





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

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

**TO:** Files

**DATE:** May 25, 2017

**FROM:** Richelle A. Krueger

**RE:** Water Right  
File No. 44,681

Richard Dwyer, on behalf of the Catholic Diocese of Wichita, owner of the referenced water right, filed an application for approval to change the point of diversion, place of use and use made of water from thermal exchange to irrigation use.

The referenced file number does not appear abandoned as per K.S.A. 82a-718.

File No. 44,681, authorized for thermal exchange in the Cow Creek drainage basin, has no overlap in the authorized point of diversion, described as one (1) well located in Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>) of Section 5, more particularly described as being near a point 311 feet North and 4,982 feet West of the Southeast corner of said section, in Township 23 South, Range 5 West, Reno County. There are no overlaps in the authorized place of use located in the Southwest Quarter of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>) of Section 5. Paragraph No. 3 of the application indicates the presently authorized well is no longer used for thermal exchange at Trinity Catholic Junior Senior High School in Hutchinson, that the water right owners now propose to irrigate 7.3 acres of athletic fields and grounds at the school, and that the authorized rate and quantity will be moved to a new existing well.

The proposal appears to meet K.A.R. 5-5-3 *Change in consumptive use* and K.A.R. 5-5-8 *Standards for approval of an application for a change in the place of use and a change in the use made of water*. This right should probably have been classified as industrial use instead of thermal exchange use since according to K.A.R. 5-1-1(gggg) thermal exchange is considered to be essentially non-consumptive to the source of supply. Paragraph No. 13 of the application indicates that the water right owner used the water for thermal exchange purposes and then discharged the wastewater into the Arkansas River via a storm ditch. The originating source of water is the Equus Beds Aquifer (190) so if the use made of water is changed to irrigation use at the school, it appears that the consumptive use of the right will be decreased.

The 9.2 acre-feet to be authorized appears reasonable for the proposed 7.3 acres and can potentially supply 1.26 acre-feet per acre, which is below the maximum reasonable quantity for irrigation in Reno County. The water right owner also proposes to move the authorized 9.2 acre-feet and 89 gallons per minute to an existing well located 650 feet North and 4,804 feet west of the Southeast corner of Section 5, approximately 383 feet from the originally authorized location.

Memorandum  
File No. 44,681  
May 25, 2017  
Page 2

Based on WRIS and the application map, there are several domestic wells and three non-domestic wells located within one-half mile of the proposed point of diversion. Nearby well owners were not notified by this office of the proposed change in point of diversion since the proposed distance move is small (383 feet), the new use made of water will be less consumptive than the authorized use, the quantity is small (9.2 acre-feet) and the move is to a well already in existence. In addition, quantity is being moved away from two of the three non-domestic wells and the nearby domestic well owners located within 660 feet signed letters granting permission to waive spacing to their domestic wells.

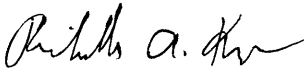
The same local source of supply will not change, previously determined to be Equus Beds (190).

In a letter dated May 15, 2017, Tim Boese, Manager of Equus Beds Groundwater Management District No. 2, indicated that the District recommends approval of the application after initially recommending the application for denial in a letter dated May 23, 2016.

In an e-mail dated May 25, 2017, Jeff Lanterman, Water Commissioner of the Stafford Field Office, indicated no objection to approval of the referenced change application.

A water flow meter is required and a check valve is required, if chemigating.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended that the referenced application be approved.

  
Richelle A. Krueger  
Environmental Scientist



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

June 6, 2017

CATHOLIC DIOCESE OF WICHITA  
ATTN RICHARD DWYER  
424 N BROADWAY ST  
WICHITA KS 67202-2310

**FILE COPY**

RE: Water Right, File No. 44,681

Dear Mr. Dwyer:

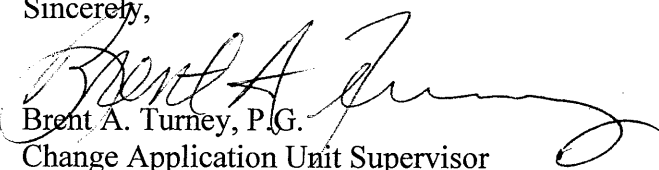
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

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

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

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

Sincerely,

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

Enclosures

pc: Stafford Field Office  
Groundwater Management District No. 2  
Trinity Catholic Jr. Sr. High School, Attn Joe Hammersmith



**KANSAS DEPARTMENT OF AGRICULTURE**  
 Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
 David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
 FOR  
 CHANGE IN PLACE OF USE  
 POINT OF DIVERSION  
 AND USE MADE OF WATER  
 WATER RIGHT  
 FILE NO. 44,681**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Richard Dwyer, on behalf of Catholic Diocese of Wichita, 424 North Broadway Street, Wichita, Kansas, 67202, received in this office on November 5, 2015, for approval of a change in the location of the place of use, point of diversion and the use made of water under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the changes shall be the date this order is executed by the Chief Engineer, after which the authorized use made of water shall be:

Irrigation Use

the authorized place of use shall be:

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		
5	23S	5W																		7.30

a total of 7.30 acres in Township 23 South, Range 5 West, Reno County, Kansas, and the authorized location of the authorized point of diversion shall be:

one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼ SW¼) of Section 5, more particularly described as being near a point 650 feet North and 4,804 feet West of the Southeast corner of said section, in Township 23 South, Range 5 West, Reno County, Kansas, at a diversion rate not in excess of 89 gallons per minute (0.20 c.f.s.) and a quantity of water not to exceed 9.20 acre-feet of water per calendar year,

located substantially as shown on the map accompanying the application to change the place of use, point of diversion and the use made of water.

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 water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All 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.



### CERTIFICATE OF SERVICE

On this 10<sup>th</sup> day of June, 2017, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Point of Diversion and Use Made of Water, File No. 44,681, dated June 5<sup>th</sup>, 2017 was mailed postage prepaid, first class, US mail to the following:

CATHOLIC DIOCESE OF WICHITA  
ATTN RICHARD DWYER  
424 N BROADWAY ST  
WICHITA KS 67202

With photocopies to:

TRINITY CATHOLIC JR SR HIGH SCHOOL  
ATTN JOE HAMMERSMITH  
1400 E 17TH ST  
HUTCHINSON KS 67501

Stafford Field Office  
Groundwater Management District No. 2

  
\_\_\_\_\_  
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  
 Point of Diversion  
 Use Made of Water

(Check one or more)

WATER RESOURCES  
RECEIVED

NOV 05 2015

1:28

KS DEPT OF AGRICULTURE

File No. 44681

2. Name of applicant: Catholic Diocese of Wichita

Address: 424 N Broadway St

City, State and Zip: Wichita KS 67202

Phone Number: (316)269-3950

E-mail address: \_\_\_\_\_

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

Name of water use correspondent: Trinity JR SR Catholic High School

Address: 1400 E 17<sup>th</sup> St

City, State and Zip: Hutchinson KS 67501

Phone Number: (620) 662-5800

E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): The current well/use made of water is no longer in use. The application will relocate the permit to a new well that is used to irrigate property around the school, including athletic fields

The change(s) were completed by 2013

(Date)

For Office Use Only:

F.O. 2 GMD 2 Meets K.A.R. 5-5-1 (YES/NO) Use THX Source S County RN By ADW Date 11/5/15  
Code C-3 Fee \$ 700 TR # 16015441 Receipt Date 11/5/15 Check # 014297

11/9/2015 WPA

516 17  
RAK

4. The presently authorized place of use is:

Owner of Land — NAME: Catholic Diocese of Wichita

ADDRESS: 424 N Broadway St. Wichita KS 67202

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	
5	23S	5W	Thermal exchange use in the SW1/4 SW1/4 * 5-23-5W																—
Reno County KS																			

List any other water rights that cover this place of use. none

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: Catholic Diocese of Wichita

ADDRESS: 424 N Broadway St. Wichita KS 67202

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	
5	23S	5W																	5.1
5.9 1.4																	7.3		

List any other water rights that cover this place of use. none

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	

WATER RESOURCES RECEIVED

APR 24 2017

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

RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

KS DEPT OF AGRICULTURE  
WATER RESOURCES RECEIVED

FEB 29 2016

\* per certificate issued 1-19-10.

NOV 05 2015  
SCANNED

Equip Beds Groundwater Management District No. 2

\* RATION 2/23/16

KS DEPT OF AGRICULTURE

\* per map received 1/24/17

SCANNED

\*\* See Mod. Final PU received 11/21/17

\* \* \* \* \* 4/21/17

File No. 44681

4. The presently authorized place of use is:

Owner of Land — NAME: Catholic Diocese of Wichita

ADDRESS: 424 N Broadway St, Wichita KS 67202

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	
5	23S	5W	Thermal exchange use in the SW1/4 SW1/4 * 5-23-5W																—
Reno County, KS																			

List any other water rights that cover this place of use. none

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: Catholic Diocese of Wichita

ADDRESS: 424 N Broadway St, Wichita KS 67202

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	
5	23S	5W											5.7						5.7

List any other water rights that cover this place of use. none

Owner of Land — NAME:

ADDRESS:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

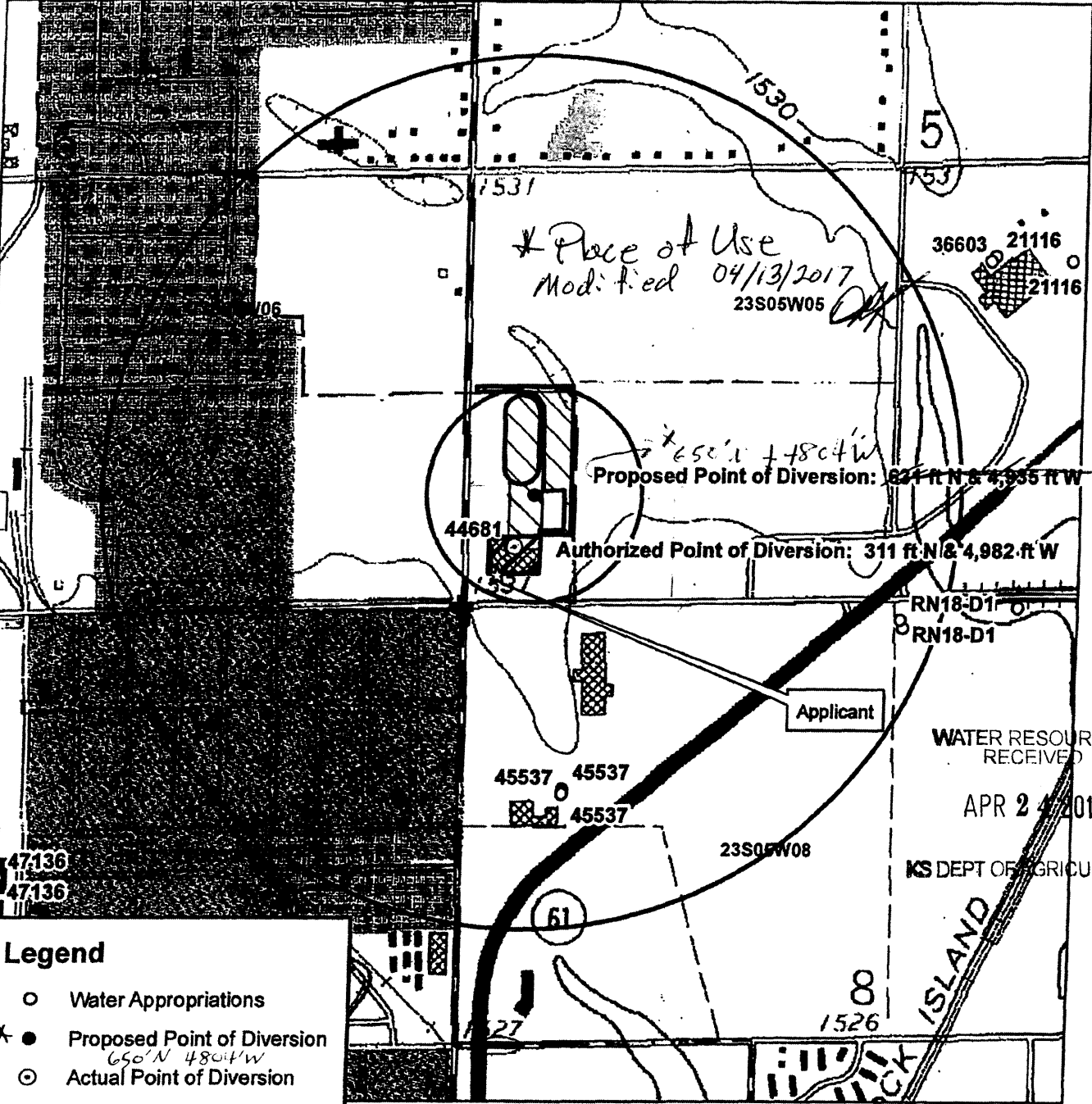
IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

\* per cert. filed 1-19-10  
\* Review 2/20/10

NOV 05 2015  
SCANNED

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\* Place of Use  
 Modified 04/13/2017  
 23S05W05

\* 650' N + 480' W  
 Proposed Point of Diversion: 824 ft N & 4,935 ft W

Authorized Point of Diversion: 311 ft N & 4,982 ft W

RN18-D1  
 RN18-D1

Applicant

WATER RESOURCES RECEIVED

APR 24 2017

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ISLAND

**Legend**

- Water Appropriations
- \* ● Proposed Point of Diversion  
650' N 480' W
- ⊙ Actual Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner

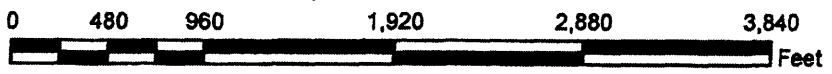
Section Line

**Surrounding Circle**

- 660 ft
- 2640 ft

**Place of Use**

- ▨ Authorized--THX
- ▨ Proposed--IRR



**Water Right, File No. 44681**  
 Change in Point of Diversion, Place of Use  
 and Use Made of Water Application Map  
 5-23S-5W Reno County

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To the best of my knowledge, all wells within 660 feet of the proposed point of diversion are shown.

CATHOLIC SUTHER OF WICHITA

*[Signature]*

Signature

Equipment Groundwater  
 Management District No. 5

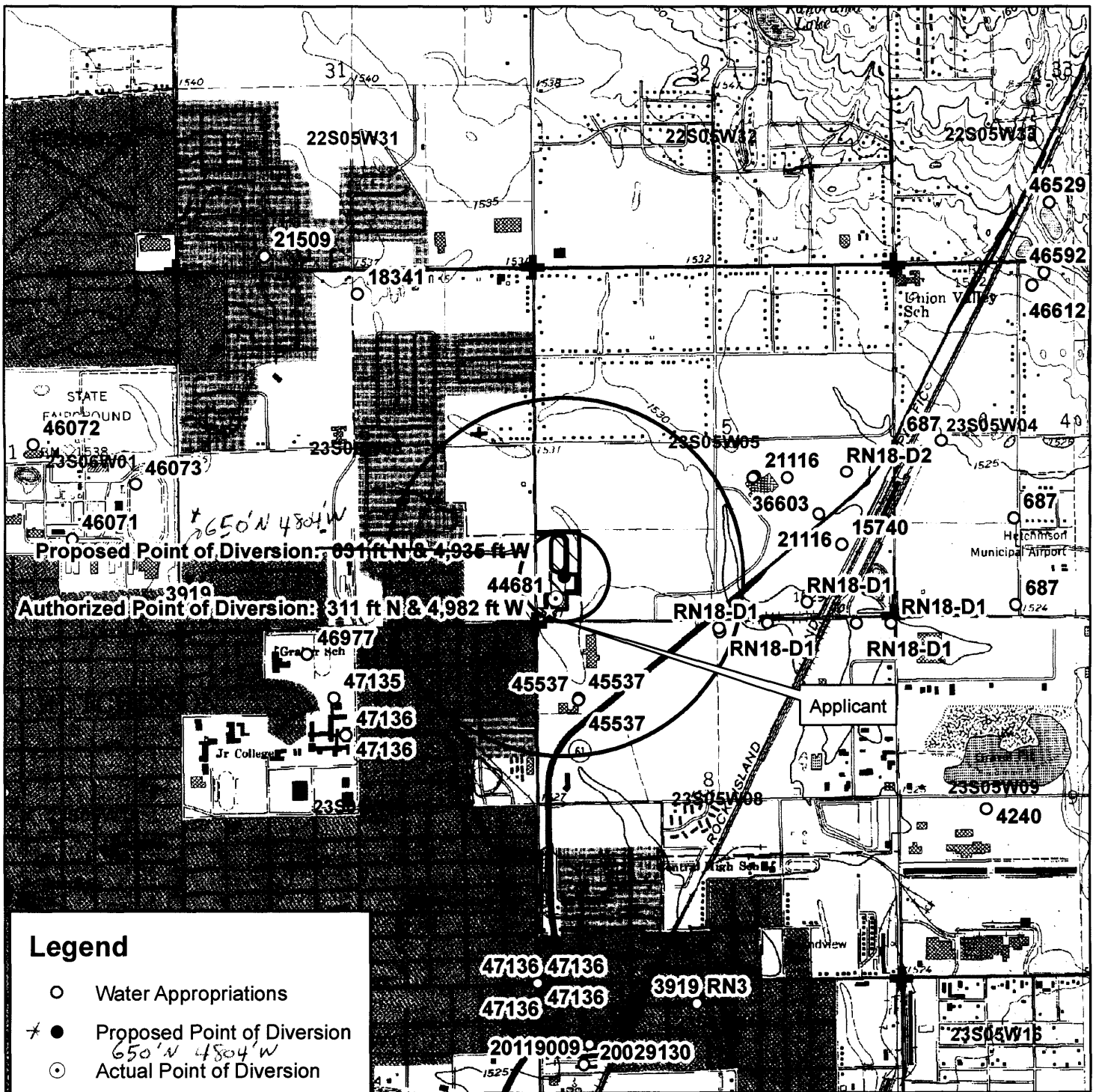
SCANNED

10/20/15 EKF-SFFO

\* Feet Distances Modified  
 per G402 letter dated 5/23/16

\* RAK/dmr 4/25/17  
 SCANNED

RECEIVED  
 FEB 29 2016



**Legend**

- Water Appropriations
- \* ● Proposed Point of Diversion  
650' N 4804' W
- Actual Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner

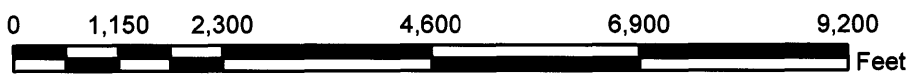
□ Section Line

**Surrounding Circle**

- 660 ft
- 2640 ft

**Place of Use**

- ▨ Authorized--THX
- \* ▨ Proposed--IRR



**Water Right, File No. 44681**

Change in Point of Diversion, Place of Use and Use Made of Water Application Map 5-23S-5W Reno County

WATER RESOURCES RECEIVED  
N  
NOV 05 2015  
KS DEPT OF AGRICULTURE

Assistance with a public notice is requested due to the large number of domestic wells located within 1/2 mile of the proposed point of diversion.

*Caroliz Drouse of Wichita*

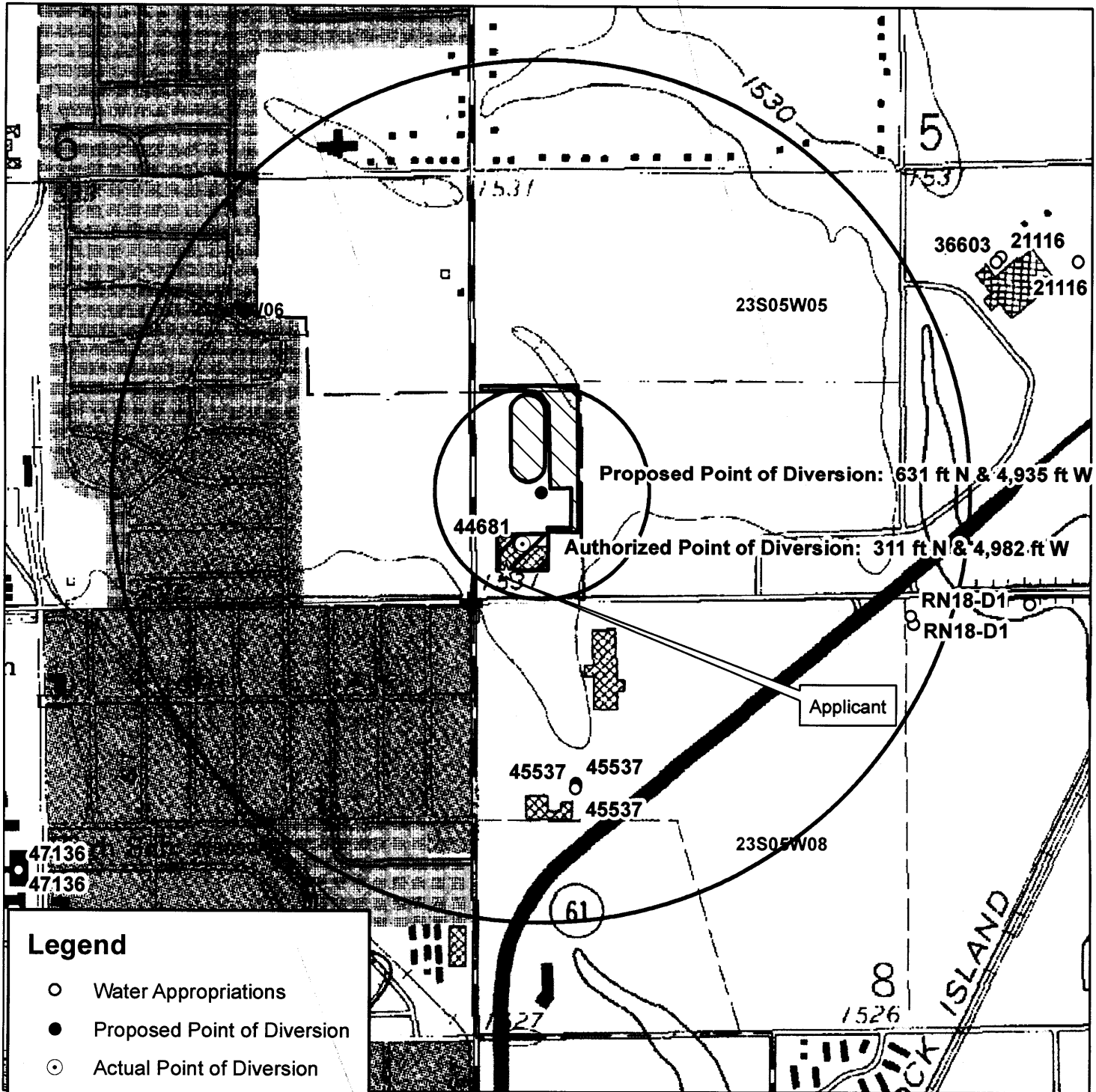
Signature

10/20/15 EKF-SFFO

\* Proposed Modified per map & Feet Distances Mod. Find per 2/3/16 GMD 2 letter received 4/11/17 & 4/25/17

SCANNED

\* See Modified Map Received 4/24/17



**Legend**

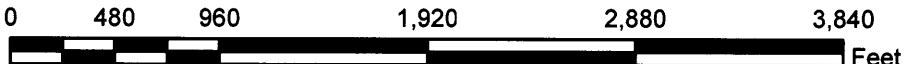
- Water Appropriations
- Proposed Point of Diversion
- Actual Point of Diversion
- ☆ Domestic Well
- ✚ Section Corner
- Section Line

**Surrounding Circle**

- 660 ft
- 2640 ft

**Place of Use**

- ▨ Authorized--THX
- ▧ Proposed--IRR



**Water Right, File No. 44681**

Change in Point of Diversion, Place of Use  
and Use Made of Water Application Map  
5-23S-5W Reno County

WATER RESOURCES RECEIVED

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To the best of my knowledge, all wells within 660 feet of the proposed point of diversion are shown.

*CATHOLIC BISHOP of Wichita*

*[Signature]*

Signature

SCANNED

10/20/15 EKF-SFFO

\* See map 4/24/17

- 6. The presently authorized point(s) of diversion is one well and diversion system  
(Provide description and number of points)
- 7. The proposed point(s) of diversion is one well and diversion system  
(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 SW Quarter of Section 5, Township 23 South, Range 5 W, in Reno County, Kansas, 311 feet North 4,982 feet West of Southeast corner of section.  
 Authorized Rate 89 gpm Authorized Quantity 2.999 mgv  
 (DWR use only: Computer ID No. 15 GPS 311 feet North 4982 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 SW Quarter of the SW Quarter of the SW Quarter of Section 5, Township 23 South, Range 5 W, in Reno County, Kansas, <sup>A 650</sup> 631 feet North <sup>4804</sup> 4,935 feet West of Southeast corner of section.  
 Proposed Rate 89 gpm Proposed Quantity 9.2 AF  
 This point is:  Additional Well  Geo Center List other water rights that will use this point none

9. **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 \_\_\_\_\_

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. well is plugged

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

*\* Feet Distances Modified per GMD2 letter dated 5/23/16*  
*\* RSK/DM 4/25/11*

WATER RESOURCES RECEIVED  
 NOV 05 2015  
 SCANNED  
 KS DEPT OF AGRICULTURE

12. The presently authorized use of water is for Thermal Exchange purposes.

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

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

The current use is listed as Thermal Exchange, but it is considered 100% consumptive. From the beginning it has been known that the waste water from File No. 44681 was put into the Arkansas River via a storm ditch. The originating source is the Equus Beds Aquifer. File No. 44681 was originally permitted via an offset from File No. RN-19. Once changed to irrigation, the consumptive use will decrease from the current 100%.

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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](http://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.

Well logs are included.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 quantity per acre is proposed to be <sup>\* now 1.26</sup> 1.65 AF/acre, which is higher than the maximum allowed of 1.4 AF/acre per

K.A.R.5-3-19. It is requested that the higher quantity be allowed under K.A.R. 5-3-21(c). Documentation has been included justifying the higher value.

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

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\* PU modified see information received 4/24/17  
\* RAK/own 4/25/17

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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 WICHITA, Kansas, this 30<sup>th</sup> day of October, 2015.

<u>Richard Dwyer</u> CATHOLIC DIOCESE OF WICHITA	_____
(Owner)	(Spouse)
<u>RICHARD DWYER</u> CATHOLIC DIOCESE OF WICHITA	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)

State of Kansas }  
County of Sedgwick } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30<sup>th</sup> day of October, 2015.



Ann M. Latta  
Notary Public

My Commission Expires 9/02/2019.

**FEE SCHEDULE**

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

- (1) Application to change a point of diversion 300 feet or less . . . . . \$100
- (2) Application to change a point of diversion more than 300 feet . . . . . \$200
- (3) Application to change the place of use . . . . . \$200
- (4) Application to change the use made of the water . . . . . \$300

Make check payable to Kansas Department of Agriculture.

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Table KS4-1 (continued) Seasonal Net Irrigation Requirements (Inches)  
80 Percent Chance Rainfall

County	Alfalfa	Corn	Sorghum	Grass	Wheat	Soybeans	S. Beets
Harvey	20.2	12.9	9.9	18.2	8.0	9.2	--
Haskell	26.0	16.4	14.2	23.9	12.6	13.7	21.3
Hodgeman	24.5	15.5	13.2	22.4	11.4	12.7	20.2
Jackson	17.0	10.5	7.6	15.1	5.9	7.0	--
Jefferson	16.3	10.1	7.2	14.5	5.3	6.5	--
Jewell	20.9	13.1	10.7	19.0	9.0	9.9	--
Johnson	15.5	9.5	6.4	13.3	4.2	5.7	--
Kearny	26.1	16.6	14.4	24.1	12.7	13.8	21.5
Kingman	22.2	14.0	11.3	20.1	9.4	10.7	--
Kiowa	24.1	15.1	12.8	22.0	11.0	12.3	--
Labette	15.9	10.3	7.5	13.9	4.2	6.8	--
Lane	24.8	15.7	13.5	22.7	11.6	12.9	20.5
Leavenworth	16.1	9.9	6.9	14.1	4.9	6.2	--
Lincoln	21.5	13.6	11.1	19.6	9.2	10.4	--
Linn	14.2	9.0	5.8	12.1	3.6	5.0	--
Logan	25.0	15.8	13.7	22.9	11.8	13.1	20.7
Lyon	16.8	10.5	7.4	14.8	5.4	6.7	--
Marion	19.2	12.2	9.2	17.1	7.3	8.5	--
Marshall	18.3	11.4	8.6	16.3	7.0	7.9	--
McPherson	20.7	13.1	10.4	18.8	8.5	9.8	--
Meade	25.5	16.1	13.8	23.4	12.2	13.3	20.9
Miami	14.6	9.0	6.0	12.3	3.7	5.2	--
Mitchell	21.3	13.3	10.9	19.4	9.2	10.2	--
Montgomery	16.7	10.9	8.0	14.6	4.9	7.3	--
Morris	17.9	11.4	8.5	15.9	6.5	7.7	--
Morton	27.3	17.1	15.0	24.8	13.7	14.4	22.2
Nemaha	17.6	10.9	8.1	15.7	6.4	7.5	--
Neosho	15.9	10.2	7.3	13.8	4.5	6.6	--
Ness	24.2	15.3	13.0	22.1	11.2	12.4	20.0
Norton	22.8	14.4	12.1	21.0	10.3	11.5	19.0
Osage	15.9	9.9	6.9	14.0	4.9	6.2	--
Osborne	22.0	13.8	11.4	20.2	9.7	10.8	--
Ottawa	20.5	12.9	10.3	18.5	8.5	9.6	--
Pawnee	23.6	14.9	12.5	21.6	10.7	12.0	--
Phillips	22.2	14.0	11.6	20.5	9.9	11.1	--
Pottawatomie	17.7	11.1	8.3	15.7	6.5	7.5	--
Pratt	23.3	14.6	12.2	21.2	10.3	11.6	--
Rawlins	24.0	15.1	12.9	21.9	11.1	12.4	19.9
Reno	21.8	13.8	11.1	19.8" 1.65'	9.2	10.4	--

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(210-vi-NEH 652, KS Statute 65-210, 2000)

NOV 10 2015

MAR 02 2000

KS4-5

DEPARTMENT OF AGRICULTURE  
STATEWIDE

**WATER WELL RECORD**

**Form WWC-5**

Division of Water Resources; App. No.  

<b>1 LOCATION OF WATER WELL:</b> County: <u>Reno</u>	Fraction <u>NW 1/4 SW 1/4 SW 1/4</u>	Section Number <u>5</u>	Township Number <u>T 23 S</u>	Range Number <u>R 5 ESW</u>
---	---	----------------------------	----------------------------------	--------------------------------

Distance and direction from nearest town or city street address of well if located within city?  
1400 E 17th in Hutchinson

**2 WATER WELL OWNER:** Trinity High  
RR#, St. Address, Box # : 1400 E 17th  
City, State, ZIP Code : Hutch, KS 67502

**Global Positioning Systems** (decimal degrees, min. of 4 digits)  
Latitude: \_\_\_\_\_  
Longitude: \_\_\_\_\_  
Elevation: \_\_\_\_\_  
Datum: \_\_\_\_\_  
Data Collection Method: \_\_\_\_\_

**3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:**

N

NW	NE
SW	SE

S

X

**4 DEPTH OF COMPLETED WELL** 4.0 ft.

Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.  
WELL'S STATIC WATER LEVEL 1.7 ft. below land surface measured on mo/day/yr 3-14-07.  
Pump test data: Well water was 23 ft. after 14 hours pumping 75 gpm  
Est. Yield.....gpm: Well water was.....ft. after..... hours pumping..... gpm

WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well  
1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)  
2 Irrigation 4 Industrial 2 Domestic (lawn & garden) 10 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:**

1 Steel	3 RMP (SR)	6 Asbestos-Cement	9 Other (specify below)
<u>D</u> PVC	4 ABS	7 Fiberglass	

CASING JOINTS: Glued ..\*..... Clamped.....  
Welded.....  
Threaded.....

Blank casing diameter 5 in. to 3.0 ft., Diameter..... in. to..... ft., Diameter..... in. to..... ft.  
Casing height above land surface 12 in., Weight 2.35 lbs./ft. Wall thickness or gauge No. 160

**TYPE OF SCREEN OR PERFORATION MATERIAL:**

1 Steel	3 Stainless Steel	5 Fiberglass	<u>D</u> PVC	9 ABS	11 Other (Specify) .....
2 Brass	4 Galvanized Steel	6 Concrete tile	8 RM (SR)	10 Asbestos-Cement	12 None used (open hole)

**SCREEN OR PERFORATION OPENINGS ARE:**

1 Continuous slot	3 Mill slot	5 Gauzed wrapped	7 Torch cut	9 Drilled holes	11 None (open hole)
2 Louvered shutter	4 Key punched	6 Wire wrapped	<u>D</u> Saw Cut	10 Other (specify) .....	

**SCREEN-PERFORATED INTERVALS:** From 3.0 ft. to 4.0 ft., From..... ft. to..... ft.  
From..... ft. to..... ft., From..... ft. to..... ft.

**GRAVEL PACK INTERVALS:** From 2.2 ft. to 4.3 ft., From..... ft. to..... ft.  
From..... ft. to..... ft., From..... ft. to..... ft.

**6 GROUT MATERIAL:** 1 Neat cement 2 Cement grout DBentonite 4 Other .....

Grout Intervals: From 2 ft. to 2.2 ft., From..... ft. to..... ft., From..... ft. to..... ft.

What is the nearest source of possible contamination:

1 Septic tank	4 Lateral lines	7 Pit privy	10 Livestock pens	13 Insecticide Storage	16 Other (specify below)
2 Sewer lines	5 Cess pool	8 Sewage lagoon	11 Fuel storage	14 Abandoned water well	
<u>3</u> Watertight sewer lines	6 Seepage pit	9 Feedyard	12 Fertilizer Storage	15 Oil well/gas well	

Direction from well? S..... How many feet? 20.0.....

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	12	Br Clay			
12	23	Tan Sand + Gravel			
23	32	Yellow "			
32	40	tan "			
40	43	Yellow "			
					WATER RESOURCES RECEIVED
					NOV 05 2015
					SCANNED
					KS DEPT OF AGRICULTURE

**7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was 1 constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 3-14-07 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 447 This Water Well Record was completed on (mo/day/year) 3-27-07 under the business name of Miller Drilling by (signature) [Signature]

**INSTRUCTIONS:** Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies 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 to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.

**WATER WELL PLUGGING RECORD Form WWC-5P**

KSA 82a-1212 ID NO.  

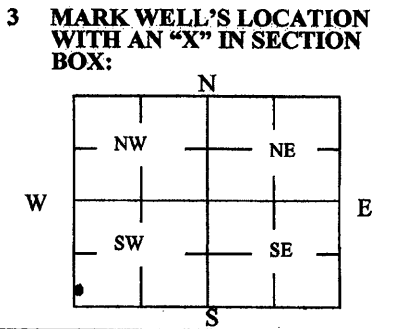
<b>1 LOCATION OF WATER WELL:</b> County: <u>Reno</u>	Fraction <u>NW 1/4 SW 1/4 SW 1/4 SW 1/4</u>	Section Number <u>5</u>	Township Number <u>T 23 S</u>	Range Number <u>5</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W
---	--	----------------------------	----------------------------------	---

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

**Global Positioning Systems (GPS) information:**  
 Latitude: 38.07311 (in decimal degrees)  
 Longitude: 097.9035 (in decimal degrees)  
 Elevation: \_\_\_\_\_  
 Datum:  WGS84,  NAD83,  NAD27  
 Collection Method:

**2 WATER WELL OWNER:** Trinity High School  
 RR#, St. Address, Box #: 1400 East 17th  
 City, State ZIP Code: Hutchinson, Kansas 67502

GPS unit (Make/Model: Garmin 62S)  
 Digital Map/Photo,  Topographic Map,  Land Survey  
 Est. Accuracy:  < 3 m,  3-5 m,  5-15 m,  > 15 m



**4 DEPTH OF WELL** 37 ft.  
**WELL'S STATIC WATER LEVEL** 16 ft.  
**WELL WAS USED AS:**

<input type="checkbox"/> Domestic	<input type="checkbox"/> Public Water Supply	<input type="checkbox"/> Dewatering
<input type="checkbox"/> Irrigation	<input type="checkbox"/> Oil Field Water Supply	<input type="checkbox"/> Monitoring
<input type="checkbox"/> Feedlot	<input type="checkbox"/> Domestic (Lawn & Garden)	<input type="checkbox"/> Injection Well
<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Air Conditioning	<input type="checkbox"/> Other _____

Was a chemical/bacteriological sample submitted to Department? Yes  No

**5 TYPE OF BLANK CASING USED:**

<input checked="" type="checkbox"/> Steel	<input type="checkbox"/> RMP (SR)	<input type="checkbox"/> Wrought	<input type="checkbox"/> Fiberglass	<input type="checkbox"/> Other (Specify below) _____
<input checked="" type="checkbox"/> PVC	<input type="checkbox"/> ABS	<input type="checkbox"/> Asbestos-Cement	<input type="checkbox"/> Concrete Tile	

Blank casing diameter 10 in. Was casing pulled? Yes  No  If yes, how much \_\_\_\_\_  
 Casing height above or below land surface 30 in.

**6 GROUT PLUG MATERIAL:**  Neat cement  Cement grout  Bentonite  Other Gravel

Grout Plug Intervals: From 37 ft. to 16 ft., From 16 ft. to 3 ft., From 3 to 0 ft.

What is the nearest source of possible contamination:

<input type="checkbox"/> Septic tank	<input type="checkbox"/> Seepage pit	<input type="checkbox"/> Fuel Storage	<input type="checkbox"/> Other (specify below) _____
<input type="checkbox"/> Sewer lines	<input type="checkbox"/> Pit privy	<input type="checkbox"/> Fertilizer storage	
<input checked="" type="checkbox"/> Watertight sewer lines	<input type="checkbox"/> Sewage lagoon	<input type="checkbox"/> Insecticide storage	
<input type="checkbox"/> Lateral lines	<input type="checkbox"/> Feedyard	<input type="checkbox"/> Abandoned water well	Direction from well? <u>West</u>
<input type="checkbox"/> Cess pool	<input type="checkbox"/> Livestock pens	<input type="checkbox"/> Oil well/Gas well	How many feet? <u>250'</u>

FROM	TO	PLUGGING MATERIALS	FROM	TO	PLUGGING MATERIALS
0	3	Cement			
3	16	Bentonite			
16	37	Gravel			

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**SCANNED**  
 KS DEPT OF AGRICULTURE

**7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was plugged under my jurisdiction and was completed on (mo/day/year) 8/28/13 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 134. This Water Well Record was completed on (mo/day/year) 8/31/2013 under the business name of Rosenrantz-Bemis Ent. by (signature) [Signature]

**INSTRUCTIONS:** Use typewriter or ballpoint pen. Please press firmly and print clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Ste. 420, Topeka, Kansas 66612-1367. Telephone: 785/296-5524. Send one to Water Well Owner and retain one for your records. Visit us at <http://www.kdheks.gov/waterwell/index.html>.

Check one:  White Copy  Blue Copy  Pink Copy

# Kansas

Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanteman, Water Commissioner

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

October 20, 2015

Catholic Dioceses of Wichita  
Dick Dwyer  
424 N Broadway St  
Wichita KS 67202-2310

RE: Water Right, File No(s). 44681

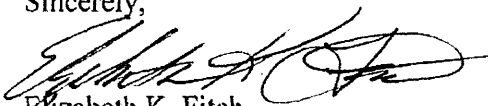
Dear Mr. Dwyer,

You will find enclosed with this letter an application for approval to change the use made of water, point of diversion and the place of use under Water Right, File No(s). 44681. This change application was filled out according to information obtained during our many conversations and email correspondences. This change, if approved, will change File No. 44681 from thermal exchange use at Trinity School in Hutchinson to irrigation use at the athletic fields north of the school.

Please review the application and associated maps carefully and make any additions/corrections as needed. Once you are satisfied everything is correct, an authorized representative of the Catholic Diocese of Wichita, the owner of record must sign the application and have their signature notarized.

The fee for filing the enclosed change application is \$700, as the well is moving more than 300 feet. Please include a check made payable to the Kansas Department of Agriculture for the total amount with the signed application when you submit it to Manhattan for processing. If I can be of any further assistance, or if you have any questions regarding the enclosed application, please give me a call at 620.234.5311.

Sincerely,

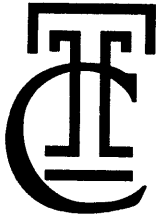
  
Elizabeth K. Fitch  
Environmental Scientist  
[elizabeth.fitch@kda.ks.gov](mailto:elizabeth.fitch@kda.ks.gov)

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Enclosures

# 1220  
W  
10.30.15



TRINITY CATHOLIC  
JR./SR. HIGH SCHOOL  
1400 East 17th  
Hutchinson, KS 67501  
620.662.5800  
[www.trinity-hutch.com](http://www.trinity-hutch.com)

Richelle Krueger  
KS Dept. of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502

Tim Boese  
Groundwater Management Dist. No. 2  
313 Spruce Street  
Halstead, KS 66056

Dear Ms. Krueger and Mr. Boese,

Enclosed is the requested information for change application no. 44681, as needed to meet the criteria of the Well Spacing and Maximum Use regulations.

You will also find a Well Spacing Map showing domestic well locations, a corresponding Domestic Well listing, and applicable Well Spacing Permission forms. This information should address the previously noted deficiencies to meet domestic well spacing requirements.

Additionally, the proposed place of use description and corresponding map have been modified and enclosed. The modifications should meet the requirements of the Maximum Use regulation.

Should you need additional information or have any questions, please contact me.

Joe Hammersmith  
Principal  
Trinity Catholic Jr/Sr High School

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APR 24 2017

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**Domestic Water Well Locations within 660 feet – Application #44681**

1. Lloyd & Bertha Dorzweiler  
1315 E. 19<sup>th</sup> Avenue  
Hutchinson, KS 67502  
**Domestic Well Spacing Permission Consent Form Provided.**
2. Wilfred & Ruby Oldehoeft  
1312 Wheatland Drive  
Hutchinson, KS 67502  
**No Domestic Well**
3. Pediatric Dentistry LLC  
1311 Wheatland Drive  
Hutchinson, KS 67502  
**Domestic Well Spacing Permission Consent Form Provided.**
4. Kansas Super Chief Credit Union  
1803 N. Lorraine Street  
Hutchinson, KS 67502  
Mailing Address: 3626 SW Wanamaker Rd., Topeka, KS 66614  
**Domestic Well Spacing Permission Consent Form Provided.**
5. Central Bank and Trust  
1330 E. 17<sup>th</sup> Avenue  
Hutchinson, KS 67502  
**Domestic Well located more than 660 feet away from Proposed Well Location.**
6. Micromount Holdings 6 LLC  
1502 E. 17<sup>th</sup> Avenue  
Hutchinson, KS 67501  
**No Domestic Well, green space watering provided by City water supply.**  
Mailing Address: c/o US Restaurant Properties, 8140 Walnut Hill Lane, Suite 400  
Dallas, TX 75231
7. ARC CafeUSA001 LLC  
1518 E. 17<sup>th</sup> Avenue  
Hutchinson, KS 67501  
**No Domestic Well, green space watering provided by City water supply.**  
Mailing Address: c/o Taco Bueno Restaurants LP, 1605 LBJ FWY, Suite 800,  
Farmers Branch, TX 75234
8. Spirit Master Funding VII, LLC  
1526 E. 17<sup>th</sup> Avenue  
Hutchinson, KS 67502  
**No Domestic Well, green space watering provided by City water supply.**
9. Abundant Life Church, Inc. – The Father’s House  
1505 E. 20<sup>th</sup> Avenue  
Hutchinson, KS 67502  
**Two Domestic Wells; one located more than 660 feet away, and one located within 660 feet from Proposed Well Location – Domestic Well Spacing Permission Consent Form Provided.**

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APR 24 2017

KS DEPT OF AGRICULTURE

**DOMESTIC WATER WELL OWNER  
WATER WELL SPACING CONSENT FORM**

K.A.R. 5-22-2(e)(4)

I, Lloyd P. DORZWEILER, own a domestic well at 1315 E. 19<sup>TH</sup> AVE,  
Name Domestic Water Well Owner Address  
HUTCHINSON, KS, 67502, 620-663-7309  
City State Postal Code Telephone

to supply water for domestic needs and use. That said water well was drilled and constructed on     /     /    .  
MM DD YY

I understand and acknowledge that Catholic Diocese of Wichita Applicant Name has either filed a change in point of diversion application on existing water permit # 44681 or new application #     for a water permit to withdraw or appropriate groundwater for non-domestic beneficial use.

That the application described the location of a proposed non-domestic water well or water well battery in the SW 1/4 SW 1/4 SW 1/4 of Section 5, Township 23 South, Range 5 West, Reno County, and will allow the withdrawal of 9.2 acre-feet per year at 89 gallons per minute for irrigation use.

The applicant has informed me that the proposed non-domestic water well or water well battery is within the minimum required spacing interval of 660 or 960 feet, respectively, of my domestic well.

Having full knowledge of the above and without waiving any right to file an impairment complaint with the Chief Engineer, Division of Water Resources, I grant my permission to locate said well or well battery less than the minimum required spacing interval from my domestic well.

Dated at Atchafalaya, Louisiana Kansas, this 11 day of NOVEMBER 2016.

Signed by: [Signature]  
Domestic Well Owner

Witnessed by: Soreen Mann  
Address: 1315 E. 19<sup>th</sup>  
Hutchinson, Kansas  
Telephone: 620-663-7309

WATER RESOURCES RECEIVED  
APR 24 2017  
KS DEPT OF AGRICULTURE



**DOMESTIC WATER WELL OWNER  
WATER WELL SPACING CONSENT FORM  
K.A.R. 5-22-2(e)(4)**

I, KRICKET Young, own a domestic well at 1311 Wheatland Dr,  
Name Domestic Water Well Owner  
Hutchinson, KS, 67502, 663-5044  
City State Postal Code Telephone

to supply water for domestic needs and use. That said well was drilled and constructed on      /      / 1980  
MM DD YY

I understand and acknowledge that Catholic Diocese of Wichita has either filed a change in  
Applicant Name  
point of diversion application on existing water permit # 44681 or new application #      for a water permit to withdraw or appropriate groundwater for non-domestic beneficial use.

That the application described the location of a proposed non-domestic water well or water well battery in the SW 1/4 SW 1/4 SW 1/4 of Section 5, Township 23 South, Range 5 West, Reno County, and will allow the withdrawal of 9.2 acre-feet per year at 89 gallons per minute for irrigation use.

The applicant has informed me that the proposed non-domestic water well or water well battery is within the minimum required spacing interval of 660 or 960 feet, respectively, of my domestic well.

Having full knowledge of the above and without waiving any right to file an impairment complaint with the Chief Engineer, Division of Water Resources, I grant my permission to locate said well or well battery less than the minimum required spacing interval from my domestic well.

Dated at Hutchinson, Kansas, this 7 day of Nov. 2016.

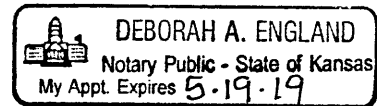
Signed by: Kricket Young  
Domestic Well Owner

Witnessed by: Deborah A. England

Address: 125 Arrowhead Rd

Imman, KS. 67546

Telephone: 620-727-0664



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APR 24 2017

**DOMESTIC WATER WELL OWNER  
WATER WELL SPACING CONSENT FORM  
K.A.R. 5-22-2(e)(4)**

I, Enistacie / Andrea K. Kofron own a domestic well at 1803 N Lorraine  
Name Domestic Water Well Owner Address  
Hutchinson, KS, 67502, 620-662-3771  
City State Postal Code Telephone

to supply water for domestic needs and use. That said water well was drilled and constructed on      /      /     .  
MM DD YY

I understand and acknowledge that Catholic Diocese of Wichita has either filed a change in  
Applicant Name  
point of diversion application on existing water permit # 44681 or new application #      for a water permit to withdraw or appropriate groundwater for non-domestic beneficial use.

That the application described the location of a proposed non-domestic water well or water well battery in the SW 1/4 SW 1/4 SW 1/4 of Section 5, Township 23 South, Range 5 West, Reno County, and will allow the withdrawal of 9.2 acre-feet per year at 89 gallons per minute for irrigation use.

The applicant has informed me that the proposed non-domestic water well or water well battery is within the minimum required spacing interval of 660 or 960 feet, respectively, of my domestic well.

Having full knowledge of the above and without waiving any right to file an impairment complaint with the Chief Engineer, Division of Water Resources, I grant my permission to locate said well or well battery less than the minimum required spacing interval from my domestic well.

Dated at     , Kansas, this 7<sup>th</sup> day of November 2016.

Signed by Enistacie Kofron K.P.O. Ops.  
Domestic Well Owner

Witnessed by: [Signature]  
Address: 3626 SW Wamanaker Rd  
Wichita KS 66614  
Telephone: 785-228-0149

**WATER RESOURCES RECEIVED**  
**APR 24 2017**  
**KS DEPT OF AGRICULTURE**

**DOMESTIC WATER WELL OWNER  
WATER WELL SPACING CONSENT FORM**

K.A.R. 5-22-2(e)(4)

I, The Father's House, own a domestic well at 1505 e 20th,  
Name Domestic Water Well Owner Address  
Hutchinson, KS, 67502, 6206620645,  
City State Postal Code Telephone

to supply water for domestic needs and use. That said water well was drilled and constructed on 1 / 11996.  
MM DD YY

I understand and acknowledge that Catholic Diocese of Wichita Applicant Name has either filed a change in point of diversion application on existing water permit # 44681 or new application # \_\_\_\_\_ for a water permit to withdraw or appropriate groundwater for non-domestic beneficial use.

That the application described the location of a proposed non-domestic water well or water well battery in the SW 1/4 SW 1/4 SW 1/4 of Section 5, Township 23 South, Range 5 West, Reno County, and will allow the withdrawal of 9.2 acre-feet per year at 89 gallons per minute for irrigation use.

The applicant has informed me that the proposed non-domestic water well or water well battery is within the minimum required spacing interval of 660 or 960 feet, respectively, of my domestic well.

Having full knowledge of the above and without waiving any right to file an impairment complaint with the Chief Engineer, Division of Water Resources, I grant my permission to locate said well or well battery less than the minimum required spacing interval from my domestic well.

Dated at Hutchinson, Kansas, this 20th day of April 20 16.

Signed by: Haulkan  
Domestic Well Owner

Witnessed by: Lucas Bishop

Address: 1505 E 20

Hutchinson, KS 67502

Telephone: 620-662-0645

WATER RESOURCES  
RECEIVED

APR 24 2017

KS DEPT OF AGRICULTURE

SCANNED

EL 44681

To: Kansas Department of Agriculture  
Division of Water Resources  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, KS 66612-1283  
Telephone: (785) 296-3717

Re: Domestic Well Spacing  
Consent Form

WATER RESOURCES  
RECEIVED

JUN 27 2016

KS DEPT OF AGRICULTURE

I, CATHOLIC DIOCESE OF WICHITA, own a well in the SW  
Quarter of the SW Quarter of the SW Quarter of Section 5,  
Township 23 South, Range 5 West/East, RENO County, Kansas.  
Water from this well is used only for domestic purposes as follows:

- household use;
- watering of livestock, poultry, farm and domestic animals used in operating a farm; and/or
- irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns.

I understand that an application for a permit to appropriate water, Application, File No. 44681, has been filed with the Division of Water Resources and that the applicant seeks to use water from A WELL located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R. 5-4-4. I hereby give my permission to the applicant to install A WELL at a location approximately 600 feet from my domestic well if the same is allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my domestic water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my domestic well or to secure water to satisfy my domestic water right.

CATHOLIC DIOCESE OWNS BOTH THE DOMESTIC WELL AND THE WELL BEING APPLIED FOR.

Catholic Diocese of Wichita  
Signature by Richard [unclear]

424 N. BROADWAY  
Address (please print)

WICHITA, KS. 67202  
City/Town, State (please print)

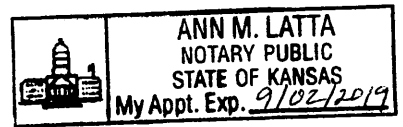
(316) 269 3950  
Phone

State of Kansas

County of Sedgwick

Signed or attested before me on 6/24/18 by [Signature]  
(Please print name of signatory) FOR CATHOLIC DIOCESE OF WICHITA

Ann M. Latta  
Notary Public



[My appointment expires: 9/02/2019

WATER RESOURCES RECEIVED

JUN 27 2016

20TH

19TH

1 - Lloyd & Berna  
Porzweiler  
1315 E. 19th Ave

2 - Wilfred & R  
Olderpet  
312 W. Wheatland

WHEATLAND

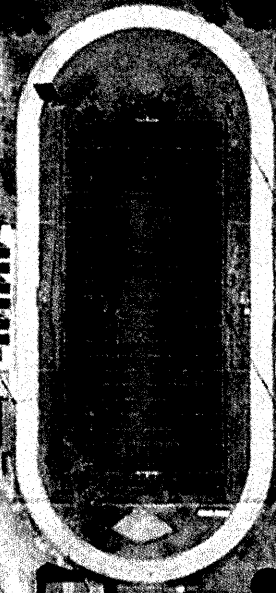
3 - Pediatric  
Dentistry LLC  
1311 Wheatland Dr.

4 - Kansas Power Union  
Credit Union  
1103 N. Lorraine St.

5 - Central Bank  
and Trust  
1330 E. 17th Ave

LORRAINE

17TH



Catholic Diocese of Wichita  
1400 E. 17th Ave.

6 - Micromount  
Holding LLC  
1515 E. 17th Ave

7 - ARC Capital Services LLC  
1516 E. 17th Ave.

9 - Abundant Life Church, Inc.  
1505 E. 20th Ave

8 - Spirit Master  
Funding VII, LLC  
1526 E. 17th Ave

Domestic Well & Property



1 inch = 194 feet

## Krueger, Richelle

---

**From:** Lanterman, Jeff  
**Sent:** Thursday, May 25, 2017 1:22 PM  
**To:** Krueger, Richelle  
**Cc:** Conant, Cameron  
**Subject:** RE: Request for Recommendation, Change in PDPUUMW File No. 44681 Catholic Diocese of Wichita/Trinity JRSR High Hutchinson

Richelle;

This looks like it should be good to go. Glad they found a use for this water. I had originally thought maybe the hospital next door could use it but could never get folks together on that idea. Trinity was originally going to dismiss this. ACK.

Approve it.

Jeff

---

**From:** Conant, Cameron  
**Sent:** Thursday, May 25, 2017 11:53 AM  
**To:** Lanterman, Jeff <Jeff.Lanterman@ks.gov>  
**Subject:** FW: Request for Recommendation, Change in PDPUUMW File No. 44681 Catholic Diocese of Wichita/Trinity JRSR High Hutchinson

---

**From:** Conant, Cameron  
**Sent:** Tuesday, May 23, 2017 3:24 PM  
**To:** Lanterman, Jeff <Jeff.Lanterman@ks.gov>  
**Subject:** FW: Request for Recommendation, Change in PDPUUMW File No. 44681 Catholic Diocese of Wichita/Trinity JRSR High Hutchinson

Jeff, this is a p/d, p/u, umw change to go from thermal exchange to irrigation of 7.3 acres of ball fields and school grounds at Trinity Junior High School in Hutchinson. The current use is thermal exchange for the school but that system is no longer used. The thermal exchange right authorizes 9.2AF @ 89gpm and with approval of this they will utilize an existing well for irrigation. Less than 100gpm, so no measurement tube required. This was a pump and dump system.

GMD has recommended approval of this after originally denying it. The original denial was based on not meeting spacing of 660' to nearby domestic wells and it was over the max quantity per acre in Reno County. The application was modified to include more acreage and the 4 nearby domestic owners sent in domestic consent forms. GMD#2 then recommended approval. ( I've attached the nearby owner list and a map of nearby wells from docuware)

The proposed irrigation place of use is the football field and green space around the track and tennis courts.

There has been no reported use from this well from 2012-2016 which is 5 years of non-use. The applications to change the p/d, p/u, and umw were filed in 2015 so non-use is a non-issue as these apps have been in process for an entire year of the non-use period.

I think this change packet can be recommended for approval, with the waiver of spacing to the 3 nearby domestic wells. Please pass on to Richelle if you agree. This is fixing a problem cause I assume they have been illegally watering

the ball fields for a long time, it's nice to be able to use an existing right of the schools to cover an ongoing unauthorized use.

Cameron

---

**From:** Krueger, Richelle

**Sent:** Tuesday, May 16, 2017 4:28 PM

**To:** Lanterman, Jeff <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>

**Cc:** Conant, Cameron <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>; Fitch, Elizabeth <[Elizabeth.Fitch@ks.gov](mailto:Elizabeth.Fitch@ks.gov)>; Turney, Brent <[Brent.Turney@ks.gov](mailto:Brent.Turney@ks.gov)>

**Subject:** Request for Recommendation, Change in PDPUUMW File No. 44681 Catholic Diocese of Wichita/Trinity JRSR High Hutchinson

Hi Jeff,

Attached is a draft memo for the referenced change, do you recommend approval?

Thanks,

Richelle



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



DIRECTORS:  
DAVID BOGNER  
JOE PAJOR  
DALE SCHMIDT  
BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

May 15, 2017

Chief Engineer, Division of Water Resources  
Attn: Richelle Krueger  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Water Right No. 44,681 Change Application – Catholic Diocese of Wichita

Dear Ms. Krueger:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use, point of diversion, and use made of water application on May 15, 2017, using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

The application proposes to change the use made of water from municipal to irrigation use, change the place of use to 7.3 acres of athletic fields and school grounds, and move the well approximately 383 feet northeast. The District's review found that the change application complies with the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Based on the review, the change application is recommended for approval by the Equus Beds Groundwater Management District No. 2.

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12.

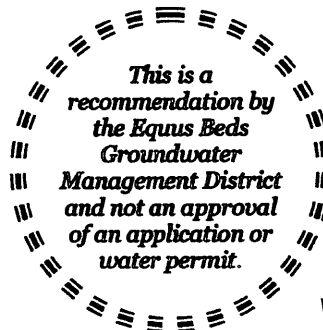
Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/STF

Enclosure

pc: Richard Dwyer, Catholic Diocese of Wichita, Applicant and Landowner  
Joe Hammersmith, Principal, Trinity Jr/Sr Catholic High School  
Jeff Lanterman, Division of Water Resources, Stafford



WATER RESOURCES  
RECEIVED

MAY 16 2017

KS DEPT OF AGRICULTURE



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



DIRECTORS:  
DAVID BOGNER  
JOE PAJOR  
DALE SCHMIDT  
BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

May 15, 2017

Richard Dwyer  
Catholic Diocese of Wichita  
424 N Broadway St.  
Wichita, KS 67202

Re: Water Right, File No. 44,681

Dear Mr. Dwyer:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that change application No. 44681 be approved. Pursuant to K.A.R. 5-22-4a, the well described in the application must be equipped with a District approved water flowmeter. The well is located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 5, Township 23 South, Range 5 West, Reno County.

The well must be properly equipped with an approved meter within 30 days after the approved well is operational and prior to its operation. If more time is needed to install the meter or modify an existing meter installation, you may request an extension of time. The request must be made to the District before the end of the 30-day period.

Enclosed is a Flow Meter Installation form to be completed and returned to this office after completion of the meter installation or modifications. A copy of the Division of Water Resources' meter installation notification form (Notice and Proof of Completion of Works) may be substituted in place of the District form. Upon receiving the completed form, the District will inspect the installation.

Also enclosed is a copy of water meter and installation specifications. The water meter must meet these specifications and the list of certified water meters provided under K.A.R. 5-1-12, for District approval. The list of certified water meters can be obtained by contacting the District or at following link: <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you have any questions about the District's metering program or the enclosed material, please contact the District for assistance.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/STF

WATER RESOURCES  
RECEIVED

MAY 16 2017

KS DEPT OF AGRICULTURE

Enclosures

Pc: Joe Hammersmith, Principal, Trinity Jr/Sr Catholic High School, w/enclosures  
Jeff Lanterman, Division of Water Resources, Stafford

## Krueger, Richelle

---

**From:** Rebecca Wilson <rwilson@gmd2.org>  
**Sent:** Tuesday, May 16, 2017 10:29 AM  
**To:** Krueger, Richelle  
**Subject:** 44681 Change App Approval Letter and Meter Installation Letter  
**Attachments:** 44681 Change App Approval Letter.pdf; 44681 Meter Installation Letter.pdf

Good morning, Richelle!

Attached is a Change App Approval Letter and a Meter Installation Letter from Manager Tim Boese for #44681.

Please let me know if you have any difficulty opening the attachments.

Thanks!

*Rebecca Wilson*

Rebecca Wilson  
Administrative Assistant  
Equus Beds GMD2  
313 Spruce Street  
Halstead, KS 67056  
316-835-2224  
316-835-2225 Fax  
rwilson@gmd2.org  
www.gmd2.org

WATER RESOURCES  
RECEIVED  
MAY 16 2017  
KS DEPT OF AGRICULTURE



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

April 25, 2017

EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO 2  
ATTN TIM BOESE  
313 SPRUCE ST  
HALSTEAD KS 67056

WATER RESOURCES  
RECEIVED

APR 25 2017

KS DEPT OF AGRICULTURE

Re: Water Right, File No. 44,681

Dear Tim:

We are enclosing a modified copy of the Application for Approval to Change the Place of Use, Point of Diversion and Place of Use, Water Right, File No. 44,681 which includes updated feet distances for the proposed well and a modified place of use.

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 recommendations concerning this application.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

Enclosures

pc: Stafford Field Office

SCANNED

## Krueger, Richelle

---

**From:** Krueger, Richelle  
**Sent:** Thursday, April 13, 2017 4:18 PM  
**To:** 'Tim Boese'  
**Subject:** RE: Water Right, File No. 44681 change application Catholic Diocese of Wichita/Trinity Jr Sr High School

Hi Tim,  
Sure that sounds fine to me! Thanks Tim!  
Richelle

---

**From:** Tim Boese [mailto:tboese@gmd2.org]  
**Sent:** Thursday, April 13, 2017 4:11 PM  
**To:** Krueger, Richelle <Richelle.Krueger@ks.gov>  
**Cc:** Stephen Flaherty <sflaherty@gmd2.org>  
**Subject:** RE: Water Right, File No. 44681 change application Catholic Diocese of Wichita/Trinity Jr Sr High School

Richelle – I contacted Joe Hammersmith, Trinity Jr. Sr. High School and he advised he will be sending me all the needed signed domestic well spacing consent forms next week, which looks like it will solve the well spacing issue.

Also, I believe they would like to add some additional grass area(s) to the proposed place of use so that the proposed water to land ratio is 1.4 acre-feet per acre or less. There appears to be some grass/green area on the school grounds in addition to what is described on the application that they could irrigate in the future. They only need to add about 1 acre to get under 1.4 acre-feet/acre. Can they send you an email with a new proposed place of use description and a new map, or do you want to send the original application back to them for revisions? I am ok with just sending you a new map and place of use description.

Thanks.

Tim Boese, Manager  
Equus Beds GMD2  
313 Spruce, Halstead, Kansas 67056  
316-835-2224  
Fax: 316-835-2225  
[tboese@gmd2.org](mailto:tboese@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

---

**From:** Krueger, Richelle [mailto:Richelle.Krueger@ks.gov]  
**Sent:** Tuesday, March 28, 2017 5:26 PM  
**To:** [tboese@gmd2.org](mailto:tboese@gmd2.org)  
**Cc:** Stephen Flaherty  
**Subject:** Water Right, File No. 44681 change application Catholic Diocese of Wichita/Trinity Jr Sr High School

Hi Tim,

Hope things are well in Halstead! Hey I was just going through my stack of files and was just wondering if you guys have heard anything from Catholic Diocese/Trinity Jr. Sr. High in Hutchinson? I think you had contacted them in November and they were still trying to get domestic well spacing consent forms. Thought I better touch base, thanks for any info you have on this one!

Richelle

Richelle Krueger, Environmental Scientist  
Kansas Department of Agriculture  
Water Appropriation Program  
(785) 564-6635  
[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov) (please note e-mail address change)  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

## Krueger, Richelle

---

**From:** Tim Boese <tboese@gmd2.org>  
**Sent:** Monday, April 3, 2017 9:07 AM  
**To:** Krueger, Richelle  
**Cc:** Stephen Flaherty  
**Subject:** RE: Water Right, File No. 44681 change application Catholic Diocese of Wichita/Trinity Jr Sr High School

Richelle – I sent the applicant an email asking for an update on obtaining the domestic well spacing consent forms. I will let you know what I find out.

Thanks.

Tim Boese, Manager  
Equus Beds GMD2  
313 Spruce, Halstead, Kansas 67056  
316-835-2224  
Fax: 316-835-2225  
[tboese@gmd2.org](mailto:tboese@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

---

**From:** Krueger, Richelle [mailto:Richelle.Krueger@ks.gov]  
**Sent:** Tuesday, March 28, 2017 5:26 PM  
**To:** tboese@gmd2.org  
**Cc:** Stephen Flaherty  
**Subject:** Water Right, File No. 44681 change application Catholic Diocese of Wichita/Trinity Jr Sr High School

Hi Tim,

Hope things are well in Halstead! Hey I was just going through my stack of files and was just wondering if you guys have heard anything from Catholic Diocese/Trinity Jr. Sr. High in Hutchinson? I think you had contacted them in November and they were still trying to get domestic well spacing consent forms. Thought I better touch base, thanks for any info you have on this one!

Richelle

Richelle Krueger, Environmental Scientist  
Kansas Department of Agriculture  
Water Appropriation Program  
(785) 564-6635  
[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov) (please note e-mail address change)  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)



## Krueger, Richelle

---

**From:** Krueger, Richelle  
**Sent:** Tuesday, December 06, 2016 9:37 AM  
**To:** 'Tim Boese'  
**Subject:** RE: Water Right No. 44681 Change Application

Hi Tim,  
No problem, just thought I better touch base. Thanks!  
Richelle

---

**From:** Tim Boese [mailto:tboese@gmd2.org]  
**Sent:** Tuesday, December 06, 2016 9:37 AM  
**To:** Krueger, Richelle  
**Cc:** Stephen Flaherty  
**Subject:** FW: Water Right No. 44681 Change Application

Richelle – Below is an update on the change application pending for Water Right No. 44681. The applicant is still trying to obtain the rest of the domestic well spacing consent forms. Sorry, I should have been copying you on this. I will contact them and see where they are at.

Thanks.

Tim Boese, Manager  
Equus Beds GMD2  
313 Spruce, Halstead, Kansas 67056  
316-835-2224  
Fax: 316-835-2225  
[tboese@gmd2.org](mailto:tboese@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

---

**From:** Tim Boese [mailto:tboese@gmd2.org]  
**Sent:** Sunday, November 13, 2016 4:31 PM  
**To:** 'Joe Hammersmith'  
**Subject:** RE: Water Right No. 44681 Change Application

Thank you for the update.

Tim Boese, Manager  
Equus Beds GMD2  
313 Spruce, Halstead, Kansas 67056  
316-835-2224  
Fax: 316-835-2225  
[tboese@gmd2.org](mailto:tboese@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

---

**From:** Joe Hammersmith [mailto:jhammersmith@trinity-hutch.com]  
**Sent:** Thursday, November 10, 2016 3:21 PM  
**To:** Tim Boese  
**Subject:** RE: Water Right No. 44681 Change Application

Mr. Boese,

I wanted to give you an update as to the status of us getting permission back from home/business owners regarding our school well within ½ mile. I have sent letters out to the 6 property owners and we have currently received 2 signed forms back. We hope to receive the rest in a week or two.

Joe

---

**From:** Tim Boese [mailto:[tboese@gmd2.org](mailto:tboese@gmd2.org)]  
**Sent:** Tuesday, October 25, 2016 3:48 PM  
**To:** 'Joe Hammersmith'  
**Cc:** 'Dick Dwyer'  
**Subject:** RE: Water Right No. 44681 Change Application

Mr. Hammersmith – Pursuant to Mr. Dwyer’s request, attached please find a map and list showing the possible domestic wells within 660 feet of the proposed well. Also attached is partially completed consent form for you to use if you are able to contact the domestic well owners. Please note that the map and list may include some locations that do not have a domestic well. You may have to do some field reconnaissance to determine who does and does not have a domestic well. If you find a location on the map does that does not have a domestic well, please note so.

Please contact me if you have any questions or need additional information.

Thanks.

Tim Boese, Manager  
Equus Beds GMD2  
313 Spruce, Halstead, Kansas 67056  
316-835-2224  
Fax: 316-835-2225  
[tboese@gmd2.org](mailto:tboese@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

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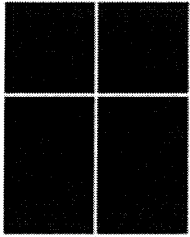
**From:** Dick Dwyer [mailto:[dick@CatholicDioceseOfWichita.org](mailto:dick@CatholicDioceseOfWichita.org)]  
**Sent:** Friday, October 07, 2016 11:22 AM  
**To:** '[tboese@gmd2.org](mailto:tboese@gmd2.org)'  
**Cc:** 'Joe Hammersmith'  
**Subject:** RE: Water Right No. 44681 Change Application

Mr. Boese

I would like to request a list of the houses and business within the 660 feet to assist us with the effort to obtain signed consent forms from the domestic well owners. If you would please forward that list to Mr. Hammersmith, it would be appreciated.

Thank you for your assistance.

Dick Dwyer  
Director of Finance  
Wichita Catholic Secondary Schools  
Catholic Diocese of Wichita  
Voice: 316-269-3950 Fax 316-269-2486



CATHOLIC  
DIOCESE  
OF WICHITA

---

**From:** Joe Hammersmith [<mailto:jhammersmith@trinity-hutch.com>]  
**Sent:** Monday, October 03, 2016 1:56 PM  
**To:** Dick Dwyer  
**Subject:** FW: Water Right No. 44681 Change Application

---

**From:** Tim Boese [<mailto:tboese@gmd2.org>]  
**Sent:** Monday, October 03, 2016 1:50 PM  
**To:** [jhammersmith@trinity-hutch.com](mailto:jhammersmith@trinity-hutch.com)  
**Cc:** [richelle.krueger@ks.gov](mailto:richelle.krueger@ks.gov)  
**Subject:** FW: Water Right No. 44681 Change Application

Joe – Sorry for the delay in getting back to you and Mr. Richard Dwyer regarding the pending change application For Water Right No. 44681. We received some additional information from Mr. Dwyer on July 10, 2016. This included the domestic well spacing consent form for the school’s domestic well and your letter dated June 21, 2016. I have attached the information we received. Due to our work schedule and full Board of Directors monthly meetings to date, I have not been able to schedule this for Board review yet. It appears that you are still requesting a waiver of the Maximum Reasonable Quantity for Beneficial Rule and Regulation, as the quantity requested exceeds the maximum allowable for the amount of land to be irrigated. Additionally, we received the spacing consent form for the school’s domestic well, but not for any of the other potential domestic wells with 660 feet of the proposed well as identified on the maps I previously sent you (attached). Have you or are you planning on contacting these domestic well owners in an attempt to obtain signed spacing consent forms, or are you also requesting a waiver of the minimum spacing requirements to these domestic wells? I cannot guarantee waivers can be granted by the District Board of Directors and I would suggest you at least try to obtain signed consent forms if at all possible. I have attached a partially completed consent form for you to use if you want to contact the domestic well owners. Please note that the attached form differs from the form that was submitted for the school’s domestic well, as that form was the Division of Water Resources’ form and not our form. Our form should be used. I can also provide you a list of the houses and businesses within 660 feet if needed.

Please advise of your plans at your earliest convenience so that I can schedule this for the next available Board meeting. I do not have Mr. Dwyer’s email address, so if you can forward this to him that would be great.

Thanks.

Tim Boese, Manager  
Equus Beds GMD2  
313 Spruce, Halstead, Kansas 67056  
316-835-2224  
Fax: 316-835-2225  
[tboese@gmd2.org](mailto:tboese@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

---

**From:** Tim Boese [<mailto:tboese@gmd2.org>]  
**Sent:** Tuesday, June 21, 2016 9:39 AM

**To:** [jhammersmith@trinity-hutch.com](mailto:jhammersmith@trinity-hutch.com)

**Subject:** Water Right No. 44681 Change Application

Joe - Attached please find the spacing evaluation maps for the referenced change in point of diversion (well) application. The first shows the proposed well location as identified on the change application. The second map shows the actual well location as found by a District GPS of the existing well.

Please contact me if you have any questions.

Thanks.

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[tboese@gmd2.org](mailto:tboese@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

## Krueger, Richelle

---

**From:** Krueger, Richelle  
**Sent:** Tuesday, November 29, 2016 3:59 PM  
**To:** 'sflaherty@gmd2.org'  
**Subject:** Status of recommendation change in pu pd umw File No. 44681 Catholic Diocese/Trinity Jr Sr Catholic High School

Good Afternoon Steve,

I was just going through my files and was wondering what the status is on the change for File No. 44681, will it be on the GMD Board agenda soon?

Thought I better touch base, looks like Tim had asked them to get some domestic waivers Oct 3<sup>rd</sup>...

Thanks,

Richelle

Richelle Krueger, Environmental Scientist

Kansas Department of Agriculture

Water Appropriation Program

(785) 564-6635

[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov) (please note e-mail address change)

[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

## Krueger, Richelle

---

**From:** Tim Boese <tboese@gmd2.org>  
**Sent:** Monday, October 03, 2016 1:50 PM  
**To:** jhammersmith@trinity-hutch.com  
**Cc:** Krueger, Richelle  
**Subject:** FW: Water Right No. 44681 Change Application  
**Attachments:** trinity\_spacing\_map.pdf; 44681.pdf; spacing\_consent\_form.pdf

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[tboese@gmd2.org](mailto:tboese@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

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OCT 03 2016  
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**To:** jhammersmith@trinity-hutch.com  
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Thanks.

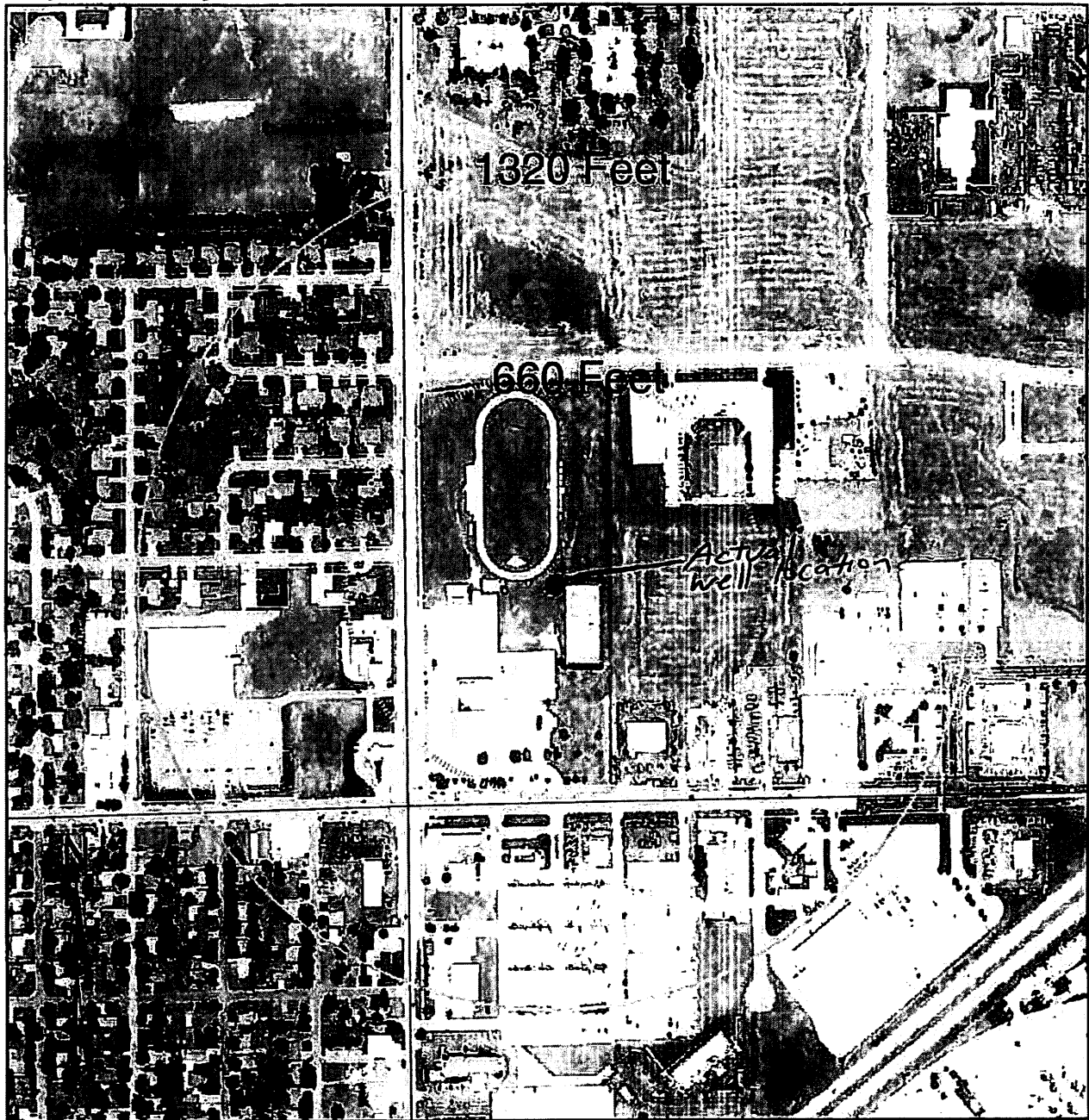
Tim Boese, Manager  
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316-835-2224  
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Equus Beds Groundwater Management District No. 2  
 Spacing Evaluation - No. 44681 - Catholic Diocese / Trinity  
 NWSWSW (650'N & 4804'W) 05-23S-05W, Reno County  
 Prepared By: T. Boese Date: 5/23/2016



● Proposed Point of Diversion	<b>Map Legend</b>	Burrton IGUCA
⌞ Area of Consideration Boundary	Major Highway	Hollow Nikkel SWQUA
⊙ Monitoring Wells	Other Roadway	McPherson IGUCA
▲ Points of Diversion	Major Stream	Enhanced Well Spacing Area
District Boundary	Other Water Feature	Permian Surface Bedrock
0.07 0.035 0 0.07 Miles	County Boundary	City Boundary
	WATER RESOURCES RECEIVED	
	OCT 03 2016	

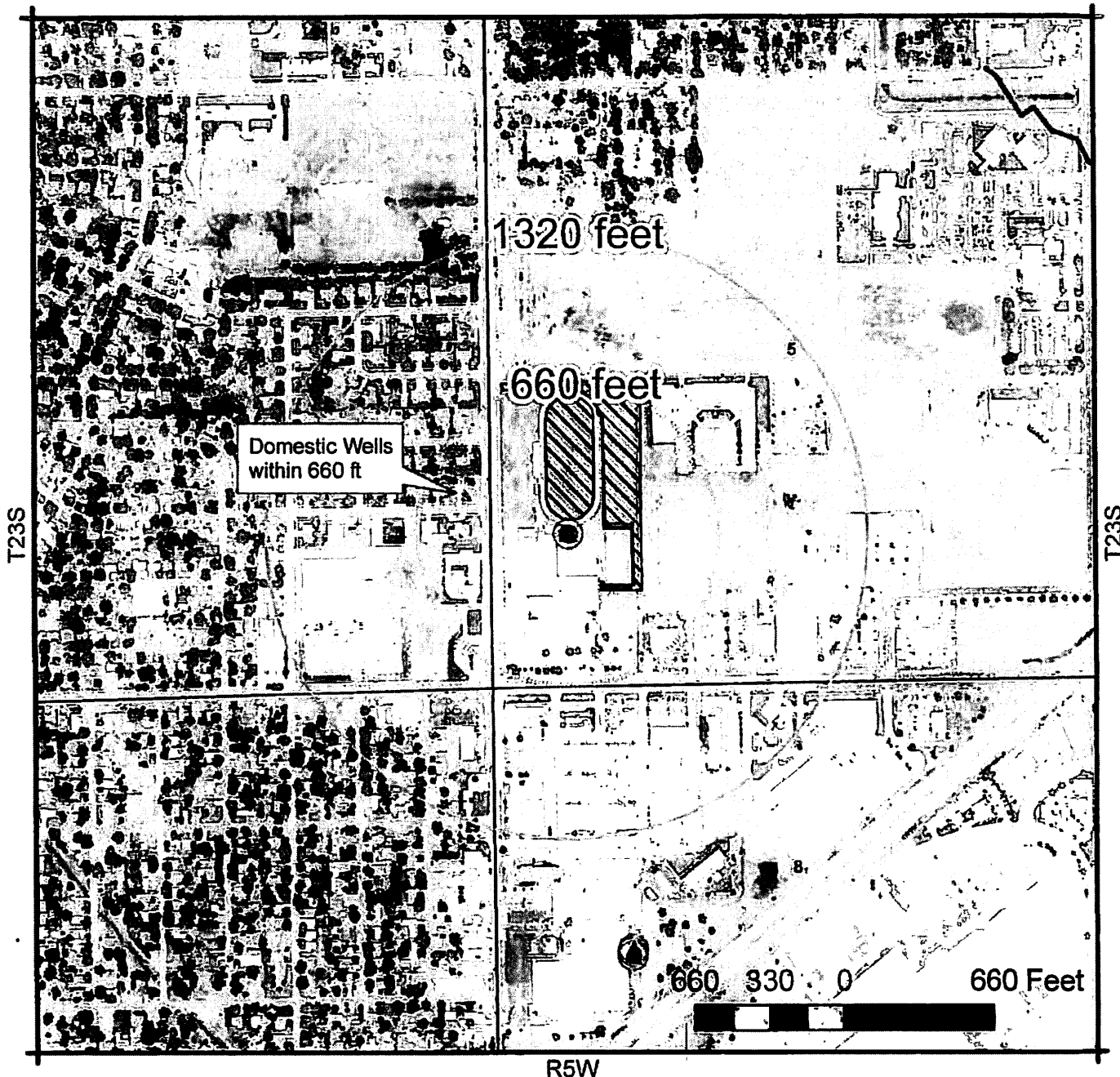
Equus Beds Groundwater Management District No. 2  
 313 Spruce Street, Halstead, KS 67056  
 316-835-2224, equusbeds@gmd2.org



# Equus Beds Groundwater Management District No. 2

Spacing Evaluation for Trinity High School  
NWSWSW (630'N & 4935'W) 05-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 5/16/2016



## Map Legend

- |                                       |                               |                            |               |
|---------------------------------------|-------------------------------|----------------------------|---------------|
| ● Observation Well                    | ● Proposed Point of Diversion | Burton IGUCA               | [Hatched Box] |
| [Hatched Box] Proposed Place of Use   | ▲ Existing Point of Diversion | Hollow Nikkel SWQUA        |               |
| [Dotted Box] Bedrock                  |                               | McPherson IGUCA            |               |
| [Dotted Box] WATER RESOURCES RECEIVED |                               | Enhanced Well Spacing Area | [Hatched Box] |

OCT 03 2016

**DOMESTIC WATER WELL OWNER  
WATER WELL SPACING CONSENT FORM  
K.A.R. 5-22-2(e)(4)**

I, \_\_\_\_\_, own a domestic well at \_\_\_\_\_,  
Name Domestic Water Well Owner Address  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
City State Postal Code Telephone

to supply water for domestic needs and use. That said water well was drilled and constructed on \_\_\_\_/\_\_\_\_/\_\_\_\_.  
MM DD YY

I understand and acknowledge that Catholic Diocese  
OF WICHITA Applicant Name has either filed a change in  
point of diversion application on existing water permit # 44681 or new application  
# \_\_\_\_\_ for a water permit to withdraw or appropriate groundwater for non-domestic  
beneficial use.

That the application described the location of a proposed non-domestic water well or water well battery in the SW 1/4 SW 1/4 SW 1/4 of Section 5, Township 23 South, Range 5 West, Reno County, and will allow the withdrawal of 9.2 acre-feet per year at 89 gallons per minute for irrigation use.

The applicant has informed me that the proposed non-domestic water well or water well battery is within the minimum required spacing interval of 660 or 960 feet, respectively, of my domestic well.

Having full knowledge of the above and without waiving any right to file an impairment complaint with the Chief Engineer, Division of Water Resources, I grant my permission to locate said well or well battery less than the minimum required spacing interval from my domestic well.

Dated at \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

Signed by: \_\_\_\_\_  
Domestic Well Owner

Witnessed by: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

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KS DEPT OF AGRICULTURE

To: Kansas Department of Agriculture  
Division of Water Resources  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, KS 66612-1283  
Telephone: (785) 296-3717

Re: Domestic Well Spacing  
Consent Form

I, CATHOLIC DIOCESE OF WICHITA, own a well in the SW  
Quarter of the SW Quarter of the SW Quarter of Section 5,  
Township 23 South, Range 5 West/East, RENO County, Kansas.  
Water from this well is used only for domestic purposes as follows:

- household use;
- watering of livestock, poultry, farm and domestic animals used in operating a farm; and/or
- irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns.

I understand that an application for a permit to appropriate water, Application, File No. 44681, has been filed with the Division of Water Resources and that the applicant seeks to use water from A WELL located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R. 5-4-4. I hereby give my permission to the applicant to install A WELL at a location approximately 600 feet from my domestic well if the same is allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my domestic water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

DWR 1-209 (Revised 02/07/2005)

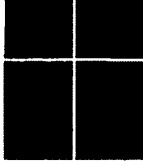
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Equus Beds Groundwater  
Management District No. 2

CATHOLIC  
DIOCESE  
OF WICHITA



*CATHOLIC SCHOOL OFFICE*  
424 N. Broadway, Wichita, KS 67202-2310  
Phone: 316-269-3950 FAX: 316-269-2486  
<http://www.cdowk.org>

Richelle A. Krueger  
1320 Research Park Drive  
Manhattan, KS. 66502

July 7, 2016

RE: Water Right No: 44681

Dear Ms. Krueger,

Please find enclosed Domestic Well Spacing Consent Form that was completed with the assistance of Elizabeth Fitch in your Stafford Office.

I'm also enclosing a copy of the letter sent by our high school principal, Mr. Joe Hammersmith, to Tim Boese of the Equus Beds Groundwater Management District No. 2. This letter itemizes the needs and uses of this water well for the school.

We are anxious to resolve the issues created by this well. I would like to know if this documentation is sufficient to gain approval, or if there is any additional information or documentation we need to submit. Any help your offices can provide is gratefully appreciated.

Sincerely,

Richard Dwyer  
Director of Finance  
Wichita Catholic Secondary Schools  
Catholic Diocese of Wichita

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CC: Joe Hammersmith, Trinity Catholic High School  
Elizabeth Fitch, Ks Dept. of Ag, Stafford Office  
Tim Boese, Groundwater Management District No 2

RECEIVED

JUL 10 2016

Equus Beds Groundwater  
Management District No. 2

June 21, 2016

Dear Mr. Boese,

First, I would like to begin by saying thank you for our conversation this morning concerning Trinity Catholic Jr/Sr High School's water well rights on an existing well located on the campus of the school. You were most helpful and it is much appreciated.

Per our conversation, as principal of the school and a representative of the Wichita Diocese, I am asking requesting additional time beyond the 15 days to submit and research additional information. I hope you can accommodate us as we come up with the best solution for this matter.

It is my understanding that the issue is that we do not comply with the Maximum Reasonable Quantity for Beneficial Use Rule and Regulations as the proposed water to land ratio of approximately 1.61 acre-feet per acre exceeds the maximum allowable of 1.4 acre-feet per acre for Reno County. Again, I am asking that this application is adopted and we are able to irrigate the proposed land. The reasons are listed below:

- The proposed land that is being irrigated by the well is the school's football field that is used for athletic events as well as physical education purposes.
- Enough water must be allowed to ensure a safe surface for all activities and participates.
- The type of grass planted must have a certain amount of water to stay alive and be healthy.
- New seed is planted each year in the fall and must have enough water to ensure a good stand of new grass.
- As indicated on the Google map, the well is also meant to irrigate the practice football field to the east of the main field. Due to irrigation issues and limited space, this field is not watered on a regular basis.

I hope you will consider everything that I have mentioned in my letter. Please call or email if you have any questions. Again, thank you for your help.

Joe Hammersmith  
Principal  
Trinity Catholic Jr/Sr High School

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OCT 03 2016  
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JUL 10 2016

Equus Beds Groundwater  
Management District No. 6

I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my domestic well or to secure water to satisfy my domestic water right.

CATHOLIC DIOCESE OWNS BOTH THE DOMESTIC WELL and THE WELL BEING APPLIED FOR.

Catholic Diocese of Wichita  
Signature by Richard Dwyer

424 N. BROADWAY  
Address (please print)

WICHITA, KS. 67202  
City/Town, State (please print)

(316) 269 3950  
Phone

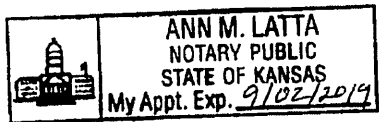
State of Kansas

County of Sedgwick

Signed or attested before me on 6/24/16 by Richard D. Dwyer  
For Catholic Diocese of Wichita

[Signature]  
FOR CATHOLIC DIOCESE OF WICHITA  
(Please print name of signatory)

Ann M. Latta  
Notary Public

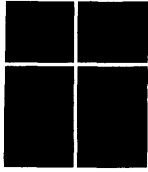


[My appointment expires: 9/02/2019]

WATER RESOURCES RECEIVED  
OCT 03 2016  
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JUL 10 2016  
Equus Beds Groundwater Management District No. 2

CATHOLIC  
DIOCESE  
OF WICHITA



*CATHOLIC SCHOOL OFFICE*  
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Richard Dwyer  
Director of Finance  
Wichita Catholic Secondary Schools  
Catholic Diocese of Wichita

CC: Joe Hammersmith, Trinity Catholic High School  
Elizabeth Fitch, Ks Dept. of Ag, Stafford Office  
Tim Boese, Groundwater Management District No 2

**WATER RESOURCES  
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**JUL 11 2016**

**KS DEPT OF AGRICULTURE**

**SCANNED**

To: Kansas Department of Agriculture  
Division of Water Resources  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, KS 66612-1283  
Telephone: (785) 296-3717

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Signature by Richard Dwyer

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City/Town, State (please print)

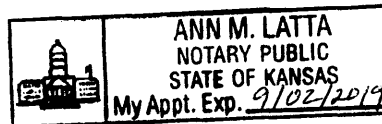
(316) 269 3950  
Phone

State of Kansas

County of Sedgwick

Signed or attested before me on 6/24/16 by [Signature]  
RICHARD D. DWYER  
FOR CATHOLIC DIOCESE OF WICHITA  
(Please print name of signatory)

Ann M. Latta  
Notary Public



[My appointment expires: 9/02/2019]

WATER RESOURCES RECEIVED

JUL 11 2016

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Joe Hammersmith  
Principal  
Trinity Catholic Jr/Sr High School

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**JUL 1 1 2016**

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**SCANNED**

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



DIRECTORS:  
DAVID BOGNER  
ALAN BURGHART  
JOE PAJOR  
BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

June 30, 2016

Joe Hammersmith, Principal  
Trinity Catholic Jr/Sr High School - Hutchinson  
1400 E. 17<sup>th</sup> Street  
Hutchinson, KS 67501

Re: Change Application Water Right No. 44681 – Catholic Diocese of Wichita

Dear Mr. Hammersmith:

The Equus Beds Groundwater Management District No. 2 received your emailed Petition of Appeal on June 21, 2016, in the matter of the District's May 23, 2016, recommendation of the above referenced application. The petition was found to be in proper form and that, pursuant to K.A.R 5-22-12(b)(4), you are a valid petitioner.

Included in the petition was a request for additional time to research and submit additional information. Based on your request, an extension of time to submit additional information and supporting documentation is granted until July 28, 2016.

Upon receiving the additional information, the District Board of Directors will, if necessary, hear the appeal at the next available Board meeting at the Equus Beds Groundwater Management District office, 313 Spruce Street, Halstead, Kansas. A notification of the meeting date and time, and a copy of the meeting agenda, will be forwarded to you once the agenda is set.

At the appeal hearing, the Board will permit the petitioner to present briefs and may afford any interested party the opportunity to present oral or written arguments, if appropriate.

Please contact the District if you have any questions or need additional information.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager

TDB/db

Pc: Richard Dwyer, Catholic Diocese of Wichita  
Richelle A. Krueger, Division of Water Resources, Manhattan  
Jeff Lanterman, Division of Water Resources, Stafford

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JUL 01 2016

KS DEPT OF AGRICULTURE

## Krueger, Richelle

---

**From:** Tim Boese <tboese@gmd2.org>  
**Sent:** Friday, July 01, 2016 12:13 PM  
**To:** Krueger, Richelle  
**Cc:** Fitch, Elizabeth; Turney, Brent; sflaherty@gmd2.org  
**Subject:** RE: Catholic Diocese File No. 44681  
**Attachments:** 44681\_appeal.pdf

Thanks Richelle. Attached is the District's letter accepting the applicant's appeal petition and granting additional time to July 28, 2016, to provide additional information to the District.

Tim Boese, Manager  
Equus Beds GMD2  
313 Spruce, Halstead, Kansas 67056  
316-835-2224  
Fax: 316-835-2225  
[tboese@gmd2.org](mailto:tboese@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

---

**From:** Richelle.Krueger@ks.gov  
**To:** tboese@gmd2.org  
**CC:** Elizabeth.Fitch@ks.gov; Brent.Turney@ks.gov; sflaherty@gmd2.org  
**Subject:** Catholic Diocese File No. 44681  
**Date:** Mon, 27 Jun 2016 17:39:32 +0000

Hi Tim,  
Hope things are well in Halstead today! Attached is a copy of a well spacing waiver Mr. Dwyer sent in for his nearby domestic well. I also granted them an extension until July 28, 2016 in order for them to have time to contact you for assistance in getting the information you need for the application. I will be out of the office tomorrow and possibly the rest of the week, so I wanted to get this information to you.  
Thanks!

Richelle

Richelle Krueger, Environmental Scientist  
Kansas Department of Agriculture  
Water Appropriation Program  
(785) 564-6635  
[Richelle.Krueger@kda.ks.gov](mailto:Richelle.Krueger@kda.ks.gov)  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

WATER RESOURCES  
RECEIVED  
JUL 01 2016  
KS DEPT OF AGRICULTURE

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

June 27, 2016

CATHOLIC DIOCESE OF WICHITA  
ATTN RICHARD DWYER  
424 N BROADWAY ST  
WICHITA KS 67202-2310

RE: Water Right, File No. 44,681

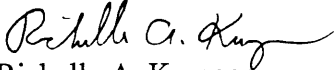
Dear Mr. Dwyer:

In response to your conversation with Elizabeth Fitch of the Stafford Field Office, the Chief Engineer has extended until **July 28, 2016**, the time in which to submit additional information to the Chief Engineer regarding the application to change the place of use, point of diversion and use made of water under Water Right, File No. 44,681.

If you do not submit additional information by that date or do not request more time on or before July 28, 2016, or if your request is not granted, the application will be dismissed and its priority forfeited.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

  
Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

Enclosures

pc: Stafford Field Office  
Groundwater Management District No. 2  
Trinity Jr. Sr. Catholic High School, Attn: Joe Hammersmith

## Krueger, Richelle

---

**From:** Krueger, Richelle  
**Sent:** Monday, June 27, 2016 12:39 PM  
**To:** Tim Boese, Hydrologist  
**Cc:** Fitch, Elizabeth; Turney, Brent; 'Stephen Flaherty'  
**Subject:** Catholic Diocese File No. 44681  
**Attachments:** 44681addinfo.pdf

Hi Tim,

Hope things are well in Halstead today! Attached is a copy of a well spacing waiver Mr. Dwyer sent in for his nearby domestic well. I also granted them an extension until July 28, 2016 in order for them to have time to contact you for assistance in getting the information you need for the application. I will be out of the office tomorrow and possibly the rest of the week, so I wanted to get this information to you.

Thanks!

Richelle

Richelle Krueger, Environmental Scientist  
Kansas Department of Agriculture  
Water Appropriation Program  
(785) 564-6635  
Richelle.Krueger@kda.ks.gov  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)



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Manhattan, Kansas 66502  
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900 SW Jackson, Room 456  
Topeka, Kansas 66612  
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Jackie McClaskey, Secretary

Governor Sam Brownback

June 27, 2016

CATHOLIC DIOCESE OF WICHITA  
ATTN RICHARD DWYER  
424 N BROADWAY ST  
WICHITA KS 67202-2310

RE: Water Right, File No. 44,681

Dear Mr. Dwyer:

In response to your conversation with Elizabeth Fitch of the Stafford Field Office, the Chief Engineer has extended until **July 28, 2016**, the time in which to submit additional information to the Chief Engineer regarding the application to change the place of use, point of diversion and use made of water under Water Right, File No. 44,681.

If you do not submit additional information by that date or do not request more time on or before July 28, 2016, or if your request is not granted, the application will be dismissed and its priority forfeited.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

Enclosures

pc: Stafford Field Office  
Groundwater Management District No. 2  
Trinity Jr. Sr. Catholic High School, Attn: Joe Hammersmith

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

June 6, 2016

CATHOLIC DIOCESE OF WICHITA  
ATTN RICHARD DWYER  
424 N BROADWAY ST  
WICHITA KS 67202-2310

RE: Water Right, File No. 44,681

Dear Mr. Dwyer,

Reference is made to the application for approval of the Chief Engineer to change the place of use, point of diversion and use made of water under the referenced file number which was received in the office of the Chief Engineer on November 5, 2015.

We have received a recommendation from Equus Beds Groundwater Management District No. 2 that the referenced change application for File No. 44,681 be denied. This recommendation is based upon the rules and regulations effective within the district and the groundwater management program adopted by the district and approved by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. The District's review found that the application does not comply with the Well Spacing Rule and Regulation K.A.R. 5-22-2(a)(2), as the proposed point of diversion appears to be located less than the required minimum spacing distance of 660 feet to one or more domestic wells. In addition, the District's review found that the application does not comply with Maximum Reasonable Quantity for Beneficial Use Rule and Regulation K.A.R. 5-22-14(a)(2), as the proposed water to land ratio of approximately 1.61 acre-feet per acre exceeds the maximum allowable of 1.4 acre-feet per acre for Reno County.

For the reasons given above, it will be recommended to the Chief Engineer that Application, File No. 44,681 be denied and dismissed due to the failure to comply with K.A.R. 5-22-2(a)(2) and K.A.R. 5-22-14(a)(2).

We are advising you of this recommendation in order to allow you an opportunity to consult with the district regarding their recommendation if you have not already done so. If you have already contacted the district regarding their recommendation, then we are allowing you this opportunity to submit to this office any additional information you wish to have considered before the Chief Engineer. **You have a period of 15 days (until June 21, 2016) to either (1) submit additional information to our office or (2) to request additional time beyond the 15 days to submit additional information.** If you wish to request additional time, you must do so in writing, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

If you do not request more time within the 15 day period, or if your request is not granted, the above-referenced application will be submitted to the Chief Engineer for final decision based on the recommendations stated above. If you do submit additional information within the 15 day period (or any authorized extension), that information will be given due consideration prior to final action on the application.

(OVER→)



CATHOLIC DIOCESE OF WICHITA

June 6, 2016

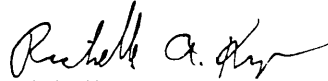
File No. 44,681

Page No. 2

Our staff at the Stafford Field office can provide assistance, if needed. If you would like assistance, please call (620) 234-5311 to set an appointment time. We appreciate you making an appointment, as it will save your time and allows us to better serve you. If you do go to the field office for assistance, please take this letter and any attachments.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Richelle A. Krueger  
Environmental Scientist  
Change Application Unit  
Water Appropriation Program

BAT:rak  
Enclosures

pc: Stafford Field Office  
Groundwater Management District No. 2  
Trinity Jr. Sr. Catholic High School

FRED STUBER, PRESIDENT  
V. KISSIC, VICE PRESIDENT  
JEFF WINTER, SECRETARY  
MIKE MCGINN, TREASURER  
TIM BOESE, MANAGER  
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:  
DAVID BOGNER  
ALAN BURGHART  
JOE PAJOR  
BOB SEILER  
DAVID STROBERG

# EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

May 23, 2016

Attn: Richelle A. Krueger  
1320 Research Park Dr.  
Manhattan, KS 66502

WATER RESOURCES  
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MAY 25 2016

KS DEPT OF AGRICULTURE

Re: Change application #44681 – Catholic Diocese of Wichita

Dear Ms. Krueger:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in point of diversion application on May 23, 2016, using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

The District's review found that the application does not appear to comply with the Well Spacing Rule and Regulation K.A.R. 5-22-2(a)(2), as the proposed point of diversion appears to be located less than the required minimum spacing distance of 660 feet to one or more domestic wells. Please note that the District could not determine the exact location of nearby domestic wells, as the map submitted with the application did not identify nearby wells.

The District's review also found that the application does not comply with the Maximum Reasonable Quantity for Beneficial Use Rule and Regulation K.A.R. 5-22-14(a)(2), as the proposed water to land ratio of approximately 1.61 acre-feet per acre exceeds the maximum allowable of 1.4 acre-feet per acre for Reno County.

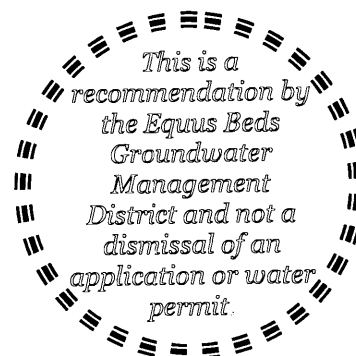
Additionally, it appears that the proposed point of diversion location described on the application is in error. A District inspection found that the proposed point of diversion is an existing well and a GPS of the well by the District found the well to be located approximately 650' N & 4804' W of the southeast section corner, which is approximately 132 feet from the location described on the application (631' N & 4935' W).

Based upon the review findings, the application is recommended for denial by the Equus Beds Groundwater Management District.

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12. An appeal petition must state the basis for the appeal and must include information/documentation supporting the appeal.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/STF



Enclosures

Pc: Catholic Diocese of Wichita, Applicant and Landowner, with copy of K.A.R. 5-22-12  
Trinity JR / SR Catholic High School, with copy of K.A.R. 5-22-12  
Jeff Lanterman, Division of Water Resources Stafford

SCANNED

## Krueger, Richelle

---

**From:** Krueger, Richelle  
**Sent:** Tuesday, May 10, 2016 8:16 AM  
**To:** 'Stephen Flaherty'  
**Subject:** RE: Change in PD PU UMW File No. 44681 Catholic Diocese Trinity JR SR Catholic High School

Okay, thanks!

---

**From:** Stephen Flaherty [mailto:sflaherty@gmd2.org]  
**Sent:** Tuesday, May 10, 2016 8:10 AM  
**To:** Krueger, Richelle  
**Subject:** RE: Change in PD PU UMW File No. 44681 Catholic Diocese Trinity JR SR Catholic High School

We still have it in our office. It will be going out this week.

---

**From:** Krueger, Richelle [mailto:Richelle.Krueger@KDA.KS.GOV]  
**Sent:** Tuesday, May 10, 2016 7:46 AM  
**To:** Stephen Flaherty  
**Subject:** Change in PD PU UMW File No. 44681 Catholic Diocese Trinity JR SR Catholic High School

Good Morning Stephen,

I was just checking to make sure you haven't sent a recommendation on this one, I just didn't want it to slip through the cracks up here!

Thanks,  
Richelle

Richelle Krueger, Environmental Scientist  
Kansas Department of Agriculture  
Water Appropriation Program  
(785) 564-6635  
[Richelle.Krueger@kda.ks.gov](mailto:Richelle.Krueger@kda.ks.gov)  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

March 8, 2016

EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO 2  
ATTN STEPHEN FLAHERTY  
313 SPRUCE ST  
HALSTEAD KS 67056

Re: Water Right, File No. 44,681

Dear Stephen:

In accordance with your request received in this office on March 7, 2016, the Chief Engineer has extended until April 7, 2016, the time in which to submit your recommendations concerning the application to change the place of use, point of diversion and use made of water under File No. 44,681.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

Enclosures

pc: Stafford Field Office

SCANNED

SCANNED

**Krueger, Richelle**

---

**From:** Krueger, Richelle  
**Sent:** Tuesday, March 08, 2016 7:20 AM  
**To:** 'Stephen Flaherty'  
**Cc:** Turney, Brent  
**Subject:** RE: change app 44681

Good Morning Stephen,

We do not have a list of nearby well owners for this one, and decided not to do a notice on this one since it is a relatively small quantity and a less consumptive use of water compared to the original use. In addition, it is moving a relatively small distance (approx. 323') between existing wells.

I will get that extension in the mail to you, let me know if I can be of further assistance.

Thanks,

Richelle

Richelle Krueger, Environmental Scientist  
Kansas Department of Agriculture  
Water Appropriation Program  
(785) 564-6635  
Richelle.Krueger@kda.ks.gov  
www.ksda.gov/dwr

---

**From:** Stephen Flaherty [mailto:sflaherty@gmd2.org]  
**Sent:** Monday, March 07, 2016 12:08 PM  
**To:** Krueger, Richelle  
**Subject:** change app 44681

Richelle,

Do you have the surrounding well owners listed for this application?

Also, could I get a 30 day extension on this one? We have our annual meeting this Thursday and two board meetings this month.

Thanks,

\*\*\*\*\*

**Stephen Flaherty**, Hydrogeologist  
Equus Beds GMD No. 2  
313 Spruce Street \* Halstead, KS 67056  
P: (316) 835-2224 \* F: (316) 835-2225  
[www.gmd2.org](http://www.gmd2.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

February 24, 2016

EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO 2  
ATTN TIM BOESE  
313 SPRUCE ST  
HALSTEAD KS 67056

Re: Water Right, File No. 44,681

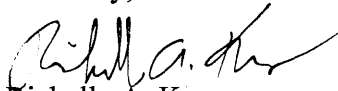
Dear Tim:

We are enclosing a copy of the application to change the place of use, point of diversion and use made of water for the above referenced file number.

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

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

Sincerely,

  
Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

Enclosures

pc: Stafford Field Office

**FILE COPY**



1320 Research Park Drive  
Manhattan, Kansas 66502  
Jackie McClaskey, Secretary

Phone: (785) 564-6700  
Fax: (785) 564-6777  
Email: ksag@kda.ks.gov  
www.agriculture.ks.gov  
Sam Brownback, Governor

CATHOLIC DIOCESE OF WICHITA  
424 N BROADWAY ST  
WICHITA KS 67202

November 6, 2015

RE: File No. 44681

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                      PU/PD/UMW  
 point of diversion  
 use made of water

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

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

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

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

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

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

Sincerely,

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

BAT: DLW  
pc: STAFFORD Field Office  
GMD 2

SCANNED

# Equus Beds Groundwater Management District No. 2

SPACING EVALUATION for Trinity Catholic High School

LOCATION: SWSWSW (650'N & 4804'W) 05-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 5/12/2017



R5W

0 330 660 1,320 Feet

## Map Legend

● Observation Well	● Proposed Point of Diversion	▲ Authorized Location	Burrton IGUCA	
■ Bedrock			Hollow Nickel SWQUA	
			McPherson IGUCA	
			Enhanced Well Spacing Area	
			Application Suspension Area	

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MAY 16 2017

KS DEPT OF AGRICULTURE



Equus Beds Groundwater Management District No. 2  
313 Spruce Street, Halstead, KS 67056  
316-835-2224, equusbeds@gmd2.org



# Equus Beds Groundwater Management District No. 2

Spacing Evaluation for Trinity High School  
 NWSWSW (630'N & 4935'W) 05-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 5/16/2016



## Map Legend

- |                       |                               |                            |  |
|-----------------------|-------------------------------|----------------------------|--|
| ● Observation Well    | ● Proposed Point of Diversion | Burrton IGUCA              |  |
| Proposed Place of Use | ▲ Existing Point of Diversion | Hollow Nikkel SWQUA        |  |
| Bedrock               |                               | McPherson IGUCA            |  |
|                       |                               | Enhanced Well Spacing Area |  |

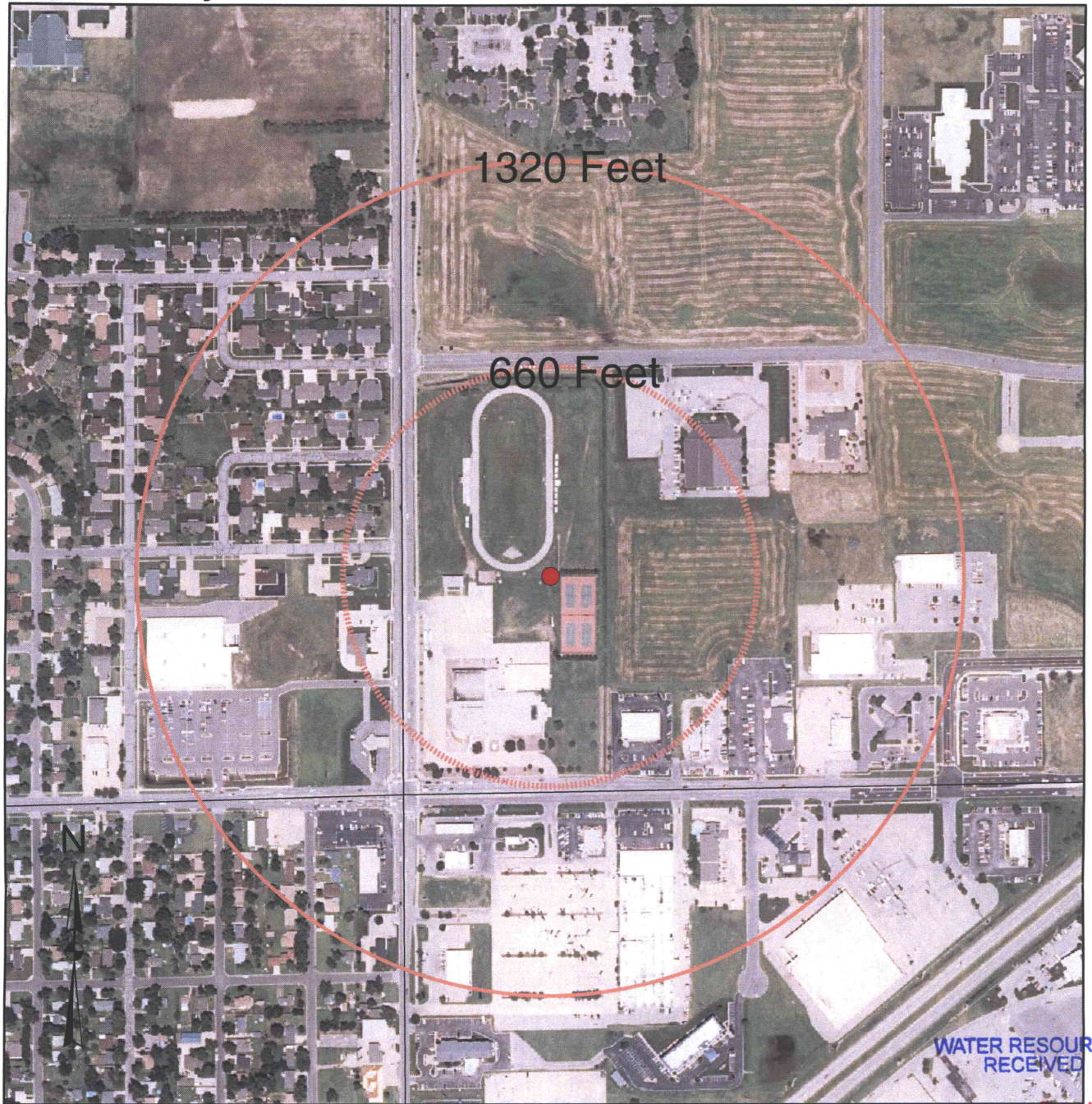
WATER RESOURCES RECEIVED


















MAY 25 2016


KS DEPT OF AGRICULTURE


SCANNED

Equus Beds Groundwater Management District No. 2  
 Spacing Evaluation - No. 44681 - Catholic Diocese / Trinity  
 NWSWSW (650'N & 4804'W) 05-23S-05W, Reno County  
 Prepared By: T. Boese Date: 5/23/2016



 Proposed Point of Diversion	<b>Map Legend</b>	 Burrton IGUCA
 Area of Consideration Boundary	 Major Highway	 Hollow Nikkel SWQUA
 Monitoring Wells	 Other Roadway	 McPherson IGUCA
 Points of Diversion	 Major Stream	 Enhanced Well Spacing Area
 District Boundary	 Other Water Feature	 Permian Surface Bedrock
0.07 0.035 0 0.07 Miles	 County Boundary	 City Boundary
		

  
**SCANNED**

 Equus Beds Groundwater Management District No. 2  
 313 Spruce Street, Halstead, KS 67056  
 316-835-2224, equusbeds@gmd2.org