

Kansas Department of Agriculture  
 Division of Water Resources  
**PERMIT OF NEW APPLICATION WORKSHEET**

1. File Number:  <p style="text-align: center;"><b>49,023</b></p>	2. Status Change Date:  <p style="text-align: center;">5/2/2017</p>	3. Field Office:  <p style="text-align: center;"><b>02</b></p>	4. GMD:  <p style="text-align: center;"><b>2</b></p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
7a. Applicant(s) New to system <input type="checkbox"/>  <p>JOSH &amp; EMILY REGIER          525 PARK PL          MOUNDRIDGE KS 67107</p> Person ID <u>61303</u> Add Seq# _____	Landowner(s) New to system <input type="checkbox"/> Add Seq# _____  7c. JERRY S GOERING      Person ID 63706 12154 W 97TH ST APT 201 LENEXA KS 66215-1673  7d. GARY A REGIER ET AL      Person ID 41758 1742 ARAPAHO RD MOUNDRIDGE KS 67107		
7b. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____  <b>7a.</b>	7e. Misc. New to system <input type="checkbox"/> Person ID 63705_____ Add Seq# _____  DOROTHEA A GOERING 3109 MALLOY ST HUTCHINSON KS 67502-1318		
8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No  <b>7a.</b>	9. Use of Water:    Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____		
10. Completion Date: <u>12/31/2018</u> 11. Perfection Date: <u>12/31/2022</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: <u>4/17/17</u> By: <b>DWS</b> Date Entered: <u>5/3/2017</u> By: <u>UM</u>			

File No. <b>49,023</b>	15. Formation Code: <b>190</b>	Drainage Basin: <b>LITTLE ARKANSAS River</b>	County: <b>HV</b>	Special Use:	Stream:																																																																																																																																																					
16. Points of Diversion T MOD DEL ENT			17. Rate and Quantity <b>MOD QUANTITY</b> Authorized Additional Rate gpm      Quantity af      Rate gpm      Quantity af      Overlap PD Files																																																																																																																																																							
PDIV Qualifier      S      T      R      ID      'N      'W			Rate gpm      Quantity af      Rate gpm      Quantity af      Overlap PD Files																																																																																																																																																							
<b>MOD 82888 NE SW NW 4 22 2W 4 3761 3993</b>			<b>1000 gpm 201.7 1000 gpm 201.7 AF NONE</b>																																																																																																																																																							
18. Storage: Rate _____ NF      Quantity _____ ac/ft      Additional Rate _____ NF      Additional Quantity _____ ac/ft																																																																																																																																																										
19. Limitation: _____ af/yr at _____ gpm ( _____ cfs) when combined with file number(s) _____																																																																																																																																																										
Limitation: _____ af/yr at _____ gpm ( _____ cfs) when combined with file number(s) _____																																																																																																																																																										
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      To be installed by <b>12/31/2018</b> Date Acceptable Meter Installed _____																																																																																																																																																										
21. Place of Use T MOD DEL ENT		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4">NE¼</th> <th colspan="4">NW¼</th> <th colspan="4">SW¼</th> <th colspan="4">SE¼</th> <th rowspan="2">Total</th> <th rowspan="2">Owner</th> <th rowspan="2">Chg? No</th> <th rowspan="2">Overlap Files</th> </tr> <tr> <th>NE¼</th><th>NW¼</th><th>SW¼</th><th>SE¼</th> <th>NE¼</th><th>NW¼</th><th>SW¼</th><th>SE¼</th> <th>NE¼</th><th>NW¼</th><th>SW¼</th><th>SE¼</th> <th>NE¼</th><th>NW¼</th><th>SW¼</th><th>SE¼</th> </tr> </thead> <tbody> <tr> <td>√</td><td>65751</td><td>4</td><td>22</td><td>2W</td><td>4</td><td></td><td></td><td></td><td></td><td>19.6</td><td></td><td></td><td></td><td>19.6</td><td></td><td></td><td></td><td></td><td>39.2</td><td>7e.</td><td>NO</td><td>NONE</td> </tr> <tr> <td>√</td><td>65752</td><td>4</td><td>22</td><td>2W</td><td>5</td><td></td><td></td><td></td><td></td><td>19.3</td><td></td><td></td><td></td><td>19.3</td><td></td><td></td><td></td><td></td><td>38.6</td><td>7c.</td><td>NO</td><td>NONE</td> </tr> <tr> <td>√</td><td>65753</td><td>4</td><td>22</td><td>2W</td><td>6</td><td></td><td></td><td></td><td></td><td>19.4</td><td>19.3</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>38.7</td><td>7a.</td><td>NO</td><td>NONE</td> </tr> <tr> <td>√</td><td>65754</td><td>4</td><td>22</td><td>2W</td><td>7</td><td></td><td></td><td></td><td></td><td>19.4</td><td>19.3</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>38.7</td><td>7d.</td><td>NO</td><td>NONE</td> </tr> </tbody> </table>				NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? No	Overlap Files	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	√	65751	4	22	2W	4					19.6				19.6					39.2	7e.	NO	NONE	√	65752	4	22	2W	5					19.3				19.3					38.6	7c.	NO	NONE	√	65753	4	22	2W	6					19.4	19.3								38.7	7a.	NO	NONE	√	65754	4	22	2W	7					19.4	19.3								38.7	7d.	NO	NONE																					
NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? No	Overlap Files																																																																																																																																							
NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼																																																																																																																																											
√	65751	4	22	2W	4					19.6				19.6					39.2	7e.	NO	NONE																																																																																																																																				
√	65752	4	22	2W	5					19.3				19.3					38.6	7c.	NO	NONE																																																																																																																																				
√	65753	4	22	2W	6					19.4	19.3								38.7	7a.	NO	NONE																																																																																																																																				
√	65754	4	22	2W	7					19.4	19.3								38.7	7d.	NO	NONE																																																																																																																																				
Comments:																																																																																																																																																										

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

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

**TO:** Files

**DATE:** April 17, 2017

**FROM:** Doug Schemm

**RE:** Application, File No. 49,023

Joshua L. & Emily D. Regier have filed the referenced new application to appropriate 201.7 acre-feet of groundwater at a rate of diversion of 1000 gallons per minute from a proposed new well located in the Northwest Quarter of Section 4, Township 22 South, Range 2 West, in Sedgwick County. The proposed appropriation is located within the boundaries of Groundwater Management District No. 2, and the source of water is the Equus Beds Aquifer. There are multiple owners of the place of use including the applicant; Dorothea A. Goering; Jerry S. Goering; and Gary A. & Jean Regier. There are no other overlapping files in point of diversion or place of use. Based on the proposed 155.2 acres and with 1.3 Acre-Feet per acre allowed in Harvey County, the maximum allowable quantity of water that could be requested is 201.7 acre-feet (the applicant voluntarily reduced the initial requested quantity of 212 acre-feet).

The applicant identified one domestic well and one non-domestic well (City of Moundridge), located within one-half mile of the proposed well. Notification letters were sent to these nearby well owners on September 10, 2014. Written letters of concern were received from the nearby domestic well owner and from another domestic well owner in the local area. Both well owners were concerned that the Equus Beds aquifer is being depleted and further development is not sustainable. Response letters were sent to both domestic well owners on October 8, 2014. No further responses of any kind were received from the domestic well owners, however they were included on subsequent GMD #2 correspondence.

A copy of the application was submitted to the Equus Beds Groundwater Management District No. 2 (GMD #2) for their review on October 8, 2014. GMD #2 was provided with an extension time until January 8, 2015 to provide their recommendation. GMD #2 recommended approval of the application in a letter received on December 24, 2014, with the stipulation that the proposed well, as drilled and constructed must comply with the minimum well spacing requirements to senior wells per K.A.R. 5-22-2. The City's well is approximately 1,344 feet away, and the nearest domestic well is over 2,000 feet away. In a subsequent letter dated April 11, 2017, GMD #2 modified the original approval to include installation of a groundwater monitoring well, implementation of a groundwater monitoring plan, and specific well construction criteria.

Please note that this application is in an area of concern regarding groundwater declines (see nearby junior application File No. 49,099, which was ultimately approved in conjunction with a monitoring plan). Therefore, to maintain consistency with other files, this approval will require installation of a groundwater monitoring well in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 4, more particularly described as being near a point 3,760 feet North and 4,660 feet West of the Southeast corner of said section. The monitoring well will be located near the nearest domestic well.

A test hole log provided by the applicant shows medium to coarse sand, with some interbedded clay layers, extending from 8 feet below ground surface down to a total depth of 134 feet, where shale bedrock was encountered in the well log. Static water level was 35 to 40 feet below ground surface, providing 90 feet of saturated thickness. The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and submitted the required form to our office.

Application, File No. 49,023  
Memorandum  
Page 2

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

In an April 13, 2017 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application, with the GMD #2 requirements. Based on the above discussion, well spacing regulations are met (and the well has to meet spacing after installation), safe yield criteria are met, the applicant is required to install a groundwater monitoring well, follow a groundwater monitoring plan, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

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

May 3, 2017

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

**FILE COPY**

RE: Appropriation of Water, File No. 49,023

Dear Mr. and Mrs. Regier:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT:dws

Enclosures

pc: Groundwater Management District No. 2  
Stafford Field Office  
Dorothea A. Goering  
Gary A. Regier et al  
Jerry S. Goering



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

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

**APPROVAL OF APPLICATION  
 and  
 PERMIT TO PROCEED**  
 (This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,023** of the applicant

**JOSH & EMILY REGIER**  
**525 PARK PL**  
**MOUNDRIDGE KS 67107**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **March 27, 2014**.

2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4	22S	2W					38.9	38.8	38.6	38.9									155.2

3. That the authorized source from which the appropriation shall be made is groundwater from the Equus Beds aquifer, to be withdrawn by means of one (1) well located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE¼ SW¼ NW¼) of Section 4, more particularly described as being near a point 3,761 feet North and 3,993 feet West of the Southeast corner of said section, in Township 22 South, Range 2 West, Harvey County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **1,000 gallons per minute** (2.23 c.f.s.) and to a quantity not to exceed **201.7 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before December 31, 2022, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.
7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all diversion works constructed under the authority of this permit 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.
12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.
13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).
14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.
15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

18. That the point of diversion drilled and constructed under the authority of this permit shall comply with the minimum spacing requirements of 1,320 feet to any senior non-domestic well and 660 feet to any senior domestic well.

19. That the applicant shall install, at the applicant's expense, a groundwater monitoring well located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 4, more particularly described as being near a point 3,760 feet North and 4,660 feet West of the Southeast corner of said section, in Township 22 South, Range 2 West, Harvey County, Kansas, prior to the diversion of water for beneficial use under the authority of this permit. Such monitoring well shall be completed in the same aquifer and screened in the same interval as the well authorized by this permit.

20. That the groundwater monitoring well shall be constructed pursuant to Equus Beds Groundwater Management District No. 2 specifications, which must allow for inorganic water quality analysis.

21. That the applicant shall implement the Equus Beds Groundwater Management District No. 2 Groundwater Monitoring Plan, which includes monitoring for both water table fluctuations and initial water quality.

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

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

**Petition for Review.** The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.



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

Ordered this 2nd day of May, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas )  
  ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 2nd day of May, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

**CERTIFICATE OF SERVICE**

On this 3rd day of May, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,023, dated May 2nd, 2017 was mailed postage prepaid, first class, US mail to the following:

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

With photocopies to:

JERRY S GOERING  
12154 W 97TH ST APT 201  
LENEXA KS 66215-1673

GARY A REGIER ET AL  
1742 ARAPAHO RD  
MOUNDRIDGE KS 67107

DOROTHEA A GOERING  
3109 MALLOY ST  
HUTCHINSON KS 67502-1318

Groundwater Management District No. 2  
Stafford Field Office

Danielle Wilson

Division of Water Resources

APPLICATION COMPLETE

4/12/2017

Reviewer DW: S



THE STATE OF KANSAS

WATER RESOURCES RECEIVED

MAR 27 2014

12:55 pm

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE  
Dale A. Rodman, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49023  
This item to be completed by the Division of Water Resources.

**APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE**

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
109 SW 9<sup>th</sup> Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): Joshua L and Emily D. Regier  
Address: 525 Park Pl  
City: Moundridge State KS Zip Code 67107  
Telephone Number: (620) 345-7499

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Little Arkansas River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 212 acre-feet OR \_\_\_\_\_ gallons per calendar year,  
to be diverted at a maximum rate of 1000 gallons per minute OR \_\_\_\_\_ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):  
(a)  Artificial Recharge (b)  Irrigation (c)  Recreational (d)  Water Power  
(e)  Industrial (f)  Municipal (g)  Stockwatering (h)  Sediment Control  
(i)  Domestic (j)  Dewatering (k)  Hydraulic Dredging (l)  Fire Protection  
(m)  Thermal Exchange (n)  Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:  
F.O. 2 GMD 2 Meets K.A.R. 5-3-1 (YES/NO) Use JAR Source GDS County HV By RAE Date 3-27-14  
Code REG RE2 Fee \$ 300 TR # 14036756 Receipt Date 3-27-14 Check # 1468

DWR 1-100 (Revised 02/16/2011)

WATER RESOURCES RECEIVED

JUL 31 2014

SCANNED

3/31/2014 LLM

KS DEPT OF AGRICULTURE

~~Test well needs to be drilled before we know well location.~~ File No. 49023

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the NE quarter of the SW quarter of the NW quarter of Section 4\*, more particularly described as being near a point 3761 feet North and 3993 feet West of the Southeast corner of said section, in Township 22 South, Range 2 East/West (circle one), Harvey County, Kansas.
- (B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

JR  
7/28/14

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print): John and Jacqueline Goering Trust. New owner will be Josh or Gary Regier.  
(name, address and telephone number)  
depending on well location. Purchase contract is attached  
(name, address and telephone number)

JR \*

See Attached sheet  
You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 23, 2014. [Signature]  
Applicant's Signature

7. The proposed project for diversion of water will consist of 1 well  
(number of wells, pumps or dams, etc.)  
and (was)(will be) completed (by) December 31, 2015  
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be April 1, 2015  
(Mo/Day/Year)

\*PDR/PDR 3-27-14 per enclosed map

WATER RESOURCES RECEIVED  
MAR 27 2014  
WATER RESOURCES RECEIVED  
JUL 31 2014  
KS DEPT OF AGRICULTURE

SCANNED

KS DEPT OF AGRICULTURE

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?  
 Yes    No   If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources?    Yes    No

- If yes, show the Water Structures permit number here \_\_\_\_\_
- If no, explain here why a Water Structures permit is not required \_\_\_\_\_

- 11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

---



---



---



---



---

WATER RESOURCES RECEIVED

JUL 31 2014

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

MAR 27 2014

KS DEPT OF AGRICULTURE

SCANNED

~~Test well has not been completed~~

File No. 49023

13

Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from:  Test holes  Well as completed  Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>7-14-14</u>	_____	_____	_____
Total depth of well	<u>134'</u>	_____	_____	_____
Depth to water bearing formation	<u>~30-40'</u>	_____	_____	_____
Depth to static water level	<u>35-40'</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>NA</u>	_____	_____	_____

JR  
7/25/14

14. The relationship of the applicant to the proposed place where the water will be used is that of

Owner  
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Dorothea Goering, 3109 Malloy St. Hutchinson KS  
(name, address and telephone number)

Jerry S. Goering 12154 W 97th Apt 201 Lenexa KS  
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Moundridge, Kansas, this 23 day of March, 2014.  
(month) (year)

  
(Applicant Signature)

513-86-1175  
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By \_\_\_\_\_  
(Agent or Officer Signature)

and/or  
APPLICANT(S) TAXPAYER I.D. NO.(S)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by \_\_\_\_\_ Date: \_\_\_\_\_  
(office/title)

WATER RESOURCES RECEIVED

JUL 31 2014

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

MAR 27 2014 SCANNED

KS DEPT OF AGRICULTURE

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49023

Name of Applicant (Please Print): Josh Regier

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Dorothea A Goering  
ADDRESS: 3109 Malloy St Hutchinson, KS 67502-1318

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
*	4	22	2W					19.6			19.6									39.2

Landowner of Record NAME: Jerry S Goering  
ADDRESS: 12154 ~~W~~ W 9th, Apt #201 Lenexa, KS

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
*	4	22	2W					19.3			19.3									38.6

660215-1673

Landowner of Record NAME: Joshua L and Emily D Regier  
ADDRESS: 525 Park Pl Moundridge KS

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
*	4	22	2W					19.4	19.3											38.7

Total = 155.2 acres \*

**SCANNED**

Page 1 of 2

DWR I-100.23 (7-7-00)

\* RAR/Put 3-27-14  
per enclosed map

↑  
Gary A and Jean Regier  
1742 Arapaho Rd  
Moundridge KS 67107

WATER RESOURCES RECEIVED

JUL 31 2014 MAR 27 2014

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
Crete Silt Loam	72		
Smolan Silty Clay Loam	28		
Total:	100 %		

b. Estimate the average land slope in the field(s):

1 %

Estimate the maximum land slope in the field(s):

3 %

c. Type of irrigation system you propose to use (check one):

- Center pivot      \_\_\_ Center pivot - LEPA      \_\_\_ "Big gun" sprinkler  
 \_\_\_ Gravity system (furrows)      \_\_\_ Gravity system (borders)      \_\_\_ Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 40 psi

(2) What is the sprinkler package design rate? 800 gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

Corn, Soybeans, Wheat

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

Determine irrigation by probing for moisture and using ET data.

You may attach any additional information you believe will assist in informing the Division of the need for your request.

7/28/14

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, Kansas 66612-1283

Re: Application File No. 49023

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

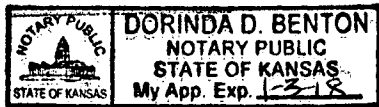


Signature of Applicant

State of Kansas )  
) ss  
County of Harvey )

Josh Regier  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 27 day of July, 2014.



My Commission Expires: 1-3-18



Notary Public

WATER RESOURCES  
RECEIVED

JUL 31 2014

SCANNED



#49,023

IRRIGATION TEST WELL

Driller & Assistant: Tom Hall/Collin Date: 7/14/14

CUSTOMER: Gary Regier, 1742 Arapaho Rd., Moundridge, KS 67107 620-386-0458

LOCATION: Harvey Co, NW 1/4 of 4-22-2W

- Screen 2-1/2"       Holeplug       Gas & Oil - W.T.       6" or 5" Liner if needed
- Casing 2-1/2"       Quarters       3/4" Polyethylene       Solvent & Glue
- Couplings, 2-1/2"       Water       2-1/2" PVC Tee       Water Sample Bottle
- End Caps, 2-1/2"       Lime       5" & 6" Bits       Inspection Sheet
- Gravel Pack       Drilling Mud       Packing

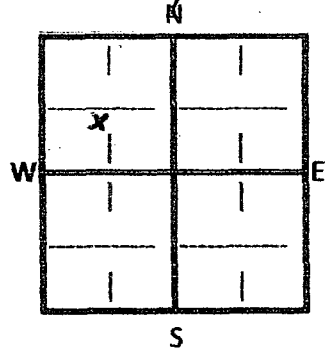
Depth:	Formation:	Well Information:
0-2	T.S.	Static Water Level: <u>35-40?</u>
2-8	Clay brown	Est. production: <u>850-1000 gpm</u>
8-55	Sand m-c small gravel	Casing depth: <u>80'-0" 2 1/2"</u>
55-60	Sand m-c w/ a little clay	Screen depth: <u>100' - 80" 2 1/2"</u>
60-80	Sand m-c	Slot size:
80-100	Sand f-m	Grouting depth: <u>Gravel - 60-100'</u>
100-120	Sand med. w/ a little clay	Number of bags: <u>1</u>
120-130	Sand fine/clay 50/50	Nearest Contamination:
130-134	clay tan	
134-140	Shale - green/grey	Maintenance & Safety:
	<u>38.16997743</u>	Notes:
	<u>97.55142349</u>	

Directions:

Latitude: \_\_\_\_\_ N decimal degrees (ex. 38.881796)  
 Longitude: \_\_\_\_\_ W decimal degrees (ex. 95.373889)

Datum:  NAD27  NAD83  WGS84

SE 1/4	NE 1/4	SW 1/4	NW 1/4
Sec <u>4</u>	T <u>22</u>	R <u>2</u>	E(W)
County <u>HARVEY</u>			



\$ 7<sup>00</sup> x 140' /ft. Well  
 \$ 5<sup>00</sup> /Grout  
 \$ NONE /Test Pumping  
 \$ NONE /Water Sample  
 \$ NONE /Mobilization/Travel  
 Contract Received: 4/11/14

Invoice #: 18650  
 Date Mailed: 7/18/14  
 Well Data:  Logged:  
 Materials:

WATER RESOURCES RECEIVED

SCANNED

JUL 31 2014

To: Kansas Department of Agriculture  
Division of Water Resources

Re: Josh Regier Application 49023

Enclosed is the revised and completed application to appropriate new water for irrigation on Sec 4-22-2W in Harvey County, Kansas.

In paragraph 6, the owner of the point of diversion is now Joshua L. and Emily D. Regier.

All landowners who will have land under this irrigation system are:

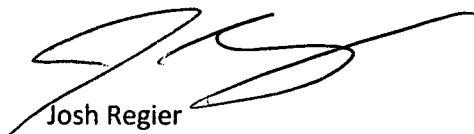
Joshua L and Emily D Regier  
Gary A and Jean Regier  
Dorothea A Goering  
Jerry S Goering

This information is provided on the Irrigation Use Supplemental Sheet

For paragraph 13, a copy of the drillers log from the test hole is included.

On the map, the nearest point of diversion is owned by the City of Moundridge and it has been measured as being approximately 1350 feet from our proposed diversion point.

Thanks for taking time to review this application.



Josh Regier

WATER RESOURCES  
RECEIVED  
JUL 31 2014  
KS DEPT OF AGRICULTURE

SCANNED

MAR 01 2017

Dear Chief Engineer:

My name is Josh Regier and I am the holder of application number 49023, in Section 4-22-2W Harvey County, Kansas. In December 2014, my application was recommended for approval by the GMD2 board in Halstead and passed on the Stafford Field Office, where it has been since. There are 2 other applications in the nearby area that followed mine. Those were numbers 49099, also in Section 4-22-2W, and 49179 in Section 6-22-3W.

These applications were all being held until a study of declining water levels in the area was completed. I attended the January 31, 2017 GMD board meeting and found the study to be very thorough and informative. Following the presentation of that study, applications 49099 and 49179 were tabled until the February meeting. Despite the study showing significant drops in water levels, and the GMD2 staff's recommendation for denial, those 2 applications were unanimously approved by the GMD2 board of directors.

It was explained to me by your staff (Doug Schemm was working on my file) that my application was going to be grouped with the other 2 and approved or denied based on the recommendations for those applications.

I am excited about the possibility of irrigating my land but I also have concerns about the state of water levels in this area, which I was not aware of at the time I filed my application. As you review these files, I would ask for careful consideration of the long term prospect of the irrigation wells. If approved, I will be making a major investment of over \$100,000 in an irrigation system along with the well(s). While there may be a lot of pressure from other applicants to approve applications, I am asking you to protect our potential investment. The biggest dis-service that your office could provide us would be to let us make the investment and find out a few years later that our wells are not sustainable or are impairing existing wells, and get shut down. However, if approved, adding this irrigation well could be a substantial benefit to our farming operation.

We have 3 existing wells in the vicinity of the 3 proposed new permits. With that in mind, it is important that if our permit is denied, the other 2 are not allowed to proceed either. We have the earliest priority number of the proposed permits. If we are not going to be allowed to pump water, which could potentially affect our existing wells, there is no reason why somebody else should.

Please add this letter to our file. Thank you for the time to review our application and read this letter.

Sincerely,



Josh Regier (file no. 49023)

1742 Arapaho Rd

Moundridge, KS 67107.

P.S. This is a new address that you can change in our file.

RECEIVED

MAR 13 2017

Topeka Field Office  
DIVISION OF WATER RESOURCES

SCANNED

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

3761 ft N and 3993 ft W of the SE Corner of Section 4, T 22S, R 2W

Located at: 97.551089 West Longitude and 38.169950 North Latitude

GROUNDWATER ONLY

*All wells > 1,320' meet Spacing*

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 4537	D1	IRR	NK	G	8690	--	SW	SE	SW	-----	-----	29	21	2W	3		105.00	105.00	AF
A_ 4537	D2	IRR	NK	G	8690	--	SW	SE	SW	-----	-----	29	21	2W	3		52.00	52.00	AF
A_ 4591	00	IRR	NK	G	9414	--	--	CN	SW	2628	3987	28	21	2W	2		139.00	139.00	AF
A_ 5112	00	IRR	NK	G	6003	--	SE	NW	SW	-----	-----	5	22	2W	1		240.00	240.00	AF
A_ 6221	00	IRR	NK	G	4789	--	NW	SW	SE	1300	2600	32	21	2W	3		120.00	120.00	AF
A_ 19669	00	IRR	NK	G	5383	--	--	--	--	3730	3940	3	22	2W	1		141.00	141.00	AF
A_ 23036	00	MUN	NK	G	10226	--	SE	SW	SW	120	4392	10	22	2W	1		157.23	36.36	AF
Same					9307	--	NW	SW	SW	745	5177	10	22	2W	2		250.10	57.84	AF
A_ 27455	00	MUN	NK	G	3021	--	SE	SW	SE	111	1396	33	21	2W	1		137.61	137.61	AF
Same					1344	--	--	--	--	5094	3824	4	22	2W	2		166.18	126.01	AF
A_ 37213	00	IRR	NK	G	4064	--	SW	NE	SE	1908	924	32	21	2W	2		98.00	98.00	AF
A_ 44982	00	MUN	KE	G	3021	--	SE	SW	SE	111	1396	33	21	2W	1		222.58	84.97	AF
A_ 44995	00	MUN	KE	G	1344	--	--	--	--	5094	3824	4	22	2W	2		194.01	27.83	AF
A_ 45656	00	IRR	LR	G	8365	--	N2	NE	NE	4860	666	7	22	2W	7		41.60	41.60	AF
A_ 46649	00	MUN	KE	G	9307	--	NW	SW	SW	745	5177	10	22	2W	2		346.49	346.49	AF
A_ 46650	00	MUN	KE	G	10226	--	SE	SW	SW	120	4392	10	22	2W	1		296.18	296.18	AF
A_ 47114	00	IRR	KE	G	8339	--	--	CW	NE	4160	2600	10	22	2W	4	G 2	208.00	208.00	AF
Same					8458	--	--	CW	NE	3960	2600	10	22	2W	5	B 2			
Same					8223	--	--	CW	NE	4360	2600	10	22	2W	6	B 2			
A_ 47591	00	IRR	KE	G	2856	--	NW	NW	SW	1320	4620	33	21	2W	3		104.00	104.00	AF
A_ 48765	00	IRR	GY	G	5618	NC	E2	W2	NE	3960	1630	9	22	2W	1	G 4	155.50	155.50	AF
Same					5747	--	--	NC	NE	3960	1340	9	22	2W	2	B 4			
Same					5502	--	NC	W2	NE	3960	1920	9	22	2W	3	B 4			
Same					5357	--	SE	NW	NE	4250	1630	9	22	2W	4	B 4			
Same					5882	--	NE	SW	NE	3670	1630	9	22	2W	5	B 4			
A_ 49023	00	IRR	AY	G	202	--	--	--	NW	3960	3960	4	22	2W	4		212.00	212.00	AF
A_ 49099	00	IRR	AY	G	2441	--	--	--	SW	1320	3960	4	22	2W	5		298.50	298.50	AF
T_20127202	MF	IRR	GY	G	5383	--	--	--	--	3730	3940	3	22	2W	1		523.60	.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	510.50	.00
Total Permitted Amount (AF) =	1222.97	.00
Total Inspected Amount (AF) =	41.60	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1252.81	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3027.89	.00

An \* after the source of supply indicates a pending application for change for the file number.

An \* after the ID indicates a 15 AF exemption was granted for the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

97.551089 West Longitude and 38.169950 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

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

April 11, 2017

Chief Engineer, Division of Water Resources  
Attn: Douglas Schemm, Topeka FO  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619

Re: Appropriation Application #49023 – Joshua Regier

Dear Mr. Schemm:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced application on December 19, 2014, 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, and recommended the application for approval. Upon further review of the application, discussion with the Division of Water Resources, and to be consistent with the Equus Beds Groundwater Management District No. 2 Board of Directors' recent approval recommendations of similar nearby appropriation applications, the District is modifying the recommendation of approval to include:

1. The installation of a groundwater monitoring well, at the applicants expense, located in the northwest quarter of the southwest quarter of the northwest quarter of Section 04, Township 22 South, Range 2 West, Harvey County, approximately 3760 feet north and 4660 feet west of the apparent southeast section corner;
2. The implementation of the enclosed groundwater-monitoring schedule, at the applicant's expense, which includes monitoring for both water table fluctuation and initial water quality; and
3. Construction of the monitoring well pursuant to District specifications (copy enclosed) to allow for inorganic water quality analyses.

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/db

Enclosures

pc: Joshua & Emily Regier - Applicant and Landowner, with enclosures  
Gary & Jean Regier - Landowner  
Dorothea Goering - Landowner  
Jerry Goering - Landowner  
Keith Pollet - nearby well owner  
Miner and Valetta Seymour - nearby well owner  
Jeff Lanterman, Division of Water Resources, Stafford

RECEIVED

APR 12 2017

Topeka Field Office  
DIVISION OF WATER RESOURCES

H:\MSOFFICE\LETTERS\APP\NewApp\Recommendation\Approved\49023\_Regier\_modified.doc



**GROUNDWATER MONITORING PLAN  
for  
WATER APPROPRIATION FILE NO. 49023 – JOSHUA REGIER**

Prepared by  
Equus Beds Groundwater Management District No. 2  
April 11, 2017

**A SCOPE** - To monitor and record water quality and water level changes in the Equus Beds Aquifer in an area that encompasses the point of diversion described by Water Appropriation Application No. 49023.

**B DATA COLLECTION**

B.1 Data collection points may include the proposed production wells and dedicated observation wells.

B.2 The data collection point locations are described as:

B.2.1 One irrigation well located in the northeast quarter of the southwest quarter of the northwest quarter of Section 04, Township 22 south, Range 2 west, Harvey County, approximately 3761 feet north and 3993 feet west of the apparent southeast section corner

B.2.2 One monitoring well located in the northwest quarter of the southwest quarter of the northwest quarter of Section 04, Township 22 south, Range 2 west, Harvey County, approximately 3760 feet north and 4660 feet west of the apparent southeast section corner

B.3 Each data collection point shall be assigned an identification character and marked so as to be easily visible on the data collection point.

B.4 The water permit owner is responsible for water level measurements and collection and analysis of initial baseline water samples.

B.5 A trained and qualified person, as determined by the Division of Water Resources and the Equus Beds Groundwater Management District, shall conduct all measurements and sample collection.

B.6 The water permit owner shall provide the Equus Beds Groundwater Management District and the Division of Water Resources rights of ingress and egress to the monitoring well as may be reasonably necessary for data gathering or sample collection.

**C DATA COLLECTION RECORDS**

C.1 The water permit owner shall maintain accurate permanent records of all water level measurements and water quality analyses.

- C.2 All water level measurements shall be recorded to the nearest 0.1 foot.
- C.3 Record data for each water level measurement shall include:
  - C.3.1 Identification of the data collection point by identification character and legal description;
  - C.3.2 Date of measurement;
  - C.3.3 Time of measurement;
  - C.3.4 Name of person making measurement;
  - C.3.5 Description and elevation of measuring point;
  - C.3.6 Measurement of depth to water from measuring point in feet;
  - C.3.7 Computed depth to water from land surface;
  - C.3.8 Computed water table elevation;
  - C.3.9 If the data collection point is a production well, the date the well was last operated, and
  - C.3.10 Any field observations that may have an effect on the water table.
- C.4 Record data for the initial baseline inorganic water quality analysis shall include:
  - C.4.1 Laboratory name, address and telephone number;
  - C.4.2 Laboratory certification identification number issued by the Kansas Department of Health and Environment;
  - C.4.3 Identification of the data collection point by identification character and legal description;
  - C.4.4 Name of sample collector;
  - C.4.5 Time and date sample was collected;
  - C.4.6 Depth sample was collected;
  - C.4.7 Total depth of the well;
  - C.4.8 Depth to the top of the screen and length of screened interval of the well;
  - C.4.9 Date sample was received by the water chemistry laboratory;
  - C.4.10 Date analysis was performed or reported;
  - C.4.11 Results of analysis, and
  - C.4.12 Name of analyst.

**D EQUIPMENT**

- D.1 Water level measurements shall be made using one of the following devices:
  - D.1.1 A chalked steel tape with a weight attached to the lower end and graduated to a minimum of 0.1 foot;
  - D.1.2 An M-scope or electric tape graduated to a minimum of 0.1 foot;
  - D.1.3 A factory calibrated pressure transducer;
  - D.1.4 Equipment must be clean and free of any contaminants, and
  - D.1.5 Other devices approved by the Division of Water Resources and the Equus Beds Groundwater Management District.

- D.2 Initial water quality sample shall be:
  - D.2.1 Taken after water standing in the well casing and in the annulus adjacent to the well screen is removed so that formation water replaces the standing water;
  - D.2.2 Collected by means of:
    - D.2.2.1 A bladder pump;
    - D.2.2.2 A bailer with a double check valve and a bottom emptying device;
    - D.2.2.3 An air lift pump;
    - D.2.2.4 A centrifugal pump, or
    - D.2.2.5 a turbine pump,
  - D.2.3 Placed in new, clean, high-density polyethylene, eight ounce (oz), sample container free of contaminants and sealed with a polyethylene threaded cap, (or container provided by the analyzing laboratory):
    - D.2.3.1 The sample container shall be marked with a durable and waterproof label.
    - D.2.3.2 The label shall contain:
      - D.2.3.2.1 Data collection identification number;
      - D.2.3.2.2 Name of the collector;
      - D.2.3.2.3 Date and time of the sample collection, and
      - D.2.3.2.4 Legal description of the data collection point.
  - D.2.4 Cooled to 4° C and protected from contaminants, and
  - D.2.5 Delivered to a certified laboratory within 24 hours of collection.

## **E FREQUENCY OF WATER LEVEL MEASUREMENTS**

- E.1 An initial water level measurement shall be taken at the data collection point described in paragraph B.2.2 (monitoring well), prior to the installation of the proposed diversion works (irrigation well) described in water permit application #49023.
- E.2 Upon installation of the proposed diversion works, water level measurements shall commence on the data collection points described in paragraphs B.2.1 and B.2.2 (irrigation well and monitoring well) for a period of ten (10) years as described:
  - E.2.1 Water level measurements shall be collected on a monthly basis for two years.
  - E.2.2 Monthly measurements shall be collected during the first full week beginning with the first Monday of each month.
  - E.2.3 After two years of monthly measurements, water level measurements shall be collected on a quarterly basis for three years.
  - E.2.4 Quarterly measurements shall be collected during the first full week beginning with the first Monday of each calendar quarter.



E.2.5 After three years of quarterly measurements, water level measurements shall be collected on an annual basis for five years.

E.2.6 Annual measurements shall be collected during the first full week beginning with the first Monday of each calendar year.

E.3 Measurements may extend beyond ten (10) years, if it is found by the Chief Engineer, Division of Water Resources and the Board of Directors, Equus Beds Groundwater Management District No. 2 that such data is necessary to:

E.3.1 Determine groundwater level changes at the site;

E.3.2 Prevent impairment of existing wells and water rights, or

E.3.3 Determine other site conditions.

## **F FREQUENCY AND ANALYSIS OF WATER QUALITY SAMPLES**

F.1 An initial water quality sample shall be collected and analyzed from the data collection point described in paragraph B.2.2 (monitoring well), prior to the operation of the proposed diversion of works (irrigation well) described in water permit application #49023.

F.2 An initial water quality sample shall be collected and analyzed from the data collection point described in paragraph B.2.1 (irrigation well) immediately following its completion.

F.3 Type of water quality analysis to be performed on each initial sample shall be an inorganic analysis comprised of minerals and metals and including specific conductance.

F.4 All water chemistry analysis shall be performed by a laboratory certified by the Kansas Department of Health and Environment to perform such analyses.

## **G REPORTING**

G.1 The applicant shall furnish all water level measurements and water quality analyses performed on the data collection points to the Chief Engineer, Division of Water Resources and the Equus Beds Groundwater Management District, within ten days of a measurement or receipt of an analysis.

## **EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2**

### **OBSERVATION WELL SPECIFICATIONS FOR GROUNDWATER LEVEL OR WATER QUALITY (INORGANIC) MONITORING**

#### **SECTION 1 - GENERAL**

**1.01**—The contractor shall furnish all necessary supervision, labor, tools, materials and equipment, except as maybe noted, to properly drill and construct groundwater observation wells.

**1.02**--The contractor shall furnish a certificate of insurance to the water permit owner for Workers' Compensation (\$500,000 bodily, \$500,000 property, \$500,000 disease); Comprehensive General Liability, including XCU liability coverage (\$500,000); Property Damage Liability (\$500,000); and Automobile Liability Insurance (\$500,000).

**1.03**--The Equus Beds Groundwater Management District No. 2 shall furnish a site geologist for the following purposes:

1.03.1.to inspect the well and site during and after well construction and completion;

1.03.2.to determine the well completion and screen depth and placement of the gravel pack ;

1.03.3.to make measurements or collect samples as maybe necessary; and

1.03.4.other matters that may arise during the project that are not listed in the Observation Well Specifications for Groundwater Level or Water Quality Inorganic) Monitoring, location map and these specifications.

**1.04**--The contractor shall protect any adjacent equipment, drainage ditches, pavements, crops, fences, above and below ground utility lines and any other site work liable to damage from the execution of this work. Repair of damaged areas shall be made as approved by the water permit owner or the Equus Beds Groundwater Management District No. 2 at the contractor's expense.

**1.05**--The contractor shall have a valid and current water well contractors drilling license issued by the State of Kansas.

**1.06**--The contractor shall complete a Kansas Department of Health and Environment form WWC-5 for each well drilled and constructed. The form shall be typed and submitted to the Kansas Department of Health and Environment the Equus Beds Groundwater Management District No. 2, and the water permit owner not later than 30 days upon completion of a well.

**1.07--**The contractor shall remove all drilling and grouting equipment from the borehole when drilling and construction operations are suspended for the day or interrupted by an unforeseen circumstance.

**1.08--**The contractor and/or water permit owner shall notify the Equus Beds Groundwater Management District a minimum of 72 hours prior to drilling operations and shall schedule drilling and well construction to allow District staff to witness the drilling and well construction.

## **SECTION 2- SITE PREPARATION**

**2.01--**The contractor or a representative of the contractor shall identify or locate above and below ground utilities. If necessary, utility locations shall be marked.

**2.02--**Subject to the approval of the site geologist; the staked observation well location may be moved for safety reasons or to avoid property or equipment damage.

**2.03--**When the use of wooden or steel planking will not provide rig stabilization; rough grading, cutting and filling shall be permitted for drilling rig stabilization.

**2.04--**The contractor shall erect and maintain guardrails, lights, temporary enclosures or other equipment as required to safeguard the public.

## **SECTION 3 - DRILLING**

**3.01--**Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, all drilling shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

**3.02--**The minimum diameter of the borehole shall be six inches from ground level to total depth (TD).

**3.03--**A portable above-ground drill tank or pit shall be used to circulate drilling fluid and contain drill cuttings.

**3.04--**Prior to setting casing the borehole TD shall be "tagged" or measured to determine borehole depth.

**3.05--**Any portion of the borehole that penetrates greater than five feet into bedrock, as determined by the site geologist, shall be plugged back to the observation well's TD.

**3.06**--Any borehole that is not completed due to unforeseen circumstances shall be plugged from TD to ground level.

#### **SECTION 4 - WELL CONSTRUCTION**

**4.01**--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, well construction shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

**4.02**--All materials used in the construction of each well shall be properly prepared and installed according to manufacturers' specifications.

**4.03**--A two inch PVC, schedule 40, slip cap shall be glued to the bottom end of the screen prior to screen installation.

**4.04**--A ten foot section or joint of two-inch diameter, PVC, schedule 40, slip joint, screen with 0.030 openings shall be set at TD.

**4.05**--Two-inch diameter, PVC, schedule 40, bell joint, well casing shall be installed from the screen to seven feet below land surface.

**4.06**--A two-inch diameter, PVC, schedule 40, threaded and slip end, female adapter shall be installed on the PVC well casing. The slip end shall be installed on the PVC well casing using glue and two galvanized screws that do not penetrate the inside surface of the well casing when tightened.

**4.07**--A prefabricated two-inch diameter, galvanized casing consisting of two, threaded, five feet sections coupled together shall be installed. A non-toxic thread sealing compound shall be used on the threaded joints.

**4.08**--A two-inch diameter, PVC, schedule 40, threaded, cap shall be installed, without thread sealing compound, on the well casing opening. A 1/8" diameter vent hole shall be drilled through the side of the cap.

**4.08**—The completed observation well shall be protected by a steel 6 X 6 inch square well protector that is of 5 feet minimum length and has a lockable lid. The monitoring well and square well protector shall be seated in a standard well pad.

**4.09**—The top of the observation well shall be 9 inches below the top of the square well protector.

## **SECTION 5 - GRAVEL PACK**

**5.01**--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, installation of the gravel pack shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

**5.02**--Immediately after the well screen and casing has been installed in the borehole; a gravel pack shall be installed from TD to a maximum of five feet above the top of the screen.

**5.03**--The gravel pack shall be placed in the same hydrologic unit or zone as determined by the site geologist and shall not connect multiple hydrologic units or zones.

**5.04**--The gravel pack material shall be clean sand 1/8 inch to 1/4 inch in diameter, placed with a tremie pipe.

**5.05**--After installation, the top of the gravel pack shall be "tagged" or measured to determine placement. Additional gravel pack shall be added, if needed.

## **SECTION 6 - GROUTING**

**6.01**--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, grouting shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

**6.02**--Bentonite clay grout shall be installed in the annular space from the top of the gravel pack to ground level.

**6.03**--The grout shall be plugging sodium bentonite clay such as that manufactured under the trade name of "HolePlug" or an equivalent approved by the site geologist.

**6.04**--The grout shall be installed or placed with a tremie pipe or as recommended by the manufacturer.

**6.05**--Grout intervals less than or equal to 70 feet shall be plugged with sodium bentonite clay such as that manufactured under the trade name of "HolePlug" or an equivalent approved by the site geologist.

**6.06**--Grout intervals greater than 70 feet shall be plugged with a grout mixture consisting of fresh water and commercial grouting or plugging sodium bentonite clay containing high solids such as that manufactured under the trade name of "Volclay grout" or an equivalent approved by the site geologist. The grout mixture shall be as per manufacturer's recommendations to achieve a minimum weight of 9.4 pounds per gallon of mix. The grout shall be installed or placed with a tremie pipe.

**6.07**--Grout intervals for all wells from ten feet below land surface to land surface shall be grouted pursuant to Section 6.05.

## **SECTION 7 - WELL DEVELOPMENT AND SITE CLEANUP**

**7.01**--To insure the well is functioning properly; each well shall be sufficiently developed to remove any drilling fluid and cuttings from the well and gravel pack.

**7.02**--Litter, drill cuttings and other materials associated with the drilling and construction of the well shall be removed and properly disposed of by the contractor.

**7.03**--Upon completion of the well, all drilling equipment shall be removed from the site as soon as possible and the site returned to pre-drilling conditions.

## **SECTION 8 - LOGGING**

**8.01**--To determine the lithology of the unconsolidated material from ground level to TD; the contractor shall collect and log drilling samples at a maximum sample interval of five feet and less, if needed to determine lithology.



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
www.agriculture.ks.gov  
Sam Brownback, Governor

October 8, 2014

KEITH & JAN POLLET  
10117 N SPRING LAKE RD  
MOUNDRIDGE KS 67107

Re: Pending Application, File No. 49,023

Dear Mr. and Mrs. Pollet:

This will acknowledge receipt of your letter, received in this office on October 6, 2014 in which you expressed concerns regarding the proposed appropriation of groundwater by Joshua L. & Emily D. Regier under the above referenced application for irrigation use. We are in the process of thoroughly reviewing this pending application to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level.

In addition, this pending application will also be undergoing further review by Equus Beds Groundwater Management District No.2 (GMD No. 2), and they will be provided a copy of your letter. Your comments, and any recommendations made by GMD No. 2, will be considered by the Chief Engineer prior to final action on the referenced application.

Finally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if this application is approved by the Chief Engineer, and you believe the diversion of water is impairing your water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office, as follows, so that an investigation can be conducted.

Division of Water Resources  
300 S. Main Street (location)  
P.O. Box F (mailing address)  
Stafford, KS 67578-1342  
Telephone Number: (620) 234-5311

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

Sincerely,

A handwritten signature in black ink that reads "Doug Schemm".

Doug Schemm  
Environmental Scientist  
Topeka Field Office

pc: Equus Beds Groundwater Management District No. 2

SCANNED



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
www.agriculture.ks.gov

Sam Brownback, Governor

September 10, 2014

DELBERT K & JANET POLLETT  
10117 N SPRING LAKE RD  
MOUNDRIDGE KS 67107

Re: Pending Application, File No. 49,023

Dear Sir or Madam:

This is to advise you that Joshua L. & Emily D. Regier have filed the application referred to above for a permit to appropriate 201.7 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 1,000 gallons per minute. The proposed point of diversion is a proposed well located as follows:

In the Northeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 4, in Township 22 South, Range 2 West, Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

Enclosure

pc: Joshua L & Emily D. Regier  
Groundwater Management District No. 2



# Application Map - File No. 49023



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

[Signature]  
Signature

3/27/2014  
Date

- New Application
- Application No. \_\_\_\_\_ To Change:

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

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

- 1) City of Moundridge, KS  
P.O. Box 636  
Moundridge, KS 67107
- 2) Delbert K and Janet Pollett  
10117 N. Spring Lake Rd  
Moundridge, KS 67107
- 3) WATER RESOURCES

WATER RESOURCES RECEIVED  
RECEIVED

MAR 27 2014

SCANNED

JUL 31 2014



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietz, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
www.agriculture.ks.gov  
Sam Brownback, Governor

September 30, 2014

MINER & VALETTA SEYMOUR  
10431 N OLD SETTLERS RD  
MOUNDRIDGE KS 67107

Re: Pending Application, File No. 49,023

Dear Mr. and Mrs. Seymour:

This will acknowledge receipt of your letter, received in this office on September 24, 2014 in which you expressed concerns regarding the proposed appropriation of groundwater by Joshua L. & Emily D. Regier under the above referenced application for irrigation use. We are in the process of thoroughly reviewing this pending application to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level.

In addition, this pending application will also be undergoing further review by Equus Beds Groundwater Management District No.2 (GMD No. 2), and they will be provided a copy of your letter. Your comments, and any recommendations made by GMD No. 2, will be considered by the Chief Engineer prior to final action on the referenced application.

Finally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if this application is approved by the Chief Engineer, and you believe the diversion of water is impairing your water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office, as follows, so that an investigation can be conducted.

Division of Water Resources  
300 S. Main Street (location)  
P.O. Box F (mailing address)  
Stafford, KS 67578-1342  
Telephone Number: (620) 234-5311

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

Sincerely,

A handwritten signature in black ink that reads "Doug Schemm".

Doug Schemm  
Environmental Scientist  
Topeka Field Office

**SCANNED**

pc: Equus Beds Groundwater Management District No. 2

September 21, 2014

Douglas Schemm  
Kansas Department of Agriculture  
Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 65619

RECEIVED  
SEP 24 2014  
TOPEKA FIELD OFFICE  
DIVISION OF WATER RESOURCES

Pending Application , File No. 49,023

Dear Mr. Schemm,

We are concerned about the above application for another irrigation well in our immediate vicinity. We depend on well water for our household water supply, and there are ever increasing numbers of irrigation wells surrounding us. This one, Pending Application File No. 49,023 is proposed to be placed in the NE quarter of the NW quarter of Section 4 in Township 22 South, Range 2 West, Harvey County, is in the same section as our home, less than 1 mile northeast of the proposed well site.

It is well known that the Equus Beds are being depleted and not regenerating at the same rate as water taken from it. We feel it is unwise to continue to allow irrigation permits in this fragile situation since the continued depletion of this precious water source cannot be replaced in the long term. In short, continued and new irrigation practices are not sustainable.

Please consider the long term sustainability of the Equus Beds and stop denying agricultural irrigation permits in this vicinity.

Respectfully,

*MINER SEYMOUR*  
*Valetta Seymour*  
Miner and Valetta Seymour

10431 N Old Settlers Rd  
Moundridge, Kansas 67107

SCANNED

October 2, 2014

Douglas W Schemm  
Environmental Scientist  
Topeka Field Office

RE: Pending Application File No. 49023

Dear Sir,

This letter is to advise you of our concerns regarding the proposed irrigation well. My wife and I have a well located in the Southeast Qtr. (SE ¼) of section Five (5), Township Twenty-two (22) South, Range Two (2) West of the 6<sup>th</sup> PM, Harvey Co. KS. This is within ½ of a mile of the proposed well. We are concerned about the effect substantial additional pumpage from the shared aquifer will have on our existing well. We are also concerned about the effect on the aquifer in general.

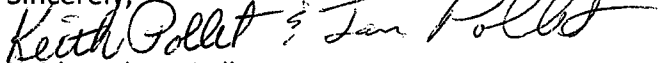
Our well was checked out in August of 2012 by Dave Weaver, an employee of Paul, Inc. of Hesston. It was determined the well depth was 117 feet, static water at 45 feet, and the pumping depth 65 feet after pumping 20 gal./min. for approximately one hour. We were assured this was an excellent well with an exceptional water source. It was one of the primary reasons for purchasing this property in September of 2012.

Our concerns about the potential diminished production of our well results from past experiences living in WY and being aware of the water shortages being experienced periodically throughout the country, if not the world.

We also researched the Equus Beds website and find we have good reason to be concerned. It has been concluded repeatedly through various studies that the overall use of the Equus Beds aquifer has been exceeding the sustainable yield. To continue to issue permits for wells that increase the demand and usage of limited existing water resources until this area begins to suffer the water shortage experienced by other parts of Kansas, and the country, makes no sense to us. Enclosed is a copy of a USGS report we found on the Equus Beds website. We have highlighted those statements that make us concerned about the future of our water supply with an increasing number of nearby wells collectively pumping millions of gallons of water a day.

If it is determined that the proposed irrigation well poses no threat whatsoever to the production and performance of our well then all parties involved should have no problem providing a recorded document stating their willingness to rectify any and all damages that may occur to our well from the development and usage of the irrigation well.

Sincerely,

  
Keith and Jan Pollet

10117 N Spring Lake Rd  
Moundridge, KS 67107

RECEIVED

OCT 06 2014

TOPEKA FIELD OFFICE  
DIVISION OF WATER RESOURCES

SCANNED



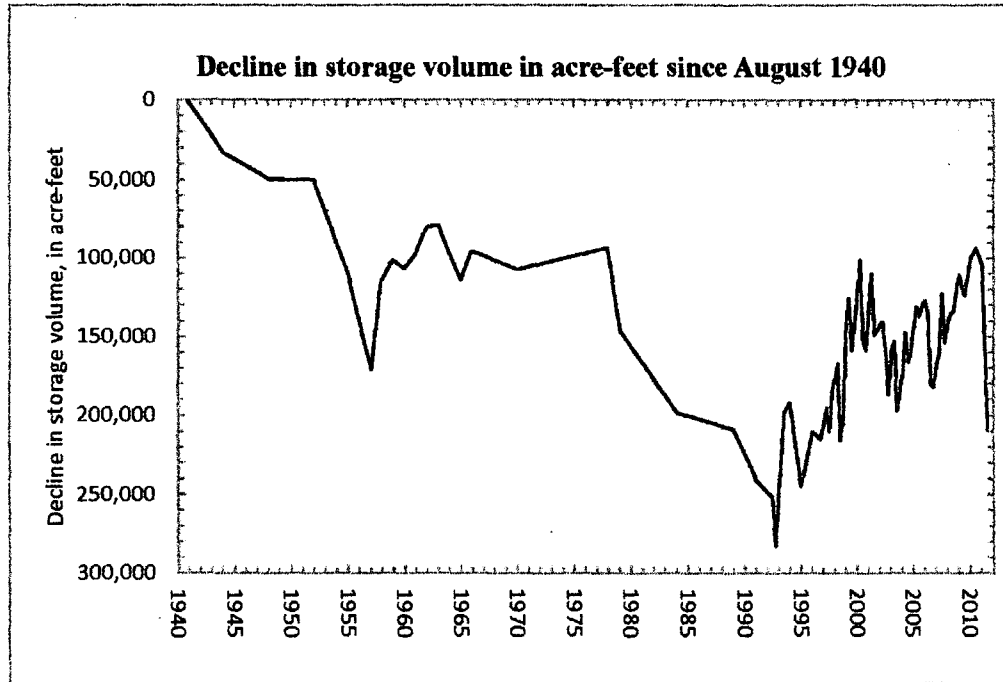
Kansas Water Science Center

Search...  All USGS  This site only

- Home
- Studies
- Data
- Research Lab
- Publications
- Flood and Drought
- About Us
- Contact
- USGS WSC's

Equus Beds Recharge

### Equus Beds Groundwater Quantity



Substantial pumping of the *Equus Beds* Aquifer began in September 1940 resulting in a gradual decrease of the aquifer's water level. Water-level declines, of up to 40 feet in some areas, occurred by October of 1992 as a result of increased city and irrigation pumpage and the 1988-92 drought. The water level declines resulted in a loss of storage of almost 300,000 acre feet that was no longer available for water supply. This trend in water-level decline and loss of storage prompted the City of Wichita to reduce pumpage of the *Equus Beds* aquifer and initiate the *Equus Beds* aquifer Recharge Demonstration Project to test the feasibility of augmenting the storage in the aquifer.

Between January 1993 and July 2010, when the largest storage-volume recovery to date occurred, water-level recoveries averaged about 10 feet in the study area. Decreased city pumpage, because of increasing reliance by Wichita on Cheney Reservoir as a water-supply source, as well as normal to wetter-than-normal rainfall conditions, were the primary reasons for the water-level recoveries. The aquifer's storage volume recovered by 63 percent during the same period while water levels in many wells recovered to levels similar to those in the 1970s. However, from July 2010 to July 2011, water levels averaged a decline of about 5 feet and about 71 percent of the recovered storage volume was lost due to drought conditions and record irrigation pumpage (<http://pubs.usgs.gov/sim/3208/>) Artificial recharge with the demonstration project and phase I (since 2007) contributed a minor amount to the recovery to date, although the capacity of phase I and II will have a greater future effect and will help counter the overappropriation of the aquifer; permitted water withdrawals for irrigation and city use exceed sustainable yield.

#### Changes in Groundwater Levels and Storage in the *Equus Beds* Aquifer, Northwest of Wichita, Kansas

- [Water Level Change Maps](#)
- [Water Level Altitude Maps](#)
- [Water Level Change Data](#)
- [Groundwater Storage/Level Publications](#)
- [Map of Study Area](#)
- [Map of Monitoring Wells](#)

#### Water Level, Continuous data and Historical Groundwater-level links for the *Equus Beds* Aquifer

- [At 25S 01W 36BCCD01 VALLEY CENTER WELL](#)
- [At 25S 01W 15BBBA01 SEDGWICK WELL](#)
- [At 24S 03W 21DDAA05 IW-18C DEEP](#)
- [At 24S 02W 16BAAA02 IW-16C DEEP](#)
- [At 23S 02W 34ADD 01 TH-04-A1 EB-145-A1](#)
- [At 23S 02W 34ADDA02 EB-145-P-D5](#)
- [At 22S 02W 30BCBB01 ALTA MILLS](#)
- [Monitoring locations at Recharge Basin 1](#)
- [At 24S 03W 02AADA01 RB1-MS SHALLOW](#)
- [At 24S 03W 02AADA02 RB1-MS DEEP](#)
- [At 24S 03W 02AADA04 RB1-PMS SHALLOW](#)
- [At 24S 03W 02AADA05 RB1-PMS DEEP](#)
- [At 24S 03W 02AADA06 RB1-P SHALLOW](#)
- [At 24S 03W 02AADA07 RB1-P DEEP](#)
- [At 24S 03W 02AADA08 RB1-P TRENCH](#)



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietz, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

September 10, 2014

CITY OF MOUNDRIDGE  
PO BOX 636  
MOUNDRIDGE KS 67107

Re: Pending Application, File No. 49,023

Dear Sir or Madam:

This is to advise you that Joshua L. & Emily D. Regier have filed the application referred to above for a permit to appropriate 201.7 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 1,000 gallons per minute. The proposed point of diversion is a proposed well located as follows:

In the Northeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 4, in Township 22 South, Range 2 West, Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

Enclosure

pc: Joshua L & Emily D. Regier  
Groundwater Management District No. 2

# Application Map - File No. 49023



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

[Signature]  
Signature

3/27/2014  
Date

- New Application
- Application No. \_\_\_\_\_ To Change:

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

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

- 1) City of Moundridge, KS  
P.O. Box 636  
Moundridge, KS 67107
- 2) Delbert K and Janet Pollett  
10117 N. Spring Lake Rd  
Moundridge, KS 67107
- 3) WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED  
RECEIVED  
MAR 27 2014  
JUL 31 2014

SCANNED



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietz, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
www.agriculture.ks.gov  
Sam Brownback, Governor

October 8, 2014

GROUNDWATER MANAGEMENT DISTRICT NO 2  
% TIM BOESE  
313 SPRUCE ST  
HALSTEAD KS 67056-1925

Re: Pending Application, File No. 49,023

Dear Mr. Boese:

We are enclosing a copy of the application referred to above which appears to be in proper form. Nearby well owner notification letters were sent out on September 10, 2014. A telephone call was received from nearby domestic well owner Keith Pollet with general concerns about the local aquifer. A written letter was received from a domestic well owner in the local area (Miner and Valetta Seymour) expressing their concerns. A response letter was sent to Mr. and Mrs. Seymour on September 30, 2014. In addition, a written concern letter was received from domestic well owner, Keith and Jan Pollet, as a follow up to Mr. Pollet's telephone call. A response letter was sent to Mr. and Mrs. Pollet on October 8, 2014.

We are delaying any further action for a period of **30 days** from the date of this letter to allow you time to submit your recommendations concerning this application. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

Enclosure

SCANNED





Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Department of Agriculture  
Division of Water Resources

Phone: (785) 296-5733  
Fax: (785) 862-2460  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 6, 2014

GROUNDWATER MANAGEMENT DISTRICT NO 2  
% TIM BOESE  
313 SPRUCE ST  
HALSTEAD KS 67056-1925

Re: Pending Applications,  
File No. 49,023 – Josh Regier  
File No. 49,049 – Ronnie Young

Dear Mr. Boese:

In response to your written request received by electronic mail in our office on November 4, 2014, the Chief Engineer is allowing an extension of time for 60 days for both of the above referenced files. With this extension of time the revised response date is **January 8, 2015**. This extension of time appears reasonable based on the need to thoroughly review nearby well owner concerns regarding these applications.

We are delaying any further action to allow you time to submit recommendations concerning these files. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

July 10, 2014

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,023

Dear Mr. and Mrs. Regier:

The application referred to above was returned to you for additional information on April 10, 2014, and with your current extension of time the required response date is August 10, 2014. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **August 10, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **August 10, 2014**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6631 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Hermes".

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2



109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

May 15, 2014

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,023

Dear Mr. and Mrs. Regier:

In response to your written request by electronic mail received in this office on May 14, 2014, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on April 10, 2014, and with your current extension of time the due date is June 10, 2014. With this extension of time, the revised deadline will be **August 10, 2014**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **August 10, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed original application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 296-3619 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Katie Hermes".

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2

## Hermes, Katie

---

**From:** Josh Regier <joshregier82@yahoo.com>  
**Sent:** Wednesday, May 14, 2014 10:34 PM  
**To:** Hermes, Katie  
**Subject:** extension request for file 49023  
**Attachments:** water right 49023 extension.doc

Katie-

Please see the attachment for request to extend the deadline to locate point of diversion for this file number.

Thanks,  
Josh Regier  
Moundridge, KS

May 14, 2014

Katie Hermes  
Environmental Scientist  
Water Appropriation Program  
Kansas Department of Agriculture  
Division of Water Resources

RE: Request for Extension to locate point of diversion for pending application with file number 49,023

Currently, we have a deadline of June 10, 2014, to locate the point of diversion for this application. We have contacted our well driller (Peterson Irrigation of Lindsborg, KS) about drilling test wells. They have told us that they are booked up for several weeks and will not be able to have our test wells drilled by the deadline.

Since this is a situation that is out of our control, we request an extension for an additional 60 days from the original June 10 deadline. This would make our deadline to have the test holes drilled and point of diversion located on or before August 9, 2014.

Sincerely,  
Josh Regier  
525 Park Place  
Moundridge, KS 67107



Department of Agriculture  
Division of Water Resources

109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

May 9, 2014

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,023

Dear Mr. and Mrs. Regier:

The application referred to above was returned to you for additional information on April 10, 2014, and with your current extension of time the required response date is June 10, 2014. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **June 10, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **June 10, 2014**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 296-3619 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2

  
**Kansas**  
Department of Agriculture  
Division of Water Resources

109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
www.agriculture.ks.gov  
Sam Brownback, Governor

April 10, 2014

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,023

Dear Mr. and Mrs. Regier:

After reviewing your above referenced application for a permit to appropriate water for beneficial use, the file is being returned to you for additional information. As specified in K.A.R. 5-3-1, an application acceptable for filing shall show the source of water supply and either shall show a description of the location of the proposed point of diversion or shall request a 60-day period of time in which to establish the location of the proposed point of diversion within a limited area. In your original application, received in this office on March 27, 2014, you had requested a 60-day period of time in which to locate the specific point of diversion within a specified quarter section tract of land described as the Northwest Quarter of Section 4, in Township 22 South, Range 2 West, Harvey County, Kansas. Due to our delay in returning the original application to you, the 60-day period of time will start as of the date of this letter.

In Paragraph No. 5 of the application, please provide the description of the location of the proposed point of diversion for the well. The feet distances North and West from the Southeast corner of the section must be listed for the well. The location of the point of diversion for the file must be plotted on the enclosed site map. Per K.A.R. 5-3-4, the location of all water wells of every kind within one-half (½) mile of the point of diversion covered by the proposed appropriation must be plotted on the topographic map, identified as to its use, and **include the name and mailing address of the well owner**. Please provide this information once you have established your point of diversion for this file, and sign the map where indicated.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion, unless the chief engineer has sufficient information to understand the lithology and determine the groundwater source formation. Please supply the indicated information and a test hole log or a driller's log with the returned application. The enclosed "Minimum Desirable Streamflow" form must also be signed and notarized.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before June 10, 2014, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application. If you have any questions, please contact me at (785) 296-3619 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Katie Hermes  
Environmental Scientist  
Water Appropriation Program

Enclosure

pc: Stafford Field Office  
GMD 2

## Schemm, Doug

---

**From:** Lanterman, Jeff  
**Sent:** Thursday, April 13, 2017 2:53 PM  
**To:** Schemm, Doug  
**Cc:** Conant, Cameron  
**Subject:** RE: Joshua Regier 49,023

Nevermind you put that right in the MEMO.

Approve it. ☺

Jeff

---

**From:** Schemm, Doug  
**Sent:** Thursday, April 13, 2017 2:48 PM  
**To:** Lanterman, Jeff <Jeff.Lanterman@ks.gov>  
**Cc:** Conant, Cameron <Cameron.Conant@ks.gov>  
**Subject:** Joshua Regier 49,023

Hello Stafford,

Revised memorandum and proposed permit conditions. Have a great day, Doug

18. That the point of diversion drilled and constructed under the authority of this permit shall comply with the minimum spacing requirements of 1,320 feet to any senior non-domestic well and 660 feet to any senior domestic well.

19. That the applicant shall install, at the applicant's expense, a groundwater monitoring well located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW¼ SW¼ NW¼) of Section 4, more particularly described as being near a point 3,760 feet North and 4,660 feet West of the Southeast corner of said section, in Township 22 South, Range 2 West, Harvey County, Kansas, prior to the diversion of water for beneficial use under the authority of this permit. Such monitoring well shall be completed in the same aquifer and screened in the same interval as the well authorized by this permit.

20. That the groundwater monitoring well shall be constructed pursuant to Equus Beds Groundwater Management District No. 2 specifications, which must allow for inorganic water quality analysis.

21. That the applicant shall implement the Equus Beds Groundwater Management District No. 2 Groundwater Monitoring Plan, which includes monitoring for both water table fluctuation and initial water quality.



## Kopp, Kenneth

---

**From:** Kopp, Kenneth  
**Sent:** Tuesday, July 28, 2015 10:39 AM  
**To:** Lanterman, Jeff; Schemm, Doug  
**Cc:** Conant, Cameron  
**Subject:** RE: water right 49023

Already having a recommendation for approval from GMD 2 puts us in a tough spot. Do you have examples of other files that have been denied/dismissed in this area even though they met safe yield and well spacing regs?

I would suggest sending a denial letter, citing K.S.A. 82a-711(b) and (c), referencing whatever data we have on the depleting aquifer in this area and see what he comes back with.

Ken

---

**From:** Lanterman, Jeff  
**Sent:** Tuesday, July 28, 2015 10:19 AM  
**To:** Schemm, Doug  
**Cc:** Conant, Cameron; Kopp, Kenneth  
**Subject:** RE: water right 49023

They are now recommending denial on files like these. After this one Tim went to the board and stated that there were instances where he thought files in declining areas should get a denial recommendation even if they meet all the rules. And he has started to act on that. Without a board action.

I think if he had had that authorization from the board he would have made the same call on this one.

I don't think I will change my mind though. Really don't think I should be approving water rights in areas that are already declining.

---

**From:** Schemm, Doug  
**Sent:** Tuesday, July 28, 2015 7:11 AM  
**To:** Lanterman, Jeff  
**Cc:** Conant, Cameron; Kopp, Kenneth  
**Subject:** FW: water right 49023

Good Morning,  
Not sure what to do with this one. Tough one to deny with GMD 2 recommending approval.  
Doug

---

**From:** Kopp, Kenneth  
**Sent:** Tuesday, July 28, 2015 7:03 AM  
**To:** Schemm, Doug  
**Subject:** FW: water right 49023

Hi Doug,

Can you follow up with Mr. Reiger?

Thanks,

Ken

---

**From:** Josh Regier [<mailto:joshregier82@yahoo.com>]

**Sent:** Sunday, July 26, 2015 4:14 PM

**To:** Boese, Tim; Kopp, Kenneth

**Subject:** water right 49023

Is there any new news on this application? 49023 for Sec 4-22-2W in Harvey County? At the state level, I think Doug Schemm is handling it but I could not find his email address. Please update me with any new information.

Thanks,

Josh Regier

Moundridge, KS

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

July 10, 2014

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,023

Dear Mr. and Mrs. Regier:

The application referred to above was returned to you for additional information on April 10, 2014, and with your current extension of time the required response date is August 10, 2014. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **August 10, 2014**, or within any authorized extension of time thereof. According to the law, default in the refileing of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **August 10, 2014**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6631 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Hermes".

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2



109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
www.agriculture.ks.gov  
Sam Brownback, Governor

May 15, 2014

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,023

Dear Mr. and Mrs. Regier:

In response to your written request by electronic mail received in this office on May 14, 2014, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on April 10, 2014, and with your current extension of time the due date is June 10, 2014. With this extension of time, the revised deadline will be **August 10, 2014**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **August 10, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed original application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 296-3619 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Hermes".

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2



109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

May 9, 2014

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,023

Dear Mr. and Mrs. Regier:

The application referred to above was returned to you for additional information on April 10, 2014, and with your current extension of time the required response date is June 10, 2014. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **June 10, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **June 10, 2014**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 296-3619 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Hermes".

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2

  
Kansas  
Department of Agriculture  
Division of Water Resources

109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
www.agriculture.ks.gov

Sam Brownback, Governor

April 10, 2014

JOSH & EMILY REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,023

Dear Mr. and Mrs. Regier:

After reviewing your above referenced application for a permit to appropriate water for beneficial use, the file is being returned to you for additional information. As specified in K.A.R. 5-3-1, an application acceptable for filing shall show the source of water supply and either shall show a description of the location of the proposed point of diversion or shall request a 60-day period of time in which to establish the location of the proposed point of diversion within a limited area. In your original application, received in this office on March 27, 2014, you had requested a 60-day period of time in which to locate the specific point of diversion within a specified quarter section tract of land described as the Northwest Quarter of Section 4, in Township 22 South, Range 2 West, Harvey County, Kansas. Due to our delay in returning the original application to you, the 60-day period of time will start as of the date of this letter.

In Paragraph No. 5 of the application, please provide the description of the location of the proposed point of diversion for the well. The feet distances North and West from the Southeast corner of the section must be listed for the well. The location of the point of diversion for the file must be plotted on the enclosed site map. Per K.A.R. 5-3-4, the location of all water wells of every kind within one-half (½) mile of the point of diversion covered by the proposed appropriation must be plotted on the topographic map, identified as to its use, and **include the name and mailing address of the well owner**. Please provide this information once you have established your point of diversion for this file, and sign the map where indicated.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion, unless the chief engineer has sufficient information to understand the lithology and determine the groundwater source formation. Please supply the indicated information and a test hole log or a driller's log with the returned application. The enclosed "Minimum Desirable Streamflow" form must also be signed and notarized.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before June 10, 2014, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application. If you have any questions, please contact me at (785) 296-3619 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Katie Hermes

Environmental Scientist

Water Appropriation Program

Enclosure

pc: Stafford Field Office  
GMD 2

49023

To: Kansas Department of Agriculture  
Division of Water Resources

Re: Josh Regier Application Sec 4-22-2W

Enclosed is the application to appropriate new water for irrigation on Sec 4-22-2W in Harvey County, Kansas.

The field we intend to irrigate is on the map. As we have not yet had a chance to have test wells drilled, we request the 60 day extension to locate the point of diversion within the 155 acre field specified on the map.

At this time, we are unsure of how many wells we will need to drill. We will also have that information when test wells are completed.

The land on which the well will be located will be owned by Josh and Emily Regier, or Gary and Jean Regier, depending on location of the well. This land has recently been purchased. It has not been closed on yet, but a copy of the purchase contract is enclosed.

Thanks for taking time to review this application.



Josh Regier

WATER RESOURCES  
RECEIVED

MAR 27 2014

KS DEPT OF AGRICULTURE **SCANNED**

49023

REAL ESTATE PURCHASE CONTRACT

This Agreement, Made and entered into this 17th day of March, 2014, by and between Douglas J. Goering, Successor Trustee of the John and Jacqueline Goering Living Trust, party of the First Part, hereinafter referred to as "Seller," whether one or more, and Joshua L. and Emily D. Regier, party of the Second Part, hereinafter referred to as "Buyer," whether one or more.

WITNESSETH: That for and in consideration of the mutual promises, covenants and payments hereinafter set out, the parties hereto do hereby contract to and with each other, as follows:

- 1. The Seller does hereby agree to sell and convey to the Buyer by a good and sufficient warranty deed the following described real property, situated in Harvey County, State of Kansas, to wit: E1/2, W1/2, NW1/4 S04-T22R02W, 38.7 Acres.
- 2. The Buyer hereby agrees to purchase, and to pay to the Seller, as consideration for the conveyance to him of the above described real property, the sum of \$167,450.00, in the manner following, to-wit: \$1,000.00 upon signing of this contract, and the balance shall be paid upon closing.
- 3. The Seller agrees to furnish to the Buyer a complete abstract of title or title insurance to the above described real property, certified to date, showing a merchantable title, vested in the Seller, subject to: Easements and Restrictions of record. The costs to be split on a 50/50 basis for title insurance.
- 4. A duly executed copy of this Purchase agreement shall be delivered to the parties hereto.
- 5. The Buyer agrees to and does hereby deposit with Regier Title, Inc escrow account, the \$ 1,000.00, earnest money, as a guarantee that the terms and conditions of this contract shall be fulfilled by him; said deposit to be applied on the purchase price upon acceptance of title by the Buyer and delivery of deed by the Seller. In the event the Buyer shall fail to fulfill his obligation hereunder, the Seller may, at his option, cancel this agreement, and thereupon the aforementioned deposit shall become the property of the Seller and his Agent, not as a penalty but as liquidated damages. Provided, however, that, in the event the Seller is unable to furnish merchantable title, the earnest money deposited shall be returned to the Buyer, and this Agreement shall be null and void and of no further force and effect.
- 6. Taxes shall be prorated for calendar year on the basis of taxes levied, or for previous year.
- 7. It is understood and agreed between the parties hereto that time is of the essence of this contract, and that this transaction shall be consummated on or before April 17, 2014, unless additional time is required to perfect title.
- 8. Closing to be handled by Regier Title, Inc. Fee to be split equally between buyer and seller.
- 9. Miscellaneous \_\_\_\_\_

All minerals convey from the buyer to the seller at closing

WITNESS OUR HANDS AND SEALS the day and year first above written.

[Signature] Buyer

[Signature] Seller

Emily Regier Buyer

Seller

WATER RESOURCES RECEIVED

MAR 27 2014

KS DEPT OF AGRICULTURE

SCANNED



49023

REAL ESTATE PURCHASE CONTRACT

This Agreement: Made and entered into this 17th day of March, 2014, by and between Douglas J. Goering, Successor Trustee of the John and Jacqueline Goering Living Trust, party of the First Part, hereinafter referred to as "Seller," whether one or more, and Gary A. and Norma Jean Regier, party of the Second Part, hereinafter referred to as "Buyer," whether one or more.

WITNESSETH: That for and in consideration of the mutual promises, covenants and payments hereinafter set out, the parties hereto do hereby contract to and with each other, as follows:

- 1. The Seller does hereby agree to sell and convey to the Buyer by a good and sufficient warranty deed the following described real property, situated in Harvey County, State of Kansas, to-wit: W1/2, W1/2, NW1/4 S04-T22R02W, 38.7 Acres.
- 2. The Buyer hereby agrees to purchase, and to pay to the Seller, as consideration for the conveyance to him of the above described real property, the sum of \$167,450.00, in the manner following, to-wit: \$1,000.00 upon signing of this contract, and the balance shall be paid upon closing.
- 3. The Seller agrees to furnish to the Buyer a complete abstract of title or title insurance to the above described real property, certified to date, showing a merchantable title, vested in the Seller, subject to Easements and Restrictions of record. The costs to be split on a 50/50 basis for title insurance.
- 4. A duly executed copy of this Purchase agreement shall be delivered to the parties hereto.
- 5. The Buyer agrees to and does hereby deposit with Regier Title, Inc. escrow account, the \$ 1,000.00, earnest money, as a guarantee that the terms and conditions of this contract shall be fulfilled by him, said deposit to be applied on the purchase price upon acceptance of title by the Buyer and delivery of deed by the Seller. In the event the Buyer shall fail to fulfill his obligation hereunder, the Seller may, at his option, cancel this agreement, and thereupon the aforementioned deposit shall become the property of the Seller and his Agent, not as a penalty but as liquidated damages. Provided, however, that, in the event the Seller is unable to furnish merchantable title, the earnest money deposited shall be returned to the Buyer, and this Agreement shall be null and void and of no further force and effect.
- 6. Taxes shall be prorated for calendar year on the basis of taxes levied, or for previous year.
- 7. It is understood and agreed between the parties hereto that time is of the essence of this contract, and that this transaction shall be consummated on or before April 17, 2014, unless additional time is required to perfect title.
- 8. Closing to be handled by Regier Title, Inc. Fee to be split equally between buyer and seller.
- 9. Miscellaneous \_\_\_\_\_

All minerals convey from the buyer to the seller at closing

WITNESS OUR HANDS AND SEALS the day and year first above written.

Buyer [Signature]

Seller [Signature]

Buyer Norma Jean Regier

Seller \_\_\_\_\_

WATER RESOURCES RECEIVED

MAR 27 2014

SCANNED

KS DEPT OF AGRICULTURE



109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1283

phone: (785) 296-3717  
fax: (785) 296-1176  
<http://agriculture.ks.gov/dwr>

Jackie McClaskey, Acting Secretary  
David W. Barfield, Chief Engineer

Sam Brownback, Governor

March 27, 2014

JOSHUA L AND EMILY D REGIER  
525 PARK PL  
MOUNDRIDGE KS 67107

RE: Application  
File No. 49,023

Dear Sir or Madam:

Your application for permit to appropriate water in 4-22S-2W, in Harvey County, was received and has been assigned the file number noted above.

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. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. 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 our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Douglas W. Schemm  
New Application Unit Supervisor  
Water Appropriation Program

DWS: al  
pc: Stafford Field Office  
GMD 2

# Application Map - File No. 49023



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

[Signature]  
Signature

3/27/2014  
Date

- New Application
- Application No. \_\_\_\_\_ To Change:

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

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

- 1) City of Moundridge, KS  
P.O. Box 636  
Moundridge, KS 67107
- 2) Delbert K and Janet Pollett  
10117 N. Spring Lake Rd  
Moundridge, KS 67107
- 3) WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

MAR 27 2014

JUL 31 2014

SCANNED

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



DIRECTORS:  
ALAN BURGHART  
RAY FLICKNER  
JOE PAJOR  
BOB SEILER  
JEFF WINTER

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

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

December 19, 2014

Chief Engineer, Division of Water Resources  
Attn: Douglas Schemm  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619

Re: Application 49023 – Joshua Regier

Dear Mr. Schemm:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced application on December 19, 2014, 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 complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

Based upon the review, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2, subject to the proposed well, as drilled and constructed under the authority of the approved application, complying with the minimum well spacing requirements to senior domestic and non-domestic wells as described in K.A.R. 5-22-2.

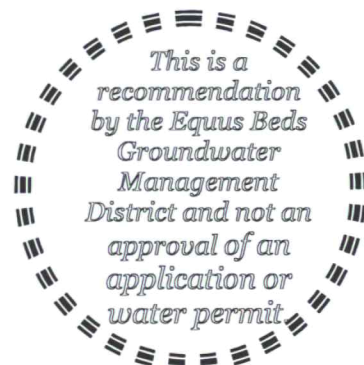
A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12.

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/tf

pc: Joshua & Emily Regier - Applicant and Landowner  
Gary & Jean Regier - Landowner  
Dorothea Goering - Landowner  
Jerry Goering - Landowner  
Keith Pollet - nearby well owner  
Miner and Valetta Seymour - nearby well owner  
Jeff Lanterman, Division of Water Resources, Stafford



RECEIVED

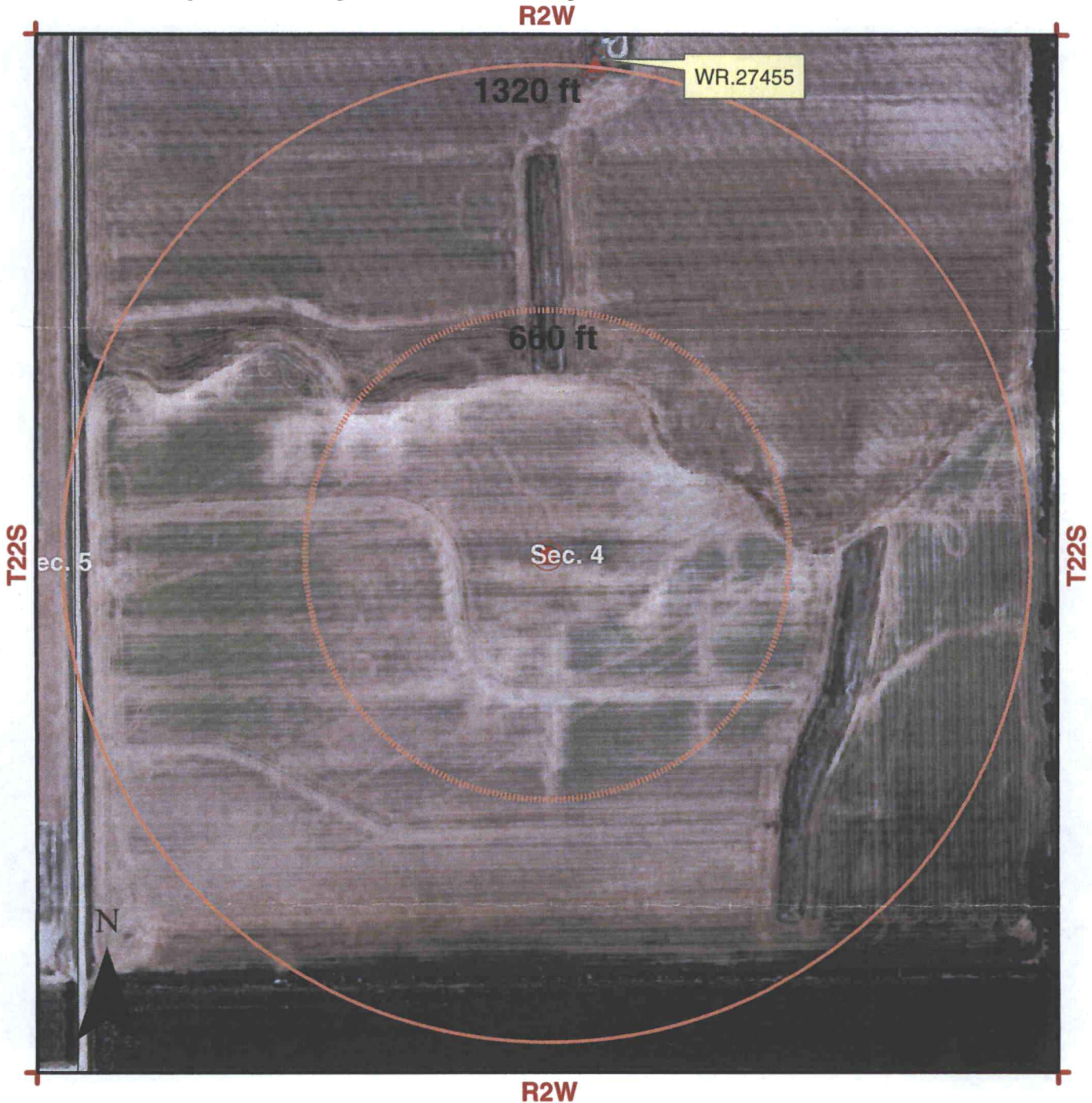
DEC 24 2014

TOPEKA FIELD OFFICE  
DIVISION OF WATER RESOURCES

H:\MSOFFICE\LETTERS\APP\NewApp\Recommendation\Approve\#49023\_Regier.doc



Equus Beds Groundwater Management District No. 2  
 Spacing Evaluation No. 49023 Joshua Regier  
 NESWNW (3761'N & 3993'W) 4-22S-2W, Harvey Co.  
 Prepared By: S. Flaherty      Date: 10/20/2014



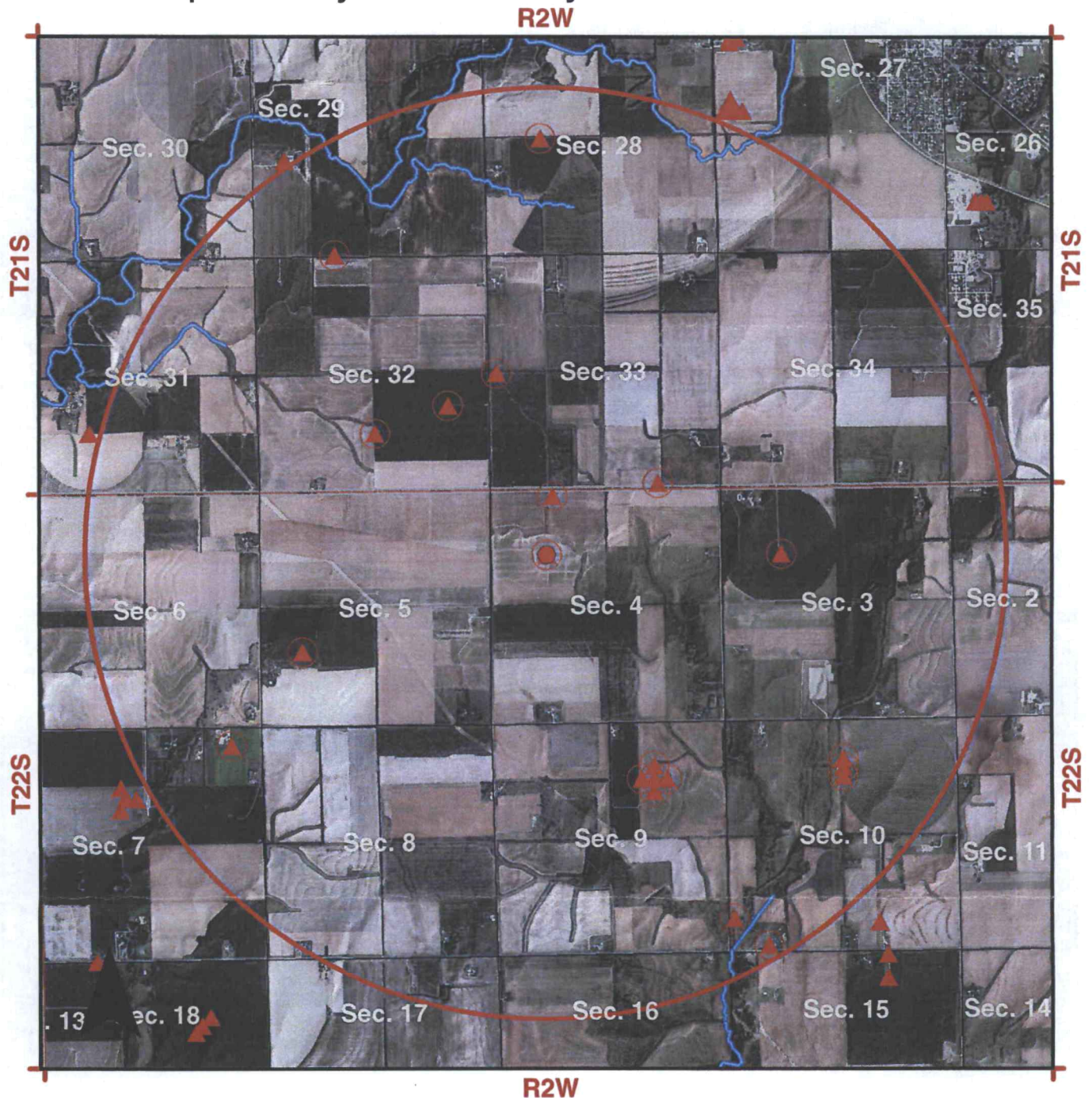
Map Legend			
	Proposed Point of Diversion		Burrton IGUCA
	Area of Consideration Boundary		Hollow Nikkel SWQUA
	Monitoring Wells		McPherson IGUCA
	Points of Diversion		Enhanced Well Spacing Area
	District Boundary		Permian Surface Bedrock
	Major Highway		City Boundary
	Other Roadway		
	Major Stream	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

0      0.14 Miles

**RECEIVED**  
 DEC 24 2014  
 TOPEKA FIELD OFFICE  
 DIVISION OF WATER RESOURCES

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  
 Safe Yield Evaluation No. 49023 Joshua Regier  
 NESWNW (3761'N & 3993'W) 4-22S-2W, Harvey Co.  
 Prepared By: S. Flaherty Date: 10/20/2014



**RECEIVED**  
 DEC 24 2014  
 DIVISION OF WATER RESOURCES

<ul style="list-style-type: none"> <li> Proposed Point of Diversion</li> <li> Area of Consideration Boundary</li> <li> Monitoring Wells</li> <li> Points of Diversion</li> <li> District Boundary</li> </ul>	<p><b>Map Legend</b></p> <ul style="list-style-type: none"> <li> Major Highway</li> <li> Other Roadway</li> <li> Major Stream</li> <li> Other Water Feature</li> <li> County Boundary</li> <li> City Boundary</li> </ul>	<ul style="list-style-type: none"> <li> Burrton IGUCA</li> <li> Hollow Nickel SWQUA</li> <li> McPherson IGUCA</li> <li> Enhanced Well Spacing Area</li> <li> Permian Surface Bedrock</li> </ul>
--	--	---

0 1.2 Miles

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

**SAFETYIELD EVALUATION - No. 49023 - Joshua Regier**  
**LOCATION: NESWNW (3761'N & 3993'W) 04-22S-02W, Harvey County**  
**SPECIAL USE AREA: None**  
**EVALUATION DATE:- 10/20/2014**

Total Areas: 8,043 acres; Area in 3 inch discharge zone: 3,297 acres; Area in 6 inch discharge zone: 4,746 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A02745500	1740	21S	02W	33	1111396	MUN	137.6
A02745500	1741	22S	02W	4	50943824	MUN	126
A04876500	4135	22S	02W	9	39601630	IRR	155.5
A04876500	4165	22S	02W	9	39601340	IRR	0
A04876500	4166	22S	02W	9	39601920	IRR	0
A04876500	4167	22S	02W	9	42501630	IRR	0
A04876500	4168	22S	02W	9	36701630	IRR	0
A04902300	4225	22S	02W	4	37613993	IRR	201.7
A04498200	2923	21S	02W	33	1111396	MUN	96.56
A04499500	2926	22S	02W	4	50943824	MUN	0
A004537D1	1846	21S	02W	29	183444	IRR	105
A04711400	3563	22S	02W	10	39602600	IRR	0
A04711400	3564	22S	02W	10	43602600	IRR	0
A00459100	1835	21S	02W	28	26283987	IRR	139
A04711400	3522	22S	02W	10	41602600	IRR	208
A04565600	3107	22S	02W	7	48600666	IRR	41.6
A04664900	3434	22S	02W	10	7455177	MUN	346.49
A04665000	3435	22S	02W	10	1204392	MUN	296.18
A00511200	29	22S	02W	5	SENWSW	IRR	240
A01966900	624	22S	02W	3	37303940	IRR	141
A03721300	21	21S	02W	32	19080924	IRR	98
A04759100	3687	21S	02W	33	26205060	IRR	104
A004537D2	242	21S	02W	29	183444	IRR	52
A00622100	1176	21S	02W	32	13002600	IRR	120
A02303600	1415	22S	02W	10	1204392	MUN	157.23
A02303600	1416	22S	02W	10	7455177	MUN	250.1
<b>Allowable Appropriations</b>		<b>3,197.25</b>			<b>Total Existing Appropriation</b>		<b>3,015.96</b>
<b>Small User Quantity</b>		<b>0</b>			<b>Non Consumptive Appropriations</b>		<b>0</b>
<b>Remaining SUQ</b>		<b>45</b>			<b>Consumptive Appropriations</b>		<b>3,376.18</b>
<b>Note- Values are in acre-feet</b>					<b>Available Appropriations</b>		<b>178.93</b>