# Kansas Department of Agriculture Division of Water Resources

### **CHANGE: PD WORKSHEET**

1. File Number: <b>30054</b>	2. Status Change Date: <b>8/20/2020</b>	3. Change Num:	4. Field Office: <b>04</b>	5. GMD:
6. Status: ☐ Approved ☐ ☐	Denied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 3/12/2020
8a. Applicant(s) New to system   SOUTHWESTERN HEI CONSOLIDATED SCH Attn: DAN FRISBY 17222 MUSTANG RD KISMET, KS 67859-59	OOL	SOUTHWE SCHOOL	STERN HEIGHTS NTENANCE DIR STANG RD	Person ID 16893 Add Seq# 1  CONSOLIDATED  RECTOR
8b. Landowner(s) New to system □	Person IDAdd Seq#	8d. WUC New to sy		Person IDAdd Seq#
9. Documents and Enclosure(s):   Anti-Reverse Meter	ter Seal ⊠ Check Valve quired: Da	⊠ N & P Form  ate Approved:	☑ Water Tube ☑	Driller Copy
			Date Littereu.	7/2020 By: <b>li</b> 5/2020 By:

File No. 30054	11. Cour	nty: <b>SW</b>	Ва	sin: CR	ROOK	ED CR	REEK			St	ream:	NA						Fo	ormation	Code: <b>211</b>	Special Use: NO
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# KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

### <u>MEMORANDUM</u>

TO: Files DATE: August 18, 2020

FROM: Leslie Ireland RE: Water Right, File Nos. 13,858 & 30,054

Elton Argo, (retired May 2020) Superintendent of Schools, USD #483, owner of File No. 30054, and Shannon Francis Manager, for Evans Francis Farms LLC, owner of File No. 13,858, have filed applications to change the point of diversion located on the school property. The applications for change received on March 11, 2020 are requesting a standby well for the irrigation and municipal uses at the school. The wells are located in the Crooked Creek Basin, Seward County.

It would appear that the referenced files are not abandoned as per K.S.A. 82a -718 and appears to meet the requirements of K.S.A. 82a -732.

The requested change is due to the casing decline of the schools well and concern for problems. The applications propose to add a standby well to the east of the school well.

Water Right, File No. 13,858 is authorized two(2) points of diversion. An irrigation well located in the (NW¼ NW¼ NW¼) approximately 4,864 feet North and 5,088 feet West of the Southeast corner of Section 36, Township 32 South, Range 31 West, Seward County, is authorized 604 acre-feet (AF) at 943 gallons per minute (GPM) for the irrigation of 316 acres. It has no overlaps or additional limitations. A 2016 Compliance Investigation determined by GPS this well to have the actual feet distances of 4,907 feet North and 5,060 feet West. The location of the irrigation well will be updated to the determined actual feet distances. The second well under this right is an additional well authorized municipal and irrigation uses and is located in the (SW¼ SE¼ SW¼) approximately 120 feet North and 3,390 feet West of the Southeast corner of Section 25, Township 32 South, Range 31 West, Seward County. It is authorized 10 AF at 120 GPM for the irrigation of 27 acres of playing fields and 5 AF at a limited 120 GPM for municipal use at the school. The point of diversion in Section 25 has been authorized as an additional well since 2010, without any known issues. This point of diversion overlaps with File No. 30,054.

Water Right File No. 30,054 is authorized 13 AF for irrigation use and 1.17 million gallons (3.6 AF) per year for municipal use at a limited 120 GPM when combined with File No. 13,858. Both uses are authorized from the Section 25 well overlapping File No. 13,858.

Under the referenced files the well in Section 25, owned by the school, USD #483, is authorized 23 acre-feet for irrigation use and 2.8 million gallons (8.6 acre-feet) for municipal use

The proposed change is to add a standby well under File Nos. 13,858 & 30,054, for irrigation and municipal uses to be located less than 300 feet from the primary well. It will be completed in the (SE¼ SE¼ SW¼) approximately 148 feet North and 3,094 feet West of the Southeast corner of Section 25, Township 32 South, Range 31 West, Seward County. A well log completed by Hydro Resources March 2020, indicated a proposed well depth of 492 feet and had a static water level of 315 feet. The lithology and depth of the well is similar to the 1977 well log of File No 30,054. It appears to be in the same local source of supply. Both logs list blue clay strata. They are located North of the Ogallala Chloride Limitation Area, so no chloride condition will be added.

As the requested change in point of diversion is less than 300 feet, no notification per K.S.A. 82a-1906 is needed. Additionally, the new Superintendent, Dan Frisby, stated with his review and signature of the map for the requested change, there are no other wells except the primary well within one-half (½) mile of the proposed standby well.

A condition will be placed on the approval documents limiting the standby well for use exclusively at such time the well identified as the primary well located in Section 25, is inoperable due to mechanical, maintenance or power failure. It does allow the use for fire or other similar emergency. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion to be exceeded.

The application was submitted to the Southwest Kansas Groundwater Management District No. 3 for a recommendation. The letter of Jason Norquest, Assistant Manager, dated August 14, 2020, recommended approval of the changes.

After reviewing the summary memo Mike Meyer, Water Commissioner of the Garden City Field Office, sent an email on August 17, 2020, recommending the proposed changes be approved.

Water flowmeters and check vales will be required will be required if any chemical or foreign substance is injected through the diversion works. A water level measurement tube will be required as the primary well is authorized to operate at a rate greater than 100 gallons per minute.

Based on the above discussion, that no change in the local source of supply will occur, no increase in the consumptive use, that impairment to existing water rights is unlikely, and that the changes are reasonable, it is recommended that the referenced applications for change be approved

Leslie Ireland

Environmental Scientist

Water Appropriation Program

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR 1-121 (Revised 04/5/2018)

### **DWR FIELD OFFICE** APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF **USE AND/OR THE** POINT OF DIVERSION



### STATE OF KANSAS

Water Resources Received

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

MAR 16 2023

SCANNED

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Complete: 8/17/2020

Reviewer: LI

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	in County, Kansas, fe	eet North	feet West of	of Southeast corner	of section.
	Proposed Rate Proposed Quantity		Proposed well dep	th (feet)	
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7.	The changes herein are desired for the following reasons? (please be specific) To add new point of diversion as a standby well	3	000 200 100 No	rth 100 200	300
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3.	If a well, is the test hole log attached?   Yes   No	200	F1+1+1=	- 1 + 1 + 1	= 200
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).	The change(s) (was)(will be) completed by?	100	E+++=	- 1 + 1 + 1	100
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10.	If the point of diversion is a well:	West 0	<del>ըս</del> վուվակավակա <mark>ն</mark>	) un hun hun hun hun	0 East
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	(b) When will this be done?		E TANK		
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11.	Groundwater Management District recommendation attached?				4
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2	Assisted by mf/GCFO	3	00 200 100 0	100 200	300
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13a	If the proposed point of diversion will be relocated <u>more than 300 feet but within 2,640 feet</u> of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property	dia div abo div	gram showte above in ersion. (PLEASE NOTE: ove represents the properties of the prop	relation to the exis The "X" in center resently authorize	ting point or
	downstream and one-nair mile upstream from your property lines		KS Dept Of Agricu	ture	

KS Dept Of Agriculture

14. If the proposed groundwa	ter point of diversion is	300 or fewer feet from the	existing poin	t of diversion, complete	the following:
(a) Does the undersigne ☐ Yes ☐ No		of the currently authorized p s must sign this application.)	olace(s) of us	se identified in this appl	ication?
	ation is approved as re	f the currently authorized pla quested? 's must sign this application.		e identified in this appl	cation be adversely
(c) If this application is n ☐ Yes ☐ No		usly, will there be substantial must sign this application.)	damage to	property, public health	or safety?
If the application proposes a s or a change in place of use, th agent (attach notarized statem	e application must be	signed by all owners of the			
I hereby verify, being first age and the owner, the sp their behalf, in regards to contained in this applicat	oouse of the owner the water right(s) ion are true, correct	or a duly authorized ag to which this application and complete.	gent of the on pertains	owner(s) to make t s. I further verify th	his application on
Dated at CARDEN City		, Kansas, this	day of	MARCH	. 20 20
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X Citte	Sage (4	50483)			
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		APR 1 3 2020			
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		KS Dept Of Agricultur	A		
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State of Kansas  County of FINNEY	ss				
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	STATE OF KANS	STATE OF KANSAS	1	herine Reu	rest
My Commission Expires	+14-22			Notary Public	
ONLY COMPLETE APPLICATION accurate information; maps, if necethe appropriate fee must be paid.					
		FEE SCHEDULE			
Each application to change the forth in the schedule below: M  (1) Application to change the change of the change	ake checks payable to	int of diversion under this se	griculture		\$100
(3) Application to char	nge the place of use	Thore than 300 leet	F	leogh	\$200
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DMD 4 424 (Poving 4 04/5/2040)	Garden City F DIVISION OF WATE	ield Office Page 3	KS Dept	Of Agriculture	File No. 30054

### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 30054 A change application was received on requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. 

Applicable 

Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a radius of the authorized point(s) of diversion. 

Applicable 

Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. 

Applicable 
Not Applicable The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. 

Applicable 
Not Applicable feet from the previously As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. 

Applicable Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_\_ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. ☐ Applicable ☐ Not Applicable The completed well log shall be submitted with the required notice. □ Applicable ☐ Not Applicable 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. 

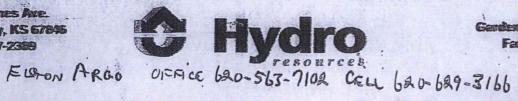
Applicable 

Not Applicable 11. Additional Conditions are attached. ☐ Yes □ No 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be By additional filed within 15 days of service of this Order and a request for hearing administrative review by the Secretary must be filed within 30 JUBUS YRATOM days pursuant to K.S.A. 77-531. Any request for administrative a hasis for review pursuant to K.S.A. 7 627. Duly Au horized Designee of the Chief Engineer review must state a basis for review pursuant to K.S.A. 7 62 File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS ater Resources - Kansas Department of Agriculture Date of Issuance: 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on Water Resources Received Signature: \_ Notary Public MAR 16 2020 My commission expires:

(Notary Seal)

KS Dept Of Agriculture

3795 W. Jomes Ave. Garden City, KS 67845 PH: 620-277-2389



Garden City, KS 67846 Fax: 620-277-0224

Customer Na	me: 4	South western H	eights High School	10	WO#: 19743	Date: 3-6-2020
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				Division MAR 2 4 2020 ces							
				Garden City Field Office KS Dept Of Agricult							
		0		DIVISION OF WATER RESOURCES							

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR 1-121 (Revised 04/5/2018)

# DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



### STATE OF KANSAS

Water Resources Received

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

MAR 16 2000

File No. 30054

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	Phone Number:	Call Str. Land Will Control	ARTICL MODERN AND	THE OWNER OF THE PARTY	F. Fall Street	122 do 12 20 d	1000	Email	addre	ss:				Section 1		775		
	Name and addre																	
	Phone Number:	(	)					Email	addre	ss:	Mark Mark			The second				
3.	The presently au																	
	Owner of Land -	NA	AME:	Same			أعداه							17			V +	
		ADDRI	by broad and		THE CONTRACTOR	1. 3. 4									Shirt	No.		
	(If there is more th	an one	landov	vner, at	tach su	pplem	ental sh	eets as	neces	sary.)		-		1 1 2 2 2				
		and a		=1/4		Art.	N\	N1/4			CONTRACTOR OF THE PARTY OF THE	V1/4		45 45 14	SI	E1/4	200.0	TOTAL ACRES
Se	c. Twp. Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	Nonco
						\$12							N					
Y 53	A FEDERAL				1000	The state of		40 474 4 4 4 4 4		L				150				RECEIVED
1.	If this application Owner of Land -		AME:										e chan	ged to	:		Divi	MAR 2 4 20
	(If there is more th	A STATE OF THE PARTY OF THE PAR	STALL SECTION AND ADDRESS.	vner, at	tach su	ıpplem	ental sh	eets as	s neces	sary.)							DIVI	SION OF WATER RE
		70	NE	Ξ1/4	2.0	15	N	N¼			SV	N/4			SI	E¼		TOTAL
	c. Twp. Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
Se										T <sub>1</sub>						High y		
Se			CHANGE CEGALSON					No. of the			3=1-				JA	4-1	12.0	
Se				ar or North	100													
Se								Han										
Se																1,3,7		
Se	For Office Use	Only:	Code	CG	Fe	e \$_\	00	_ TR	#		Re	eceipt	Date _	3-12	ا کر	Chec	k#_5	557 <u>5</u>

Page 1

5.	Presently author	rized point of	diversion: Pr	Imary		d now will the	<b>自由国际共享</b>
	One in the	SW	Quarter of the	SE	Quarter of the	SW	Quarter
	of Section	25	, Township	32	South, Range	31	(W),
	in SW	Cou	inty, Kansas, 120	_ feet North _	3390 feet West of	Southeast corne	er of section.
	Authorized Rate	No change	Authorized Quantity _	no change	Depth of well	(fee	et)
	(DWR use only:	Computer ID	No. 2 GP	S	feet North	feet We	est)
	☐This point will no	ot be changed	☐This point will be change	ed as follows:	No change, point better	described with GP	S as follows:
	Proposed point	of diversion: (	Complete only if change	e is requeste	d or if existing point is	better describe	ed by GPS)
	One in the	SW	Quarter of the	SE	Quarter of the	SW	Quarter
	of Section	25	, Township	32	South, Range	31	(W),
	in SW	Cou	inty, Kansas, 148	_ feet North _	3094 feet West of	Southeast corne	er of section.
	Proposed Rate _	Stand by	Proposed Quantity	Stand by	Proposed well depth	(feet)4	92
	This point is:	Additional Well	☐ Geo Center List o	ther water righ	ts that will use this poin	t 13858 57	and by.
189	and the standard for	1 1 2-1					
6.	Presently author	rized point of	diversion:				
	One in the	NW	Quarter of the	NW	Quarter of the	NW	Quarter
	of Section	36	, Township	32	South, Range	31	(W),
	in SW	Cou	inty, Kansas, 4864	_ feet North _	5088 feet West of	Southeast corne	er of section.
	Authorized Rate	No change	Authorized Quantity _	No change	Depth of well	(fee	et)
110			No. 4 GP				
	☐This point will no	ot be changed	This point will be change	d as follows:	No change, point better of	lescribed with GPS	S as follows:
	Proposed point	of diversion: (	Complete only if change	e is requeste	d or if existing point is	better describe	ed by GPS)
	One in the		Quarter of the		Quarter of the	and Market and Company	Quarter
	of Section		, Township		South, Range		(E/W),
	in	Cou	, Township nty, Kansas,	_ feet North	feet West of	Southeast corne	er of section.
	Proposed Rate _		_ Proposed Quantity _		Proposed well depth	(feet)	
	This point is:	Additional Well	☐ Geo Center List of	ther water righ	ts that will use this point		
7.			for the following reasons int of diversion as a standl	300 YC	200 100 North	1 100 200 1111111111111111111	300 TITTE
8.	If a well, is the test	hole log attach	ed? 🛛 Yes 🔲 No	200	<u>-</u>	1+1+	200
				₽		F+12-1	4
9.	The change(s) (wa	s)(will be) comp	eleted by?	100	.1 + 1 + 1 =	1 + 1 +	1 = 100
	ASAP						
40	Mark and the second			E			n#
10.	If the point of diver			West 0	atun[untun]untur <b>z</b> i	ոխախախախ	0 East
	(a) What are you	going to do with	the old well?	F			4
				100	1 + 1 + 1 =	1 4 1 4	1 = 100
		Partie Committee		100			1 100
	(b) When will this	be done?			E		1
				200	1+1+1=	1+1+	1 = 200
11.	THE PROPERTY OF STREET STREET,		recommendation attached	1? E			4
	∐ Y	es 🛛 No		E.	ntanlandanlantan <del>.</del>	ntunlimtimbin	dud.
12	Assisted by mf/GC	FO		300	200 100 0 South	100 200	300
13a	If the proposed poin	nt of diversion w	ill be relocated more than 3	300 13b. If the p	proposed point of diversion	n will be relocated	within 300 feet

13a. If the proposed point of diversion will be relocated <u>more than 300</u> <u>feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph.</u> For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram showle above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

KS Dept Of Agriculture

14. If th	e proposed groundwater	point of diversion is 300 or few	ver feet fro	m the exis	ting point	of diversion, compl	ete the following:
(a)	Does the undersigned re ☐ Yes ☐ No	present all owners of the curre (If no, all owners must sign			e(s) of use	e identified in this a	pplication?
(b)		est of any owner of the currer is approved as requested? (If yes, all owners must sign			(s) of use	identified in this ap	oplication be adversely
(c)	If this application is not a ☐ Yes ☐ No	pproved expeditiously, will the (If no, all owners must sign			mage to p	roperty, public heal	th or safety?
or a cha	nge in place of use, the a	nce water change in point of di pplication must be signed by a authorizing representation).					
age and	d the owner, the spou ehalf, in regards to th	uly sworn upon my oath o se of the owner, or a duly e water right(s) to which are true, correct and con	authori: this app	zed agen lication	t of the opertains.	owner(s) to mak I further verify	e this application on that the statements
Dated at	CARDEN City	, Kar	sas, this _	1100	_day of	MARCH	, 20 <u></u> &o
V	The	au (45048)					
	(Owr	per) 3 (4-878)		8 20 17295 U		(Spouse)	
	(Please	Print)				(Please Print)	The RAIL
	(Own	ner)				(Spouse)	
	(Please	Print)				(Please Print)	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	(Own	ner)				(Spouse)	
	(Please	Print)				(Please Print)	
State of County of	C. D. D.C. []	SS					
		egoing application was sig	ned in m	ny presen	ce and	sworn to before	me this <u>IITH</u> day
	(VON CA )	CATHEI NOT.	RINE REIN ARY PUBLIC OF KANSA XD. Sept. 14,		() Att	1000	uned
My Com	mission Expires9	14-22				Notary Public	
accurate	DMPLETE APPLICATIONS V information; maps, if necessa priate fee must be paid.	VILL BE PROCESSED. To be co ary, must be included; signatures	mplete, all o of all the ap	of the applic propriate ov	able portion mers' must	ns of the application for the affixed to the app	orm must be completed with lication and notarized; and
		500호 2018 (1915년 - 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	SCHEDU	CONTRACTOR OF THE PARTY OF THE			
forth in t	he schedule below: Make	ace of use or the point of diver checks payable to: Kansas a point of diversion 300 feet of a point of diversion more that the place of use	Departme or less n 300 feet	nt of Agri	culture Wate	orice of the serie	\$100 \$200
		MAR 2 4 2020			MAF	1.16 Tioligad	
DWR 1-1	21 (Revised 04/5/2018)	Garden City Field Office DIVISION OF WATER RESOURCE	Page 3	K	S Dept	Of Agriculture	File No. 3005 9

### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro	is Summary Order is issued under authority of K.S.A. 82 poisions of the <i>Kansas Water Appropriation Law, K.S.A.</i> th the exception of those conditions expressly contained hitations of File No. 30054	82a-701 et. seq., and rules and re	egulations promulgated thereunder
1.	A change application was received on	requesting the	at the place of use and / or point o
2.	diversion authorized under the above-referenced file On and after the effective date of this summary order, th	ne authorized place(s) of use shall b	e located substantially as shown or
3.	the topographic map accompanying the application to The change in point of diversion shall not impair existing previously authorized. The point of diversion authorized.	g rights and shall be limited to the s	same source or sources of water as
	radius of the authorized point(s) of diversion.   App	olicable	
4.	The point(s) of diversion described herein is administ Positioning System (GPS), as described in the applic	ratively corrected to be more accuration. Applicable Not Applica	urately described using the Globa able
5.	The point(s) of diversion authorized herein shall not actual authorized point(s) of diversion.	ually be located more than Not Applicable	feet from the previously
6.	As required by K.A.R. 5-3-5d, if the works for diversion is or other device suitable for making water level measur K.A.R. 5-6-13.   Applicable  Not Applicable	rements shall be installed, operated	gallons per minute or more, a tube and maintained in accordance with
7.	The owner of the authorized place(s) of use shall December 31, 20, or before the first use of w operated and maintained in accordance with K.A.R. 5 K.A.R. 5-3-5e, the owner shall maintain records and rediverted annually to the Chief Engineer by March 1 for Applicable Not Applicable	vater, whichever occurs first. The vi- i-1-4 through 5-1-12. As required by eport the reading of the water flow r	water flow meter shall be installed K.S.A. 82a-732, as amended, and neter and the total quantity of water
8.	Installation of the works for diversion of water shal authorized extension of time. By March 1, 20_works for diversion has been completed, on the form Applicable Not Applicable	It be completed on or before Dec the applicant shall notify the Chie provided by the Chief Engineer, as	tember 31, 20, or within any fengineer that construction of the required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the r	required notice.   Applicable	☐ Not Applicable
10.	All diversion works into which any type of chemical or ot with an in-line, automatic, quick-closing check valve check valve(s) shall be installed, operated and maintain	ther foreign substance will be inject capable of preventing pollution of th ined in accordance with K.A.R. 5-3-4	ed into the water shall be equipped be source of the water supply. The 5c.
11.	Additional Conditions are attached.	lo	
12.	In accordance with K.S.A. 82a-708a, as amended, and water appropriated under the above-referenced file r limitations, as amended and/or supplemented by this <i>Appropriation Law</i> and the <i>Rules and Regulations</i> presult in civil penalties pursuant to K.S.A. 82a-737, as water or appropriation right or any other enforcement	number are responsible for complia Summary Order, and with applicat romulgated thereunder. Failure to s amended, and/or the suspension	ance with its terms, conditions and ole provisions of the Kansas Water comply with these provisions may
	Administrative Appeal and Effective Date of Order		ICE USE ONLY
you	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief		ORDER ISSUED
Agr filed adn day revi File Leg	e any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS	Ouly Au horized De Duly Au horized De KANS Au horiz	esignee of the Chief Engineer es - Kansas Department of Agriculture
665	02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas	) 00
	For Use by Register of Deeds	County of	) SS )
		Acknowledged before me on	Little by Arming Control of
	Water Resources	by	
	Received	Signature:	
	MAR 1 6 2020		Notary Public
		My commission expires:	
	KS Dept Of Agriculture		(Notary Seal)
OWF	R 1-121 (Revised 04/5/2018)	Page 4	File No. 30054

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

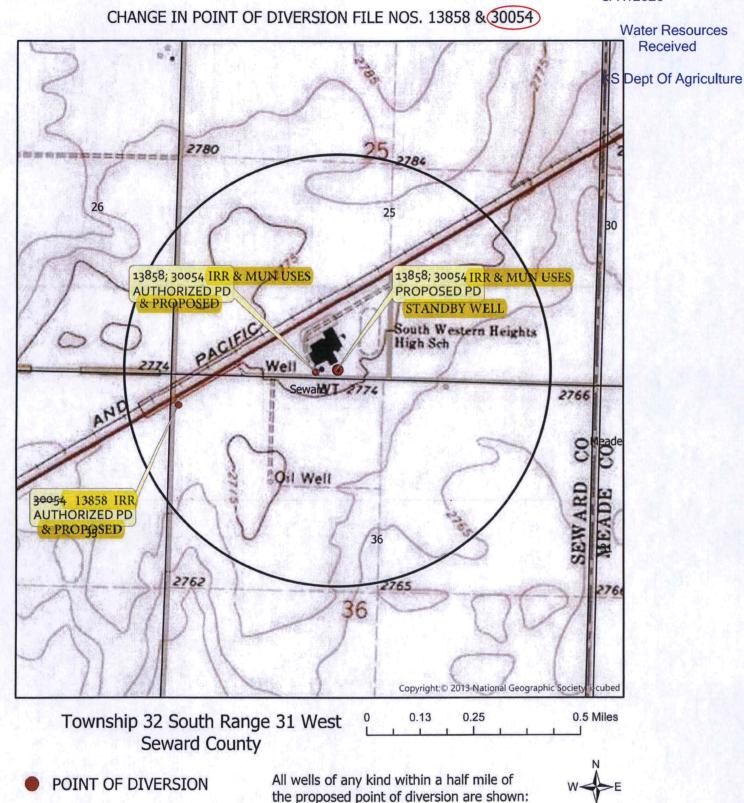


Fax: 620-277-0224

Customer Street Add		Southwaten H USD 483 PD. B			WO#: 19743 Test #: 1	Date: 3-6-2020 E LOG:
City, State		Plains, KS 6786	9		Driller: Keula Fa	122011
County:	SW	Quarter: 3W	Section: 25		Township: 32	Range: 31
Location:	1591	EAST 10' NORTH W	EXISTING VIEW	GPS:	37.22838N	100.64619W
Rig#:	10002		Elevation:		Static WL: 315	Estimated?
	-				Proposed Well Depth	492
			5	PARK	WELL LOCATION	5'Sump

	To die	Footage		
%	From	Pay	To	Description of Strata
	0	A KANALA	2	Top Soil
	2		21	Brown Scale Clay, Few Fire Sand
	12)		34	Brown Sand v May white rock Strips  Brown Sand May white rock Few Brown Clay  Fine Sand From Sandy Clay Extrips
	34		44	Brown Sandy May , white rock Few Brain Clay
	44		65	Find Sand Few South Class Estrips
	45		76	Sandy Clay, Fine Soul, Few Cemental Send
	76		90	Fine Sand
	90	THE ME	95	Fine Sond, Few Comented Rand, Sonly Clay Strips
113 14 15	95	*	119	Fine to mad Course, Few Small gravel
	1119		124	Reddish - Brown Sand & Clay
	124		163	Find to Course Sand, Few Small arrivel
	163		180	Fine to Small arasel Few Small mek
	180	THE STATE OF	213	Fine to med coorse sand
Jan Miles	213	AND LOUIS A	220	Blue Class
44	220		2:33	Sandy day
	233		240	Fine Soud, Sondy Clay Strips
	240		250	Fine Soul Four Course
	250		268	Fine Soul Clar Strips
	268		283	Brown Snow Clay Blue Clay Strips
	283		300	Blue Clay, Sont ofter. Few Five Soul
	300	-	356	Blue Clay
10	356	24	380	Fine to med Few Courge, Blue Clay Strips
'5	380	16	396	Fine Sand, Few Med. Blue Clay Mix
10	396	25	1-412	Fire to med, Few Coarse Sound, Blue Clar Mix
10	471	34	4155	Fine to med Blue elex mix, few loor se
15:	455	32	487	Fine Sand, Few med Clay Sluff
	4187	-	Loa	Red Beck
		1000000		
		131		Perma-1
THE R				43/4 Blede-1
				Soda ASh -1
	Total I		100	RECEIVED Super Gel-2
		100		Goin of Maria
				AL TIGOOGI
			2 (a) (a)	MAR 0 9 2020 3/4HOLE Plus -5 Received
			40,17,14	Cardag City Field Office MAR 1 6 202
				Division MAR 2 4 2020 ces
707537				KS Dept Of Agric
* * * *				Garden City Field Office  DIVISION OF WATER RESOURCES
			Carl Car	DIVISION OF WATER ACADOMICS

Created By: AM/GCFO & LI/DWR



PROPOSED PD

# Kansas Department of Agriculture / Division of Water Resources Garden City Field Office

TO: HEADQUARTERS	KICHELLE	Rouege	
RE Vested Right; W	[18] : [10] - [10] : [		
Enclosed are the following che			
☐ A FII ☐ Proposed Certificate to	R	Inspection	Return to Field Office
☐ A Compliance Check Inspe ☐ Meter Install ☐ New ☐ In Compliance ☐ N Modify Point of Diversion Indicate all overlapping pa	v App ☐ Chg App ☐ ot in Compliance, why _ ☐ No ☐ Yes, docu	Other ment attached	
☐ An application and judgmer☐ A memorandum dated			
☐ A request for an extension ☐ A verified report. ☐ A closure request. ☐ A field investigation report. ☐ Notice of Non-Compliance ☐ An ownership change (name	of time to perfect or com	plete.	
A water use report for  A letter dated		March 1967	
A copy of an Approval to C Filing Fee attached.	Change the 🗌 place of u	ise and/or 🗌 poin	t of diversion,
An Advanced <b>copy</b> of a choffice.	nange application and th	ne filing fee, to be	processed at the field
An original field office chareview and further processi	nge <u>application</u> and th	e filing fee needir	ng headquarters office
Other: Please	process-	standby	well
Maded A	ds		4-8-2020
Water Commissioner			Date

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

## WR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF **USE AND/OR THE** POINT OF DIVERSION



### STATE OF KANSAS

Water Resources Received

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.

File No. 30054

SCANNED

arad	araph N	los. 1. 2	2, 3 &	5 mus	st be o	ee So	eted.	Comp	lete al	I othe	r appl	icable	portio	ons. I	f chan	ge in p	oint o	divers	ion is greater
nan	100 feet	, or if pland/or p	ace of	use wi	ill be c	hange	d, incl	ude a to	opogra	phic m	nap or	detaile	d plat	showi	ng the	author	ized a	diprop	osed point(s)
								/						/				RE	ECEIVED
						1	File No	o. <u>3005</u>	4	1								MA	R <b>1 2</b> 2020
. /	pplicati	ion is he	ereby r	nade f	or app	roval	of the	Chief E	ngine	er to ch	nange	the (ch	eck of	ne or b	oth):			d	1:45 Am
							/	of Use				of Dive					Div	iarden Iision o	City Field Office f Water Resour
ι	nder th	e water	right v	vhich is	s the s	ubject	of this	s applic	ation i	n acco	rdanc	e with	the co	ndition	s desc	cribed			- Tratar Hossur
		rce of su				/		dwater				ce wat							/
١	lame ar	nd addre	ess of	Applic	ant: S	OUTH	WES	TERN H	HEIGH	TS CC	ONSOL	IDATE	ED SC	HOOL	, Attn	: MAIN	ITENA	NCE D	IRECTOR
		IUSTAN			7	S 678	59-59			5	_/							/	
		lumber:	1000							addre	ss:	-	-					/	
١	lame ar	nd addre	ess of	Water	Use C	orresp	onder	nt: <u>Sar</u>	ne	/				- 1 - 1	1		1		
-	Phono N	lumber:		1					Email	addra	cc.				1	<b>Nate</b>	r Rés	ource	9
			-	1		ise is.			Ciliali	addre	55			-	. 12.7	R	eceiv	red	No. of the
	The presently authorized place of use is:  Owner of Land NAME: Same  APR 1 3 2020																		
	WHO! O		ADDRI		Odino		4		1	i do					7				
(	f there is	s more th			vner, at	ttach su	pplem	ental sh	eets as	neces	sary.)	4		18	KS	Dept	Of A	gricu	lture
	744		/	NE	Ε1/4			NV	V1/4			SV	V1/4		1	S	E1/4	147	TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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	whero	f Land -		ESS:		/		17 × 5			-		1			1		DIVI	Garden City Field ( SION OF WATER RE
(	f there is	s more th				ttach su	ıpplem	ental sh	eets as	neces	sary.)	,	/			Til			WAILK RE
1				NE	Ξ1/4		NW1/4 SW1/4					119	SE¼ TOTA				TOTAL		
Sec.	Twp.	Range	NE1/4	NW1/4	/	SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	14.70	SE1/4	ACRES
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	BALL I		1		+424	A.	1-1-1			/	/		Ď.		3				
F	or Offic	ce Use	Only:	Code	CGI	Fe	e\$\	00	TR	#_/_		Re	ceipt	Date	3-12	20	Chec	k#_	575

\* PSK/20 8/18/

DWR 1-121 (Revised 04/5/2018)

* Sce verised	application marked	complete 8/17/20:
Presently authorized point of diversion:	7	
One in the SW Quarter of the		SW Quarte
of Section25, Township		
in SW County, Kansas, 120 fee		
Authorized Rate No change Authorized Quantity no	hange Denth of well	(feet)
(DWR use only: Computer ID No. 2 GPS	feet North	feet West)
☐ This point will not be changed ☐ This point will be changed as		
Proposed point of diversion: (Complete only if change is		
One in theSW Quarter of the		
of Section 25 , Township 500		
n <u>SW</u> County, Kansas, <u>148</u> fee		
Proposed Rate Stand by Proposed Quantity S		
This point is: Additional Well Geo Center List other	ater rights that will use this po	oint 13858 3 79 10 64
		Asserted and Charles Shakes 1
Presently authorized point of diversion:	/	
One in the Quarter of the	W Quarter of the _	NW Quarter
of Section		
n <u>SW</u> County, Kansas, <u>4864</u> fee		
Authorized Rate <u>No change</u> Authorized Quantity <u>No</u>		
(DWR use only: Computer ID No. 4 GPS_		
☐ This point will not be changed ☐ This point will be changed as	llows: No change, point bette	er described with GPS as follows:
Proposed point of diversion: (Complete only if change is	equested or if existing point	t is better described by GPS)
One in the Quarter of the	Quarter of the	Quarte
of Section, Township		
n County, Kansas, fee		
Proposed Rate Proposed Quantity		
This point is: Additional Well Geo Center List other		
The changes herein are desired for the following reasons? (please be specific) To add new point of diversion as a standby well  If a well, is the test hole log attached? Yes No  The change(s) (was)(will be) completed by?  ASAP  If the point of diversion is a well:  If a) What are you going to do with the old well?  If the point of diversion is a well:  If a well, is the test hole log attached? Yes No  The change(s) (was)(will be) completed by?  ASAP	300 200 100	0 100 200 300
Groundwater Management District recommendation attached?  ☐ Yes ☐ No	300 200 100	=
Assisted by mf/GCFO	So	outh Scale: 1 hashmark=10 ft
f the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property ines	diagram shown above in diversion. (PLEASE NOTE	sion will be relocated within 300 ference or indicate its location on the relation to the existing point of the "X" in center of diagrams presently authorized point of the culture

× DAYLOUR 8/18/20

14. If the pro	oposed groundwater point of diversi	on is 300 or fewer feet from the ex	xisting point of diversion, complete	the following:
(a) Doe	es the undersigned represent all ow Yes	ners of the currently authorized playners must sign this application.)	ace(s) of use identified in this appli	cation?
	the ownership interest of any own cted if this application is approved a Yes  \text{No} (If yes, all or		ce(s) of use identified in this applie	cation be adversely
(c) If th	is application is not approved expe Yes   \text{No}   (If no, all ow	ditiously, will there be substantial orners must sign this application.)	damage to property, public health o	r safety?
or a change i	tion proposes a surface water chan in place of use, the application mus n notarized statement authorizing re	t be signed by all owners of the cu	vater change in point of diversion of use, or use, or	reater than 300 feet, their duly authorized
age and the	erify, being first duly sworn up e owner, the spouse of the ow f, in regards to the water righ in this application are true, co	mer, or a duly authorized ago t(s) to which this application	ent of the owner(s) to make the	nis application on
Dated at	RAMPEN City	, Kansas, this//	day of MARCH	, <sub>20</sub> & o
×	Other are	(uso483)		
	(Owner)		(Spouse)	is sales as
	(Please Print)	Land to the second	(Please Print)	A
	(Owner)	No.	(Spouse)	the state of the
Mark of		Water Resources	1 1 1 1	
	(Please Print)	Received	(Please Print)	
	(0 - 1)	APR 1 3 2020	(0,0,0,0,0)	See and the least of the
	(Owner)	KS Dont Of A	(Spouse)	
	(Please Print)	KS Dept Of Agriculture	(Please Print)	
	(Flease Fillit)		(Flease Fillit)	
State of Kans County of	FINNEY SS			
		eation was signed in my pres	ence and sworn to before me	this 117H day
of	ARCH , 20_20.	CATHERINE REINERT NOTARY PUBLIC STATE OF KANSAS	O Athorina Rees	red.
My Commiss	()-1(1-)	OF KANSAS My App. Exp. Sept. 14, 2022	Notary Public	1 to 188
accurate inforn	ETE APPLICATIONS WILL BE PROCE nation; maps, if necessary, must be incle fee must be paid.			
		FEE SCHEDULE		
forth in the so (1) A (2) A	tion to change the place of use or the chedule below: Make checks payal Application to change a point of dive Application to change a point of dive Application to change the place of u	ole to: Kansas Department of Agersion 300 feet or less	griculture	\$100 \$200
	MAF	<b>2 4</b> 2020	MAR 16 10 1990 80	

Garden City Field Office
DIVISION OF WATER RESOURCES Page 3

KS Dept Of Agriculture File No. 30054

### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law. K.S.A. 82a-	08b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applic -701 et. seq., and rules and regulations promulgated thereun in, this Summary Order does not change the terms, conditions	nder.
1.	A change application was received ondiversion authorized under the above-referenced file num	requesting that the place of use and / or pointer be changed as described in the application.	nt of
2.	On and after the effective date of this summary order, the au the topographic map accompanying the application to cha	uthorized place(s) of use shall be located substantially as show ange the place of use.   Applicable   Not Applicable	n on
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. ☐ Applicable	hts and shall be limited to the same source or sources of wate by this summary order shall be located within a f ble ☐ Not Applicable	er as oot
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	rely corrected to be more accurately described using the Gln. ☐ Applicable ☐ Not Applicable	obal
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. ☐ Applicable ☐ N	be located more than feet from the previous Applicable	usly
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a vor other device suitable for making water level measurement K.A.R. 5-6-13. Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a sents shall be installed, operated and maintained in accordance	tube with
7.	<b>December 31, 20,</b> or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4	operly install an acceptable water flow meter on or be, whichever occurs first. The water flow meter shall be instathrough 5-1-12. As required by K.S.A. 82a-732, as amended, the reading of the water flow meter and the total quantity of wing the end of each calendar year.	lled, and
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form prov ☐ Applicable ☐ Not Applicable	completed on or before December 31, 20, or within applicant shall notify the Chief Engineer that construction of vided by the Chief Engineer, as required by K.A.R. 5-8-4e.	any the
9.	The completed well log shall be submitted with the requ	ired notice.   Applicable   Not Applicable	
10.	with an in-line, automatic, quick-closing check valve capa	foreign substance will be injected into the water shall be equipable of preventing pollution of the source of the water supply. in accordance with K.A.R. 5-3-5c. ☐ Applicable ☐ Not Applic	The
11.	Additional Conditions are attached.		
12.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Sun Appropriation Law and the Rules and Regulations promu	A.R. 5-5-14, all of the owners of the authorized place(s) of us ber are responsible for compliance with its terms, conditions mmary Order, and with applicable provisions of the <i>Kansas W</i> ulgated thereunder. Failure to comply with these provisions nended, and/or the suspension or revocation and dismissal of ons authorized by law.	and <i>ater</i> may
1	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY	
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND	
you	may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED	
Agri	lineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for 3133.	Section 19 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	in to
filed	I within 15 days of service of this Order and a request for JUIJA hinistrative review by the Secretary must be filed within 30 JUIGU	Duy Authorized Designee of the Chief Engineer	
day	s pursuant to K.S.A. 77-531. Any request for administrative	Print Name) Division of Water Resources - Kansas Department of Agriculture	
		Date of Issuance:	6
Leg	al Ďivision, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas )	
pred		) SS	
	For Use by Register of Deeds	County of)	
		Acknowledged before me on	
	Water Resources	by	
	Received	Signature:	
	MAR 1 6 2020	Notary Public	η.
	KS Dept Of Agriculture	My commission expires:(Notary Seal)	_

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



Garden City, KS 67846 Fax: 620-277-0224

Customer Name	: South watern H	eights High School	WO#: 19743	Date: 3-6-2020
Street Address:	USD 483 P.O. B		Test #:	E LOG:
City, State:	Plains, KS 6786		Drillien: Keuik F	rizzell
County: SW	Quarter: SW	Section: 25	Township: 32	Range: 31
Location: /59'	EAST 10' NORTH	EXISTING VIEW G	ips: 37.22838N	100.64619W
Rig #: 1000		Elevation:	Static WL: 3/5	Estimated?
			Proposed Well Depth	492
		50	DOE MELL COON	Seaw213

%	From	Footage Pay	To	Description of Strata				
10	0	130	12	Top Soil				
	2		21	Brown Scale Clay, Few Fine Sand				
	2)		34	Brown Soul May. Few Fix Soul, white rock Strips				
•	34		44	Brown Sandy Clay , was the rock Feis Brain Clay				
,	1/1/		65	Fine Sand FPW Sondy Class Extrips				
	45	14.18.2	76	Sandy Clay, Fine Sound, Few Comented Sand				
	76	7.6 m	90	Fine Sand				
	90		95	Fine Sond, Few Comented Sand, Sandy Clay Strips				
	95	7-11	119	Fine to mad Carrie, Few Small gravel				
	119	27/11/19	124	Reddish - Brown Sady Clay				
	124	1971	163	Fire to Course Send Few Small aravel				
	163	1-11	180	Fine to Small arasel, Fees Small met				
	180		213	Fine to med coorse sand				
	213		220	Blue Class				
17.5	220		233	Sand y Clay Water Resources				
	233		240	Fine Soul, Soul & Clay Strips Received				
	240	- Hiller	250	Fine Sond, Few Coxasse				
	250		268	Fine Soul, Clay Strips APR 13 2020				
	268		283	Brown Soul Clay Blue Clay Str. 03				
	283	1977	300	Blue Clay, Sand & Clay, Few F. W. Soul KS Dept Of Agriculty				
	300	. —	354	Blue Clay				
10	356	24	380	Fine to med Few Courge, Blue Clay Strips				
5	380	16	396	Fine Sand, Few med. Elve Clay mix				
10	396	25	1961	Fine to med, Few Coarse Sound, Blue Clar Mix				
0	421	34	4155	Fire to med Blue clar mix, few Course				
15:	455	32	487	Fine Sand, Few med Clay Sluff				
	487	^	Loa	Red Bed				
100		131		Perma-1				
	1	15		4 3/4 Blede - 1				
		The state of		Seda ASh - 1				
3.	The same	7		BECEIVED Super Gel - 2				
				Grant - 5 Water Personne				
			1	MAR 0 9 2020 SI4HOLE Plus - 5 Received				
				MAR 0 9 2020 3/4/10/e Plus -5 Received				
	112		1	MAR 1 6 2021				
				Division MAR 2 4 2020 ces				
	4 19 19 19		1	KS Dept Of Agric				
		9		Garden City Field Office  DIVISION OF WATER RESOURCES				

From: Meyer, Mike [KDA]
Sent: Mon 8/17/2020 6:50 AM
To: Ireland, Leslie [KDA]

Subject: RE: Review & Recommendation for Change in PD, File Nos. 13858 & 30054

approve thank you

did we get signatures from the irrigation owner?

### Mike

From: Ireland, Leslie [KDA] <Leslie.Ireland@ks.gov>

Sent: Friday, August 14, 2020 9:56 AM

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov>

Subject: Review & Recommendation for Change in PD, File Nos. 13858 & 30054

Mike,

Please find the GMD's recommendation and my summary memo for your review and recommendation of the requested PD changes.

As always comments and concerns are welcome.

Leslie Ireland Environmental Scientist Change Application Unit Division of Water Resources



### GMD3 Change Review

KS Dept Of Agriculture

File No(s).: 138	358 & 3005	4.		D	WR office:	KS Dept (
App filed to char						
Is Landowner(s)		WRIS: South	western He	ights Co	nsolidated S	School
		tion included?	Western Tre	igitis Co.	iisondated t	<u>/CHOOI</u> .
Is Water Use Co			2152			
	The second	tion included?				
Regulation(s) Re						
Point of diversion			onged			
rollit of diversio			laligeu.			Translation of
Authorized DD	ft. North	ft. West	C - + 25 22	24		
Authorized PD	120	3390	Sect 25-32-	-31		
Proposed PD Difference	148	3094				
	-28			f		
a2 + b2 = c2	784	87616	297.3214			
GPS for propose		THE RESERVE AND THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAM	Long: -1			
Is proposed PD s		The state of the s			ndby.	
Is Proposed PU			? No Cha	nge.		
Neighboring cert	ified well(s	s) notified:				
Name						
Address						
Zip						
Email: P	hone:					
Domestic well(s)	notified:	<u> </u>				
Name						
Address						
Zip						
_						
Base Acres: .						
Perfected Acres:						
Irr. Return-Flow						
This application		e school distin	t Current	the sch	ool's well is	s covered by
13858 & 30054.				the sch	our s wen is	s covered by
13858 also has a						
				II fan dha		
This new well p	J					
original well ha						
current well the						10 July 10 Jul
BOTH the prim			A 45 C C C C			idditional
quantity and bo						
Is a waiver neede	a: The pro	prosed standby	well does i	not meet	spacing to	the IRR well

under 13858, BUT does improve spacing from the current school well. This is less than

### **GMD3** Change Review

300' from the school well, however standby wells are not subject to well spacing since they are not constantly used. So no waiver is needed.

Recommendation: After review of all available information, it appears the application meets current area rules. It should be strongly noted to applicant that the standby well will need to be metered, cannot operate at the same time as the primary and if it is needed due to the primary being down, the primary well needs to be fixed as soon as possible. Staff recommends approval of the application.

8/14/2020

Water Resources Received

KS Dept Of Agriculture

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

August 12, 2020

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

Email: Norquest@GMD3

Re: Applications for Change,

Water Right, File Nos. 13,858 & 30,054

Dear Mr. Rude:

We are enclosing a copy of each of the applications referred to above which appear 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 a recommendation concerning the applications referenced above.

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 our office.

Sincerely,

Leslie Ireland

**Environmental Scientist** 

Redie Ireland

Water Appropriation Program

LI:li

Enclosures

pc: Garden City Field Office

 From:
 Ireland, Leslie [KDA]

 Sent:
 Mon 8/10/2020 12:26 PM

To: Dan Frisby

Subject: Water Right, File No. 13858 Change

Attachments: 13858 chg PD app.pdf, 13858\_30054 CHANGE MAP.pdf, 13858 HQ Change App signature

page.pdf

Dan,

This is the package of documents that comprise the application to change in point of diversion to create a standby well under 13,858, application, map & signature page for Shannon Francis who is the owner of 13,858. Southwest Heights USD 483 is the sole owner of File No. 30054, so his signature is not required for to change the point of diversion under that water right.

The map may be the best way to explain the project. He may ask the distance of the standby well to his primary irrigation well in Section 36. It appears to be 2,075 feet.

Just a reminder Shannon Francis will need to sign in the presence of a notary. An e-copy may be sent to me, but the original will need to go to

KANSAS DEPARTMENT OF AGRICULTURE DWR - APPROPRIATIONS 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502

Please let me know it you have any questions. My cell phone number is 785-207-7748.

Leslie Ireland Environmental Scientist Change Application Unit Division of Water Resources



Water Resources Received

KS Dept Of Agriculture



# KANSAS DEPARTMENT OF AGRICULTURE Mike Beam. Secretary of Agriculture

**DIVISION OF WATER RESOURCES**Christopher W. Beightel, Acting Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN POINT OF DIVERSION WATER RIGHT FILE NO. 30,054

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Elton Argo, Southwestern Heights Consolidated School, USD # 483, 17222 Mustang Road, Kismet, Kansas 67859-5995, received in this office on March 12, 2020, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated October 26, 2010, in the matter an additional limitation and basin designation, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply 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 Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW¼ SE¼ SW¼) Section 25, more particularly described as being near a point 120 feet North and 3,390 feet West of the Southeast corner of said section (primary well), and

one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE½ SE½ SW½) Section 25, more particularly described as being near a point 148 feet North and 3,094 feet West of the Southeast corner of said section, (standby well)

both in Township 32 South, Range 31 West, Seward County, Kansas,

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

The well described herein as the standby well shall be used exclusively at such time well described herein as the primary well is inoperable due to mechanical, maintenance or power failure. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion under this file to be exceeded.

Installation of the works for diversion of water shall be completed on or before December 31, 2020, 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.

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 Certificate of Appropriation issued pursuant to Approval of Application, File No. 30,054, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated December 23, 1992, as modified and amended by the aforementioned order.

Ordered this day of August, 2020, in Manhattan, Riley County, Kansas.

Lane P. Letourneau, P.G.
Program Manager
Division of Water Resources
Kansas Department of Agriculture

Notary Public

State of Kansas )
) SS
County of Riley )

The foregoing instrument was acknowledged before me this day of August, 2020, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

KATIE N. ANDERSON My Appointment Expires March 12, 2023

### 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: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, 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 hearing 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: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, 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.

#### CERTIFICATE OF SERVICE

On this 25day of Agost, 2020, I hereby certify that the attached Approval of Application for Change in Point of Diversion, Water Right, File No. 30,054, dated 200 Agost 2000 was mailed postage prepaid, first class, US mail to the following:

SOUTHWESTERN HEIGHTS CONSOLIDATED SCHOOL Attn: DAN FRISBY SUPERINTENDENT 17222 MUSTANG RD KISMET, KS 67859-5995

With photocopies to:

Garden City Field Office Groundwater Management District No. 3

Division of Water Resources

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

August 25, 2020

SOUTHWESTERN HEIGHTS CONSOLIDATED SCHOOL Attn: DAN FRISBY 17222 MUSTANG RD KISMET, KS 67859-5995

RE: Water Right, File Nos. 13,858 & 30,054

Dear Mr. Frisby:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the referenced files.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that acceptable water flowmeters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and installation of the required meters as soon as these actions are completed.

The well described in the approval documents as the standby well shall be used exclusively at such time when the well authorized for municipal and irrigation use described in the approval document as the additional primary well under File No. 13,858 or primary well under File No. 30,054, is inoperable due to mechanical, maintenance or power failure. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion to be exceeded.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate. The additional existing limitations on the referenced files remain as detailed in the certificate and previous orders.

If you have any questions, please contract Leslie Ireland, Environmental Scientist, at (785) 564-6640, or Michael Meyer, Water Commissioner, Garden City Field Office at (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,

Řichelle A. Krueger Environmental Scientist

Water Appropriation Program

RAK:LI:li: Enclosures

pc: Garden City Field Office

Groundwater Management District No. 3