

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 5642

Field Office No. 2

GMD No. 2

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** YES
If applicable, list Place of Use Overlap File Nos. 33142
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** NO
Name of Former WUC --- Name of New WUC ---
4. a. **Point of diversion computer ID No(s).** NA for point(s) being changed.

b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
NO CHG	4609	NO	17	22S	3W	---	---	Harvey	NC W2 W2

c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**

Old PDIV ID	Authorized Rate	Additional Rate	Authorized Quantity	Additional Quantity
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy

d. **Name of Drainage Basin** _____ **Is this correctly shown in WRIS?** Yes No

e. **Formation Name & No.** _____ **Special Use Area** _____

5. **Distances from the previous/original p/d:** _____ ' N / S _____ ' E / W

6. WATER RIGHT ACTION TRAIL COMMENTS

07/10/2017 Change Application Received (date accepted for priority)
8 / 10 / 17 Change Approved
 _____ / _____ / _____ Notice and Proof by _____ / _____ / _____
 _____ / _____ / _____ Completion Requirement Removed (Change No. C _____)

7. METER ACTION TRAIL COMMENTS

8 / 10 / 17 DWR Meter Required by 12/31/2017
 _____ / _____ / _____ Anti-Reverse Meter Required by _____ / _____ / _____
 _____ / _____ / _____ Meter Seal Required by _____ / _____ / _____

8. Base Acres 165 Year 1981 Minimum Reasonable Quantity 1.0 AF/acre

Date Created 8/7/17 by TJS
Date Entered _____ by _____

CHECK SHEET ATTACHMENT

File Number 5642

9. Changes to the place of use will be:

Action	Owner Person ID	Place Use ID #	Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
DEL	50320	5249	17	22S	3W	Acres Authorized																	
						New Acres																	
MOD	50321	10410	17	22S	3W	Acres Authorized					19.5	19.5	19.5	20		33	17.5						129
						New Acres					19.5	19.5	19.5	20		33	17.5						
ENT	5808	50325	17	22S	3W	Acres Authorized					13	13	13	20	39			19.5					117.5
						New Acres					13	13	13	20	39			19.5					
						Acres Authorized																	
						New Acres																	

Names and Address:

1. Person ID # <u>50320</u> <u>DAVE FRIESEN TRUST</u> <u>505 S MAIN ST</u> <u>HESSTON KS 67062</u>	2. Person ID # <u>50321</u> <u>RUBENA FRIESEN TRUST</u> <u>3091 MILL VISTA RD</u> <u>UNIT 1111</u> <u>HIGHLANDS RANCH CO 80129</u>	3. Person ID # <u>5808</u> <u>JOHN W GAEDDERT & LADONNA F GAEDDERT TRUSTS</u> <u>7724 N WHEAT STATE ROAD</u> <u>BUHLER KS 67522</u>
---	--	--

GENERAL INSTRUCTIONS

- | | | |
|---|---|---|
| 1. Give to Applicant: <ul style="list-style-type: none"> a. <u>Original</u> application/approval b. Original receipt (one for <u>each</u> application) c. Information packet containing: <ul style="list-style-type: none"> • Notice and Proof form • Water Meter Specifications • Acceptable Meter list • Water level measurement tube specifications • Check Valve specifications • Pink Sheet - K.S.A. 82a-728 letter • Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED) | 2. Send to headquarters: <ul style="list-style-type: none"> a. Good, <u>scannable</u> copy of application and/or approval and this check sheet b. Original check and copy of receipt c. Test hole log d. GMD recommendation, if any e. Map or aerial photograph, if any 3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. <input type="checkbox"/> | 4. Date stamp received and approved.
5. Complete ownership and WUC change information. |
|---|---|---|

ADDITIONAL PHOTOCOPIES

HQ _____

GMD#2 _____

CONDITIONS

1. Insert notice and proof date.
2. Type or print applicant's/owner's name on line.
3. Complete notary statement.

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

Call for address:

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

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



WATER METER REQUIRED

STATE OF KANSAS

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

Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

RECEIVED
 10:28am
 JUL 10 2017

File No. 5642

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

Stafford Field Office
 Division of Water Resources

2. Name and address of Applicant: John W. Gaeddert

7724 N. Wheat State Road, Buhler, KS 67522

Phone Number: (620)727-7000

Email address: _____

Name and address of Water Use Correspondent: John W. & LaDonna F. Gaeddert

7724 N. Wheat State Road, Buhler, KS 67522

Phone Number: (620)727-7000

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: A) John W. Gaeddert Trust & LaDonna F. Gaeddert Trust B) Rubena Friesen Trust

ADDRESS: A) 7724 N. Wheat State Road, Buhler, KS 67522

B) 3091 Mill Vista Rd, Unit 1111, Highlands Ranch, CO 80129

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
A) 17	22S	3W					13	13	13	20	40				19.5					118.5
B) 17	22S	3W					19.5	19.5	19.5	20		22	19							119.5
																Total: 238				

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: A) John W. Gaeddert Trust & LaDonna F. Gaeddert Trust* B) Rubena Friesen Trust

ADDRESS: A) 7724 N. Wheat State Road, Buhler, KS 67522

B) 3091 Mill Vista Rd, Unit 1111, Highlands Ranch, CO 80129

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
A) 17	22S	3W					13	13	13	20	39				19.5					117.5
B) 17	22S	3W					19.5	19.5	19.5	20		33	17.5							129
																Total: 246.5				

For Office Use Only: Code _____ Fee \$ 200 - TR # _____ Receipt Date _____ Check # 4815

*TIS-SFFO

5. **Presently authorized point of diversion:**

One in the _____ Quarter of the NC-W/2 Quarter of the W/2 Quarter of Section 17, Township 22 South, Range 3W (E/W), in Harvey County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate 1060 GPM Authorized Quantity 113 AF Depth of well _____ (feet) (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____ This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet) (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____ This point is: Additional Well Geo Center List other water rights that will use this point _____

7. Why do you need a new point of diversion? NA

8. If a well, is the test hole log attached? Yes No

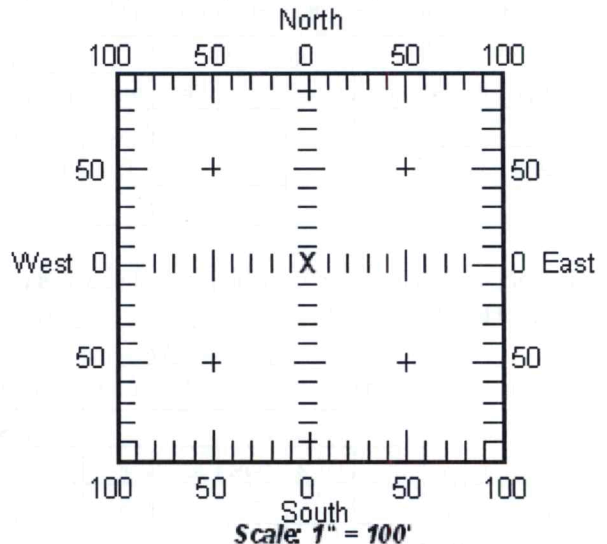
9. When do you propose to complete the new point of diversion? NA

10. If the point of diversion is a well:
(a) What are you going to do with the old well? NA
(b) When will this be done? NA

11. Groundwater Management District recommendation attached? Yes No 8/7/17-TS-SFFO

12. Assisted by T. Boese, GMD2

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

RECEIVED

JUL 10 2017

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Highlands Ranch, ^{Colorado} ~~Kansas~~, this 3 day of July, 2017.

x Rubena Friesen, Trustee
(Owner)

(Spouse)

Rubena Friesen, Trustee of the Rubena Friesen Trust
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of ~~Kansas~~ Colorado }
County of Douglas } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3 day of July, 2017.

Joyce De
Notary Public

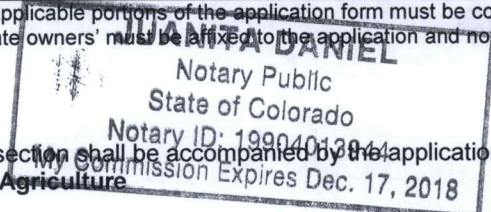
My Commission Expires 12/17/2018

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

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



RECEIVED

JUL 10 2017

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
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If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Buhle, Kansas, this 7th day of July, 2017.

John W. Gaeddert Trustee
(Owner)

(Spouse)

John W. Gaeddert, Trustee of the John W. Gaeddert Trust
(Please Print)

(Please Print)

LaDonna F. Gaeddert, Trustee
(Owner)

(Spouse)

LaDonna F. Gaeddert, Trustee of the LaDonna F. Gaeddert Trust
(Please Print)

(Please Print)

(Owner)

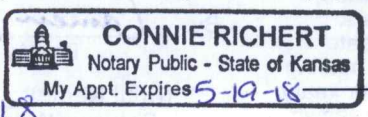
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Beau } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of July, 2017.



Carrie
Notary Public

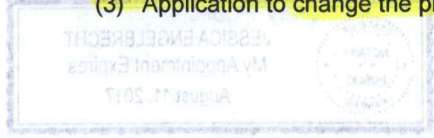
My Commission Expires 5-19-18

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

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



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JUL 10 2017

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 5642.

1. A change application was received on 7/10/17 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 2017**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
7. Installation of the works for diversion of water shall be completed on or before **December 31, 20____**, or within any authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
10. Additional Conditions are attached. Yes No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
 SUMMARY ORDER ISSUED**

By: Cameron R. Conant
 Duly Authorized Designee of the Chief Engineer

(Print Name): Cameron R. Conant
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 8/10/17

State of Kansas)
 County of Stafford) SS

Acknowledged before me on 8/10/17
 by Cameron Conant

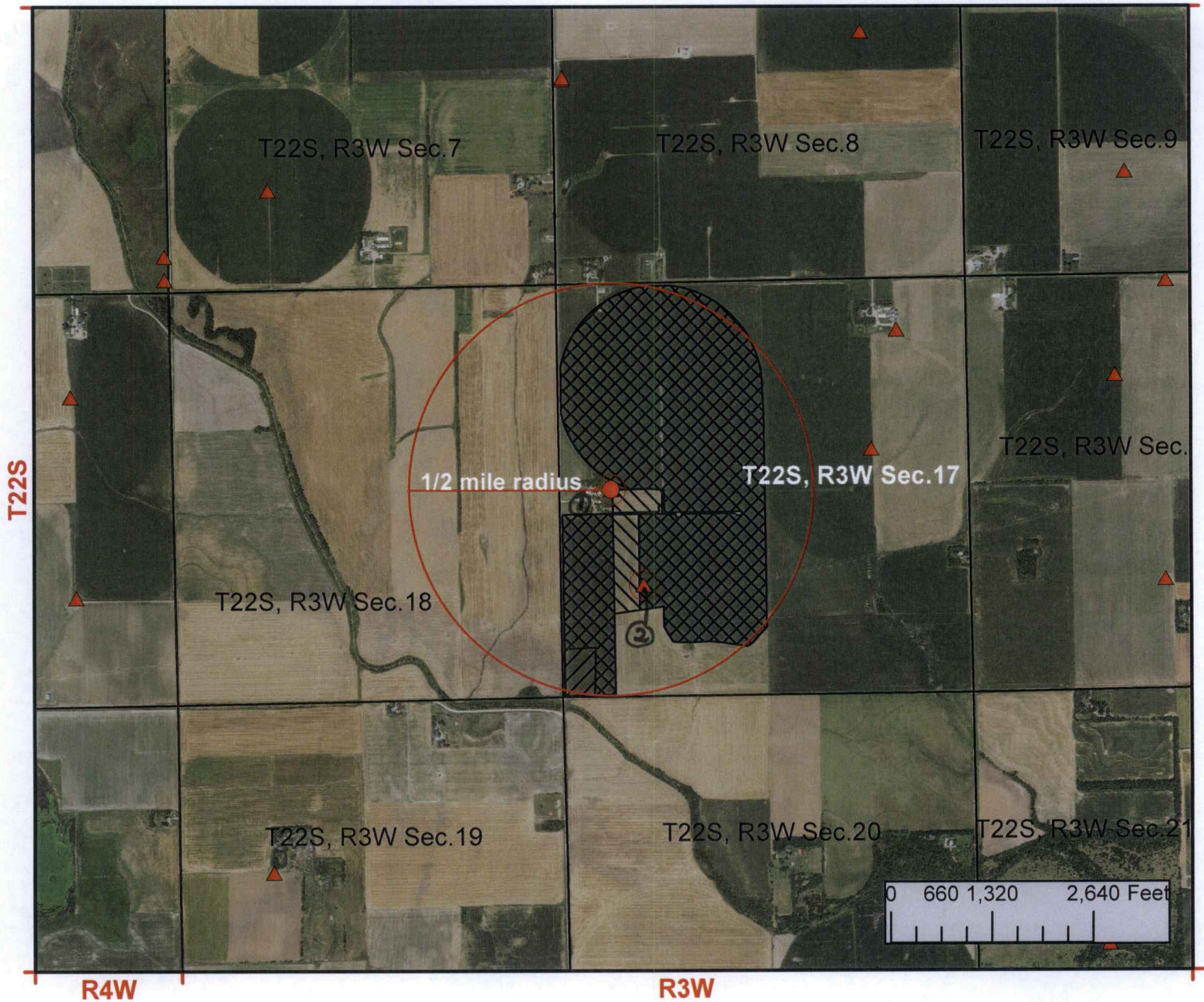
Signature: Jessica Engelbrecht
 Notary Public



My commission expires _____ (Notary Seal)

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 JUL 10 2017

Change Application Place of Use Map #5642



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.

James S. ...
Signature

6-23-17
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

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JUL 10 2017

See attached list for surrounding well owners



Wells Within ½ Mile No. 5642 Change Application

1. Domestic Well
John W. Gaeddert Trust
7724 N. Wheat State Road
BUhler, KS 67522

2. Irrigation Well – Water Right No. 33142
Rubena Friesen Trust
3091 Mill Vista Rd., Unit 1111
Highlands Ranch, CO 80129

RECEIVED

JUL 10 2017

Stafford Field Office



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

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

July 5, 2017

John W Gaeddert
7724 N Wheat State Road
Buhler KS 67522

Re: Water Right, File No(s). 5642

Dear Water Right Owner:

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

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

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

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman
Water Commissioner

Enclosures

pc: Water Rights Section
Ground Water Management District 2
Dave Friesen Trust
Rubena Friesen Trust

CERTIFICATE OF SERVICE

On this **10 August 2017**, I hereby certify that the attached Change in Place of Use, File No. 5642 dated August 10, 2017 was mailed to the following:

John W Gaeddert
7724 N Wheat State Road
Buhler KS 67522

pc: Water Rights Section
GMD #2
Dave Friesen Trust
Rubena Friesen Trust



Staff



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File

DATE: 7/12/17

FROM: Tyler Saryerwinnie

RE: File No. 5642 & 33142

This is a memorandum regarding surrounding well owner notification on irrigation field office PU changes and pertains to decisions made during the Water Commissioner meeting which took place on 11/16/2016. With directive from Lane Letourneau Program Manager.

This is applicable to field office changes to increase the place of use by 10 acres or 10% (whichever is less) or a change in place of use to create a complete overlap in which no new acres are being irrigated.

During that meeting it was determined that no surrounding well owner notification will be sent under this type of Place of Use change. All well rates and quantities will remain unchanged and the referenced change will not cause impairment or impact surrounding well owners.

The change in place of use filed on 7/10/2017 for the above referenced files meet this criteria and surrounding well owners will not be notified.

Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

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

July 13, 2017

Tim Boese
Equus Beds – GMD No. 2
313 Spruce Street
Halstead, KS 67056

RE: Place of Use Change Applications, File No(s). 5642 & 33142

Dear Mr. Boese,

We are enclosing copies of the applications, as referenced above, for your review and recommendations. At this time the applications appear to be in proper form.

This office will delay any further action on these files for a period of 15 business days from the date of this letter to allow you time to submit your recommendations concerning the applications. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

Sincerely,



Tyler Saryerwinnie
Environmental Scientist
Stafford Field Office
tyler.saryerwinnie@ks.gov

Enclosures: Two (2) Change Applications

Saryerwinnie, Tyler

From: Saryerwinnie, Tyler
Sent: Thursday, July 13, 2017 1:25 PM
To: 'Rebecca Wilson'
Cc: Conant, Cameron
Subject: Recommendation Request - File Nos. 5642 & 33142
Attachments: 5642.33142.cover letter.pdf; 5642.20170713.Acc.Chg.pdf; 33142.20170713.Acc.Chg.pdf

Rebecca,

I have attached a cover letter and a copies of two (2) place of use applications for GMD review and recommendation. Please provide the GMD recommendation by no later than August 2nd, 2017.

Please let me know if you have any questions or concerns.

Tyler Saryerwinnie, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
Phone: (620)234-5311

Saryerwinnie, Tyler

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Monday, August 07, 2017 2:39 PM
To: Saryerwinnie, Tyler
Cc: Engelbrecht, Jessica
Subject: #5642 and #33142 Application Approval Letters
Attachments: 5642 Change in Place of Use Approval Letter.pdf; 33142 Change in Place of Use Approval Letter.pdf; 5642 33142 Meter Installation Letter.pdf

Hello!

Attached are Application Approval Letters and a Meter Installation Letter from Manager Tim Boese for #5642 and #33142.

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

Thanks!

Rebecca Wilson

Rebecca Wilson
Administrative Assistant
Equus Beds GMD2
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Halstead, KS 67056
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ALAN BURGHART, SECRETARY
MIKE MCGINN, TREASURER
TIM BOESE, MANAGER
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:
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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

August 7, 2017

Chief Engineer, Division of Water Resources
Attn: Tyler Saryerwinnie
300 S Main St.
Stafford, Kansas 67578-1521

Re: Place of Use Change Applications, File No(s). 5642 & 33142 – John W. Gaeddert

Dear Mr. Saryerwinnie,

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use applications on August 7, 2017, using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

The change applications propose to increase the place of use from 238 acres to 246.5 acres and an identical place of use overlap will exist between Water Right Nos. 5642 & 33142, resulting in a water to land ratio of 1.087 acre-feet per acre.

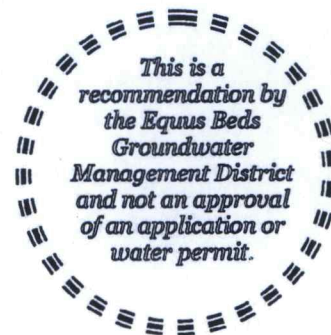
The District's review found that the change applications comply with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

Based upon the review, the applications are recommended for approval by the Equus Beds Groundwater Management District No. 2.

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12. Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/STF



pc: John W. Gaeddert Trust & LaDonna F. Gaeddert Trust, Landowner
Rubena Friesen Trust, Landowner
Jeff Lanterman, Division of Water Resources, Stafford

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EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2 FINAL APPLICATION REVIEW CHECKLIST

1) Application No. 5642 Date filed: 7/10/17
 2) Proposed maximum quantity: 113 acre-feet/year Rate: 1060 GPM
 3) Proposed Use: Irrigation
 4) P/D location: NCW2W2 17-22S-3W Geo Center: North _____ ft, West _____ ft
 5) Number and type of points of diversion listed on the application 1 Well

6) Is the well location on the app the same on the evaluation sheet? Yes No
 7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8? Yes No, Why ___
 8) Meets change app requirements K.A.R. 5-22-8? Yes No N/A

9) Meets Safe Yield K.A.R. 5-22-7? Yes No N/A
 9(a) Safe yield analysis total existing appropriations: _____ af/yr
 9(b) Safe yield total allowable appropriations: _____ af/yr
 9(c) Total appropriations for small user exemptions: _____ af/yr
 9(d) Total appropriations for non-consumptive use: _____ af/yr
 9(e) Total appropriations for consumptive use: _____ af/yr
 (total existing appropriations) - (non-consumptive appropriations)
 9(f) exempt from regulation? Yes No,
 Cite exemption: Change in place of use application

10) Meets Well Spacing K.A.R. 5-22-2? Yes No N/A
 10(a) POD in enhanced well spacing area? Yes No
 10(b) Domestic well spacing interval: _____ ft
 10(c) Non-Domestic well spacing interval: _____ ft

11) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 11(a) Irrigation max quantity: 0.458 acre-feet / acre
 application paragraph 3 value (acre-feet) / proposed acres = Q
 11(b) Stockwater max quantity: _____ GPD _____ unit
 11(c) Industry max quantity: _____ Acre
 Industry standard: _____
 11(d) Municipal max quantity: _____ GCD
 Lesser of either 200 GCD or
 $1.10 * (X - Y) * 365 d * (z + t)$
 X - Average of last three years usage in Gallons per Capita per Day (GCD)
 Y - water usage for industries that use over 200,000 gal/yr (GCD)
 Z - Projected population in 20 years
 T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)
 11(e) Pond max quantity is _____
 (Net evap + seepage)/12 x pond area + any initial fill
 11(f) Groundwater pit max Q: _____
 Net evap * pit area/12

12) Reasonable rate for intended use? Yes No N/A
 13) Depth to water: 20 ft bls at observation well: EB36C

14) Date reviewed: 8/1/17
 15) Reviewed by: S. Flaherty Title: Hydrogeologist
 16) District recommendation: Approve Deny Other, see comment

17) Comments and Calculations:

Review completed for a change in place of use application submitted by John Gaeddert for Irrigation use in Harvey County. No. 5642 and No. 33142 currently overlap place of use, different wells. Applicant proposes to modify place of use and increase acres from 238 to 246.5

No. 5642 has 165 Base acres expandable upto 175 acres and is authorized for 113 acre feet
 No. 33142 has 65 base acres expandable upto 71.5 acres and is authorized for 155 acre feet (no limitation)
 Item #11(a) - Combined 268 acre-feet / 246.5 acres = 1.087 acre-feet / acre
 Surrounding well owners were identified on a map. Both owners signed application.

Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17

Received 8-7-17

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August 7, 2017

John W. Gaeddert Trust & LaDonna F. Gaeddert Trust
7724 N. Wheat State Road
Buhler, KS 67522

Re: Change in Place of Use Application Nos. 5642 & 33142

Dear Sir or Madam:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that Change Application Nos. 5642 & 33142 approved. Pursuant to K.A.R. 5-22-4a, the wells described in the applications must be equipped District approved water flowmeters:

The wells are located:

Water Right No. 5642: One well near the center of the West half of the West half of Section 17, Township 22 South, Range 3 West, Harvey County; and

Water Right No. 33142: One well located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter of Section 17, Township 22 South, Range 3 West, Harvey County.

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

Enclosed are two Flow Meter Installation forms to be completed and returned to this office after completion of the meter installation or modification. A copy of the Division of Water Resources' meter installation notification form (Notice and Proof of Completion of Works) may be substituted for the District form. Upon receiving the completed forms, the District will inspect the installations.

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

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/db

Enclosures

pc: Rubena Friesen Trust, Landowner
Jeff Lanterman, Division of Water Resources, Stafford

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Stafford Field Office
Division of Water Resources