	NE	SE	2600	310	8	32	36W	1	580.00	314.00	AF
A__ 22431	00	IRR	NK	G	6581	--	SE	NW	NW	4110	5220	15	32	36W	4	466.00	466.00	AF
A__ 24496	00	IRR	NK	G	5740	--	CW	SW	SW	880	5165	2	32	36W	2	520.00	520.00	AF
A__ 24920	00	IRR	NK	G	5700	--	SW	SW	SE	70	2562	33	31	36W	3	260.00	260.00	AF
A__ 25180	00	IRR	NK	G	7220	--	--	NC	S2	1380	2525	34	31	36W	2	436.00	.00	AF
A__ 26874	00	IRR	NK	G	6500	--	--	--	--	4355	5240	4	32	36W	2	600.00	600.00	AF
A__ 45049	00	IND	NK	G	4807	--	NW	NW	SW	2035	4722	4	32	36W	3	2.51	2.51	AF
T_20127312	MF	IRR	GY	G	0	--	SE	SE	SE	102	321	4	32	36W	4	974.00	.00	AF
T_20127313	MF	IRR	GY	G	3234	--	SW	SW	NE	2697	2124	9	32	36W	1	1555.00	.00	AF

353 TOTAL
Remove cmv

2300'

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	7535.51	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	7535.51	.00

MOVE > 2640 - PRIORITIES UNDER THE RIGHT.
 - MYFA - 20127313 - AT AUTHORIZED WELL 0
 - MYFA - 20127312 - AT PROPOSED WELL 0
 WELL WILL REMAIN AUTHORIZED BY: 7917-02 & 20127313 MF
 MYFAS ~~WILL~~ EXPIRED DEC 31, 2016.

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.50 miles of point defined as:
 101.231450 West Longitude and 37.286260 North Latitude
 GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR
 A__ 2031 00 IRR NK G
 > JEREMY ELLSAESSER
 >
 > 146 S JEFFERSON ST
 > HUGOTON KS 67951
 >-----

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



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3596

Jackie McClaskey, Secretary

Governor Sam Brownback

October 27, 2016

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

FILE COPY

Re: Application for Change, Water Right, File No. 7917-D1

Dear Mr. Rude:

We are enclosing a copy of the application referred to above which appears to be in proper form.

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

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosure

pc: Garden City Field Office
Betty Lee

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

October 27, 2016

FILE COPY

EARLENE DAVIS
JANICE SCHUBERT POA
8843 OTTO LANE
MOUND CITY KS 66056

RE: Change Application, Water Right, File No. 7,917-D1

Dear Ms. Schubert:

This will acknowledge receipt of your email dated October 3, 2016, in which you expressed comments concerning the application for approval to change the point of diversion authorized under Water Right, File No. 7,917-D1.

If approved and should the diversion of water under this approval substantially impair your irrigation right you should notify Mike Meyer, Water Commissioner, of the field office in your area. The field office address and phone number is:

Kansas Department of Agriculture
Division of Water Resources - Garden City Field Office
2508 Johns Street
Garden City, KS 67846-2804
Phone: (620) 276-2901

If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Change Application Unit

LI:li

pc: Garden City Field Office
Groundwater Management District No. 3

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

October 27, 2016

MARSHA DIXON MONICA
12913 CANTERBURY RD
LEAWOOD KS 66209-1767

FILE COPY

RE: Change Application, Water Right, File No. 7,917-D1

Dear Ms. Monica:

This will acknowledge receipt of your letter dated October 3, 2016, in which you expressed comments concerning the application for approval to change the point of diversion authorized under Water Right, File No. 7,917-D1.

If approved and should the diversion of water under this approval substantially impair your irrigation right you should notify Mike Meyer, Water Commissioner, of the field office in your area. The field office address and phone number is:

Kansas Department of Agriculture
Division of Water Resources - Garden City Field Office
2508 Johns Street
Garden City, KS 67846-2804
Phone: (620) 276-2901

If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Leslie Ireland
Environmental Scientist
Change Application Unit

LI:li

pc: Garden City Field Office
Groundwater Management District No. 3

SCANNED

Ireland, Leslie

From: mdmlw@aol.com
Sent: Wednesday, October 12, 2016 1:43 PM
To: Ireland, Leslie
Subject: Re: Comments for Water Right File No 7917 D1

Thanks for letting me know. I emailed it and also sent it to be sure you had it.

Marsha Monica, Broker Associate
ReeceNichols Real Estate, a Berkshire Hathaway affiliate
5000 W 135th St
Leawood, KS 66224

-----Original Message-----

From: Ireland, Leslie <Leslie.Ireland@ks.gov>
To: mdmlw <mdmlw@aol.com>
Sent: Wed, Oct 12, 2016 11:56 am
Subject: RE: Comments for Water Right File No 7917 D1

Marsha,

The mail we got late yesterday had your signed original letter. It has also been added to the file/record.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

From: mdmlw@aol.com [<mailto:mdmlw@aol.com>]
Sent: Tuesday, October 11, 2016 11:07 AM
To: Ireland, Leslie
Subject: Re: Comments for Water Right File No 7917 D1

Thank you for letting me know.

Marsha Monica, Broker Associate
ReeceNichols Real Estate, a Berkshire Hathaway affiliate
5000 W 135th St
Leawood, KS 66224

-----Original Message-----

From: Ireland, Leslie <Leslie.Ireland@ks.gov>
To: mdmlw <mdmlw@aol.com>
Cc: Meyer, Mike <Mike.Meyer@ks.gov>
Sent: Tue, Oct 11, 2016 8:43 am
Subject: RE: Comments for Water Right File No 7917 D1

Marsha,

Yes, I received your letter as an attachment to an email. I've added your letter to the record/file. I was gone all last week and was wanting to wrap-up another project before directing my full attention to the proposed change for File No. 7917-D1. Hopefully that will be later this week.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

-----Original Message-----

From: mdmlw@aol.com [<mailto:mdmlw@aol.com>]
Sent: Monday, October 10, 2016 7:17 PM
To: Ireland, Leslie
Subject: Comments for Water Right File No 7917 D1

Hi Leslie,
Can you confirm that you received my comments on the above referenced file last week.
Thank you.

Marsha Monica, Broker Associate
Reece and Nichols Realtors
President's Circle
913-269-0036

Ireland, Leslie

From: Janice Schubert <janicesc@pv362.org>
Sent: Monday, October 03, 2016 7:50 AM
To: Ireland, Leslie
Cc: Meyer, Mike; John Brower
Subject: Water Right, File No. 7917-D1 Betty Lee

In Township 32 South, Range 36 West, Stevens County, Kansas:

My mother, Earlene Davis owns the SW 1/4 of Section 9 and the SE 1/4 of Section 8. TRUE - NOT PART OF 7917-D2 - 7917-D2 IN 2003.

It needs to be brought to your attention that Betty Lee, Betty Lee Revocable Trust does not have full water rights of Section 9 to divert to Section 4. Half of the water rights of Section 9 belong to my parents, Robert L. Davis (deceased) and Earlene Davis. [REVIEW FOUND FILE NO. 7917-D2 WITH 160 A IN SW OF 9-32-36W - WITH PU SERVED BY FILE NO 22383 - AN INCOMPLETE OVERLAP AS 157A IN SEC. 8.]

The Section 9 well drilled by Betty Lee was not drilled within the location stated on the permit to drill and infringed upon the water rights of my parents' well on Section 8. After a long legal ordeal my parents were granted one-half of the water rights of Section 9. All of this information is on file with Water Resources.

LAND 223824110 Q
634AEW/7917
9

It is without doubt that Betty Lee is fully aware of this and is a prime example of how Ms. Lee does what she wants, when she wants, how she wants.

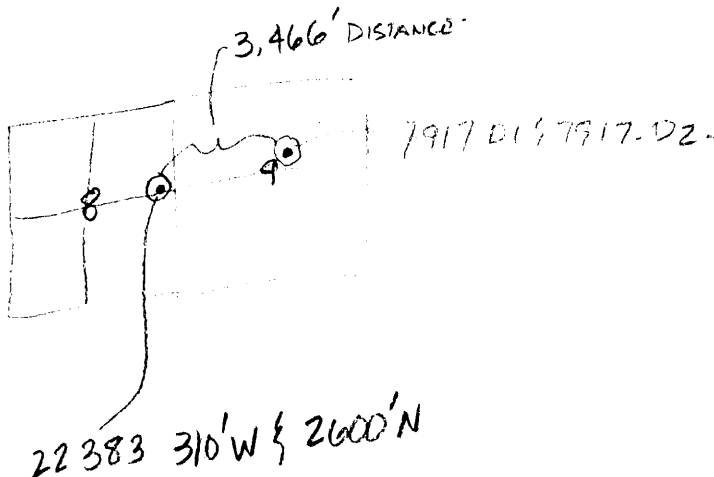
NOT 223824110

I would like to request a meeting with you on Tuesday, October 4th, 2016 as this is the deadline to protest Ms. Lee's application to change the points of diversion for Section 9 irrigation use. SHOULD BE 7917-D2-06.

I have my mother's Power of Attorney, if you need verification of this please let me know.

Sincerely,

Janice Schubert, 8843 Otto Lane, Mound City, KS 66056
POA
Earlene Davis, 20275 E. 1100 Road, Pleasanton, KS 66075



NE Sec 9 - OWNED BY - BETTY LEE -
ACCESS ROAD FOR 157A IS -
DISTANCE FROM

Ireland, Leslie

From: Janice Schubert <janicesc@pv362.org>
Sent: Monday, October 03, 2016 7:50 AM
To: Ireland, Leslie
Cc: Meyer, Mike; John Brower
Subject: Water Right, File No. 7917-D1 Betty Lee

In Township 32 South, Range 36 West, Stevens County, Kansas:

My mother, Earlene Davis owns the SW 1/4 of Section 9 and the SE 1/4 of Section 8.

It needs to be brought to your attention that Betty Lee, Betty Lee Revocable Trust does not have full water rights of Section 9 to divert to Section 4. Half of the water rights of Section 9 belong to my parents, Robert L. Davis (deceased) and Earlene Davis.

The Section 9 well drilled by Betty Lee was not drilled within the location stated on the permit to drill and infringed upon the water rights of my parents' well on Section 8. After a long legal ordeal my parents were granted one-half of the water rights of Section 9. All of this information is on file with Water Resources.

It is without doubt that Betty Lee is fully aware of this and is a prime example of how Ms. Lee does what she wants, when she wants, how she wants.

I would like to request a meeting with you on Tuesday, October 4th, 2016 as this is the deadline to protest Ms. Lee's application to change the points of diversion for Section 9 irrigation use.

I have my mother's Power of Attorney, if you need verification of this please let me know.

Sincerely,

Janice Schubert, 8843 Otto Lane, Mound City, KS 66056
POA
Earlene Davis, 20275 E. 1100 Road, Pleasanton, KS 66075

**WATER RESOURCES
RECEIVED**

OCT 25 2016

KS DEPT OF AGRICULTURE

SCANNED

Ireland, Leslie

From: Meyer, Mike
Sent: Tuesday, October 04, 2016 2:21 PM
To: Turney, Brent
Cc: Ireland, Leslie
Subject: FW: Response to application Re: Water Right, File No 7,917-D1
Attachments: Well water response.docx

One reason the applicant wants this change is to increase pumping rate. So this letter is a valid comment. We need jim to run a thies to see what the additional rate would cause.

Mike

From: mdmlw@aol.com [mailto:mdmlw@aol.com]
Sent: Tuesday, October 4, 2016 1:32 PM
To: Ireland, Leslie <Leslie.Ireland@ks.gov>
Cc: Meyer, Mike <Mike.Meyer@ks.gov>
Subject: Response to application Re: Water Right, File No 7,917-D1

Hi Leslie,
Attached is my formal response to the notice I received regarding the above referenced file. Thank you for the information you provided. I assume you will let me know the decision. If further information is needed please feel free to contact me at 913-269-0036.

Marsha Monica, Broker Associate
ReeceNichols Real Estate, a Berkshire Hathaway affiliate
5000 W 135th St
Leawood, KS 66224

WATER RESOURCES
RECEIVED

OCT 10 2016

KS DEPT OF AGRICULTURE

SCANNED

October 3, 2016

WATER RESOURCES
RECEIVED

OCT 11 2016

KS DEPT OF AGRICULTURE

Re: Water Right, File No. 7,917-D1

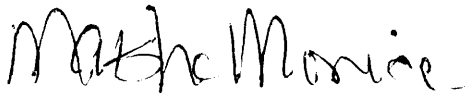
Dear Leslie,

This letter is to respond to your letter regarding the proposed application to change the points of diversion under the referenced file authorized for irrigation use. In your letter the application proposal is to consolidate two wells to one from existing wells on behalf of the Betty Lee Revocable Trust.

Thank you for the opportunity to respond to this application since my interests will be affected by this proposed change. I wish to formally express my opposition to the proposed application. As you mentioned in our phone conversation on September 30th, you indicated that requests such as those made by the Betty Lee Revocable Trust are not allowed if they divert or cause damage to other existing owner interests. I believe that approval of this application will adversely affect my property.

My biggest concern is that the new allocation would allow a diversion rate of 1534 gpm from a well close to mine. This draw down could very well affect my well. The Betty Lee Revocable Trust well closest to my well was only allowed 600 gpm rate. This diversion would increase the allowable pumping rate by 250%. This most assuredly will affect the drawdown on my well. In addition, this increases the allowable acre feet by 352 acre feet per year from a well within a half mile of my well. This would result in the applicant being able to pump at 1500 gpm, more than 2 times longer than they could without the consolidation.

Thank you for your consideration.



Marsha Dixon Monica

CC: Jeremy Ellsaesser

SCANNED

October 3, 2016

Re: Water Right, File No. 7,917-D1

Dear Leslie,

This letter is to respond to your letter regarding the proposed application to change the points of diversion under the referenced file authorized for irrigation use. In your letter the application proposal is to consolidate two wells to one from existing wells on behalf of the Betty Lee Revocable Trust.

Thank you for the opportunity to respond to this application since my interests will be affected by this proposed change. I wish to formally express my opposition to the proposed application. As you mentioned in our phone conversation on September 30th, you indicated that requests such as those made by the Betty Lee Revocable Trust are not allowed if they divert or cause damage to other existing owner interests. I believe that approval of this application will adversely affect my property.

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Thank you for your consideration.

Marsha Dixon Monica

CC: Jeremy Ellsaesser

*EMAIL * LID*

**WATER RESOURCES
RECEIVED**

OCT 10 2016

KS DEPT OF AGRICULTURE

SCANNED

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

Kansas
Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2016

MARSHA DIXON MONICA
12913 CANTERBURY RD
LEAWOOD KS 66209-1767

FILE COPY

Re: Water Right, File No. 7,917 - D1

Dear Ms. Monica:

This letter is to inform you that Betty Lee on behalf of the Betty Lee Revocable Trust, has filed an application to change the points of diversion under the referenced file authorized for irrigation use.

It is proposed that the quantity authorized by this right be consolidated from two wells to one of its existing wells. The application proposes the following change:

from: one (1) well located in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 9, more particularly described as being near a point 2,697 feet North and 2,124 feet West of the Southeast corner of said section, at a quantity not to exceed 352 acre-feet per calendar year and at a diversion rate not in excess of 934 gallons per minute (2.08 c.f.s.), and

one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 4, more particularly described as being near a point 102 feet North and 321 feet West of the Southeast corner of said section, at a quantity not to exceed 288 acre-feet per calendar year and at a diversion rate not in excess of 600 gallons per minute (1.34 c.f.s.),

to: one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 4, more accurately described as being 84 feet North and 266 feet West of the Southeast corner of said section, at a quantity not to exceed 640 acre-feet per calendar year and at a diversion rate not in excess of 1,534 gallons per minute (3.42 c.f.s.),

all in Township 32 South, Range 36 West, Stevens County, Kansas.

SCANNED

Records in this office indicate that you may have a well or wells in this vicinity of the proposed changes in point of diversion to that will shift the authorized quantity between these existing wells. You are being notified of the proposals so that you may furnish this office written comments or other information you may desire to submit. Such written comments or other information must be received in this office within 15 days from the date of this letter.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI

pc: Garden City Field Office
Groundwater Management District No. 3
Betty Lee

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

Kansas

Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2016

MARLIN & ERMA HEGER
1080 ROAD 21
HUGOTON KS 67951-5303

FILE COPY

Re: Water Right, File No. 7,917 - D1

Dear Mr. & Mrs. Hegar:

This letter is to inform you that Betty Lee on behalf of the Betty Lee Revocable Trust, has filed an application to change the points of diversion under the referenced file authorized for irrigation use.

It is proposed that the quantity authorized by this right be consolidated from two wells to one of its existing wells. The application proposes the following change:

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all in Township 32 South, Range 36 West, Stevens County, Kansas.

SCANNED

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Sincerely,



Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI

pc: Garden City Field Office
Groundwater Management District No. 3
Betty Lee

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

BETTY LEE REV TRUST
2016 S WASHINGTON ST
HUGOTON, KS 67951

August 2, 2016

FILE COPY

RE: File No. 7917D1

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,

A handwritten signature in cursive script that reads "Brent A. Turney".

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

BAT: DLW
pc: GARDEN CITY Field Office GMD 3 3

SCANNED