

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PD WORKSHEET

Document Signature LPL _____

1. File Number: 29392	2. Status Change Date: 8/10/2018	3. Change Num: 2	4. Field Office: 2	5. GMD: 2
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 4/10/2018
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID 11495 Add Seq# _____ MICHAEL P & SUSANNAH M MCGINN REV TRUSTS 1123 W 4TH ST SEDGWICK KS 67135	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID 11495 Add Seq# _____ MICHAEL P & SUSANNAH M MCGINN REV TRUSTS 1123 W 4TH ST SEDGWICK KS 67135	8d. WUC New to system <input type="checkbox"/> Person ID 11495 Add Seq# _____ SAME AS 8a
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2018 N & P Date to Comply: 12/31/2018

Check Valve N & P Form Water Tube Driller Copy H & E Letter
 Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From _____ To: _____

Prepared by BAT on 8/8/18
Entered by CLM on 8/13/2018

File No. **29392** 11. County: ~~HS~~ **HV** Basin: **55** Stream: Formation Code: **190** Special Use:

12. Points of Diversion										Rate and Quantity					
MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
ENT											Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	
ENT	83269		NW NE NW	21	24	1W	9	5,275	3,350						49,102
DEL	22462		NE NE NW	21	24	1W	1	4,600	4,900						NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: July 26, 2018

FROM: Tyler Saryerwinnie

RE: Water Right, File No. 29,392

On March 19, 2018, Michael P. McGinn, on behalf of Michael P. & Susannah M. McGinn Revocable Trusts, has filed an application for approval to change the point of diversion authorized by the referenced file number, which is for irrigation use in the Little Arkansas Basin.

File No. 29392 currently authorizes one well (ID 1) located in the SW NW NW of Section 21, more specifically described as a point 4,600 feet north and 4,900 feet west of said section, all in Township 24S, Range 1 West, Harvey County. The owners propose to move the location of the well approximately 1,813 feet northwest to overlap the existing point of diversion authorized by Water Appropriation, File No. 49102 (5,230 feet north and 3,200 feet west of Section 21). The same local source of supply does not appear to change, which is determined to Equus Beds (190) based on available information in the files and well logs.

As presented on the application, the proposed well location appeared to meet K.A.R. 5-4-4 *well spacing* to all nearby wells based on available information. There were no other nearby water rights identified on the application map, however, there are three domestic wells identified within one-half mile of the proposed location. An additional condition was included with the summary order stating that "the completed well authorized by the application for change in point of diversion shall comply with the required minimum well spacing of 660 feet to any senior domestic well pursuant to K.A.R. 5-22-2."

Nearby notification letters were sent to each of these well owners on March 22, 2018 and one (1) response from Stephen & Jane Kill (domestic well owner) was received via email on March 24, 2018. A response letter was sent to the Kill's on April 6, 2018. Another email was received in the Stafford Field Office on June 14, 2018 from Stephen and Jane Kill regarding the stream conditions of Emma Creek which is near their house and the well proposed by this application. A memo dated June 14, 2018 outlines the conversation that Assistant Water Commissioner Conant had with Jane Kill. No other responses have been received.

On May 15, 2018, the Stafford Field Office received a letter from the Equus Beds Groundwater Management District No. 2, recommending approval of the application for change subject to modifications to the proposed point of diversion location. The recommendation stated that the proposed location did not meet spacing requirements but the actual location of the well authorized by File No. 49,102 (determined by GMD 2 using GPS) does meet the well spacing requirements. The recommendation said that the district recommends approval subject to modification of the footage distances for the proposed point of diversion to 5,275 feet North and 3,350 feet West of the Southeast corner of Section 21, Township 24 South, Range 1 West.

The application has been modified to reflect these footage distances. Based on the modified footages discussed above, the application proposes to move to the point of diversion 1,691 feet.

File No. 29392

Memo - Point of Diversion Change

July 26, 2018

Upon discussion with Water Commissioner Lanterman on July 26, 2018, it was decided that a Findings and Order would be necessary for the point of diversion authorized by File No. 49,102, in order to reflect the footages which have been determined by GPS. This matter was brought to the attention of Brent Turney and a Findings and Order will be drafted for File No. 49,102 and will be processed in conjunction with this change application at the Manhattan headquarters office.

Tyler Saryerwinnie
Environmental Scientist

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

MICHAEL P & SUSANNAH M MCGINN REV TRUSTS
C/O MICHAEL P MCGINN
1123 W 4TH ST
SEDGWICK KS 67135

August 14, 2018

FILE COPY

RE: Water Right
File No. 29,392 and
Appropriation of Water
File No. 49,102

Dear Mr. McGinn:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under Water Right, File No. 29,392 and the findings and order better defining the location of the point of diversion under Appropriation of Water, File No. 49,102.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flow meter must be installed on the diversion works authorized under Water Right, File No. 29,392 and Appropriation of Water, File No. 49,102. Please return the required notification of completion of the diversion works and installation of the required meters as soon as these actions are completed.

Since the order modifies the original document referred to above for Water Right, File No. 29,392, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

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

BAT
Enclosures
pc: Stafford Field Office
GMD No. 2



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN
POINT OF DIVERSION
WATER RIGHT
FILE NO. 29,392**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Michael P. McGinn Trustee of the Michael P. and Susannah M. McGinn Revocable Trusts, 1123 W 4th Street, Sedgwick, Kansas 67135, received in this office on May 19, 2018, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the order of the Chief Engineer dated July 21, 2014, approving the application to change the place of use, finds that the change is reasonable and will not impair existing rights and that the application should be and is hereby approved.

The effective date of the changes shall be the date this order is executed by the Chief Engineer, after which the point of diversion shall be described as being:

one well located in the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 21, more particularly described as being near a point 5,275 feet North and 3,350 feet West of the Southeast corner of said section, Township 24 South, Range 1 West, Harvey County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

That the completed well authorized by this approval shall comply with the required minimum well spacing of 660 feet to any senior domestic well pursuant to K.A.R. 5-22-2.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 29,392, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated November 29, 1977, and as modified and amended by the aforementioned order.

Ordered this 10th day of August, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 10th day of August, 2018, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

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.

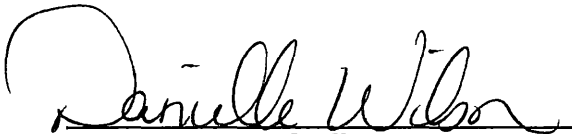
CERTIFICATE OF SERVICE

On this 14th day of August, 2018, I hereby certify that the attached Approval of Application to Change the Authorized Point of Diversion, File No. 29,392, dated August 10th, 2018, was mailed postage prepaid, first class, US mail to the following:

MICHAEL P & SUSANNAH M MCGINN REV TRUSTS
MICHAEL P MCGINN
1123 W 4TH ST
SEDGWICK KS 67135

With photocopies to:

Stafford Field Office
GMD No. 2


Staff

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
9:48am
MAR 19 2018

File No. 29392

Stafford Field Office
 Division of Water Resources

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

2. Name and address of Applicant: Michael P. McGinn
1123 W. 4th Street, Sedgwick, KS 67135
 Phone Number: (316) 772-5050 Email address: mike@mcginnfarms.com
 Name and address of Water Use Correspondent: Michael P. & Susannah M. McGinn Rev. Trusts
1123 W. 4th Street, Sedgwick, KS 67135
 Phone Number: (316) 772-5050 Email address: mike@mcginnfarms.com

3. The presently authorized place of use is:
 Owner of Land --- NAME: Michael P. & Susannah M. McGinn Rev. Trusts
 ADDRESS: 1123 W. 4th Street, Sedgwick, KS 67135
 (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					
21	24S	1W					26	19	28	35													108

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: NO CHANGE
 ADDRESS: _____
 (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					

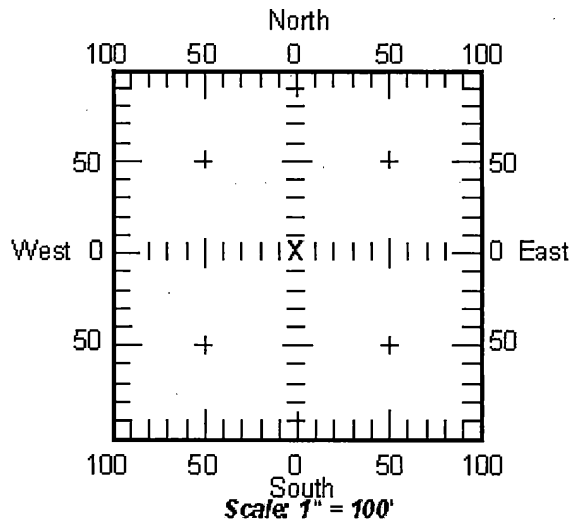
For Office Use Only: Code _____ Fee \$ <u>200</u> TR # _____ Receipt Date _____ Check # <u>9414</u>
--

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the NW Quarter of the NW Quarter of Section 21, Township 24 South, Range 1W (E/W), in Harvey County, Kansas, 4600 feet North 4900 feet West of Southeast corner of section. Authorized Rate 700 GPM Authorized Quantity 90 AF Depth of well 144 (feet)
 (DWR use only: Computer ID No. 1* GPS --- feet North --- feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the NE Quarter of the NE Quarter of the NW Quarter of Section 21, Township 24 South, Range 1W (E/W), in Harvey County, Kansas, 5230-5275* feet North 3200-3350* feet West of Southeast corner of section. Proposed Rate 700 GPM Proposed Quantity 90 AF Proposed well depth (feet) 146.
 This point is: Additional Well Geo Center List other water rights that will use this point No. 49102

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: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 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. The changes herein are desired for the following reasons?
 (please be specific) Moving well location to well
authorized by Water Permit No. 49102.

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.)



8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?
Upon approval of this change application
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
Plug it
 (b) When will this be done? ASAP

11. Groundwater Management District recommendation attached? Yes No 5/15/2018 TJS-SFFO

12. Assisted by T. Boese, GMD2

TJS-SFFO Per GMD2 recommendation and supporting information.* **RECEIVED
MAR 19 2018


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.

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 regards 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 Halstead, Kansas, this 14th day of March, 2018.



 (Owner)
 Michael P. McGinn, Trustee

 (Please Print)

 (Spouse)

 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

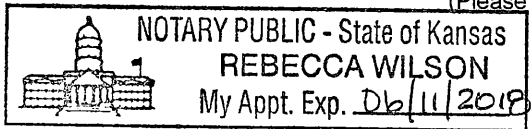
 (Spouse)

 (Please Print)

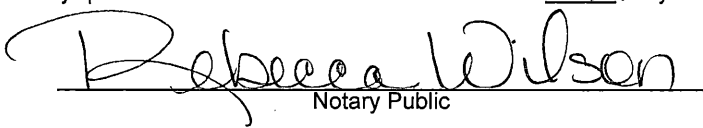
 (Spouse)

 (Please Print)

State of Kansas }
 County of HARVEY } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 14th day of MARCH, 2018.



 Notary Public

My Commission Expires 06/11/2018

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

MAR 19 2018

ADDITIONAL CONDITION TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the following condition is included as a condition of the approval of this application for change in point of diversion.

10. a. That the completed well authorized by the application for change in point of diversion shall comply with the required minimum well spacing of 660 feet to any senior domestic well pursuant to K.A.R. 5-22-2.

**Equus Beds Groundwater Management District No. 2
Abandoned Well Plugging Agreement**

I, **Michael P. McGinn**, the undersigned and owner of an abandoned water well understand that an abandoned water well is a groundwater contamination threat and a public health and safety hazard.


The abandoned water well is located **SW,NW,NW**, Section **21**, Township **24** South, Range **1** West, **Harvey** County which is approximately **4600** feet North and **4900** feet West of the apparent **SE** section corner. Total well depth is **144** feet and the diameter of the well is **16** inches. Current depth to static water level in the well is **~25** feet below land surface. The well was previously authorized by water permit no. **29392**.

I agree to properly plug the abandoned well pursuant to the Equus Beds Groundwater Management District rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207 and the following agreement provisions:

1. Well plugging operations will be supervised by either (a) a water well contractor licensed with the Kansas Department of Health and Environment, (b) a profession engineer or geologist licensed to practice in the State of Kansas, or (c) the abandoned water well owner or land owner of the property on which the water well or borehole is located.
2. The above described well will be plugged: a) by _____, 20____, or **(b)** within 30 days after the replacement well, approved by a change in point of diversion, becomes operational.
3. A completed WWC-5P form will be submitted to the Kansas Department of Health and Environment within 30 days after the abandoned well is plugged and a copy of the WWC-5P form will be furnished to the District within the same period of time.
4. The well owner or authorized agent will notify the District 48 hours before plugging operations occur.
5. Failure to comply with the provisions of this agreement shall constitute noncompliance of the groundwater management district rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207.

Dated this 14 day of March, 2018 at Halstead, Ks
Signature [Signature]
Address 1123 W. 4th Street
City, State, Zip Code Sedgewick, Ks 67135
Telephone 316-772-5050

State of Kansas County of HARVEY
Subscribed and affirmed to before me this 14th day of MARCH, 2018,
by Rebecca Wilson
(Notary Public)
My Commission Expires 06/11/2018

 NOTARY PUBLIC - State of Kansas
REBECCA WILSON
My Appt. Exp. 06/11/2018

RECEIVED

Wells Within ½ Mile

1. Domestic Well
Christopher McGinn
6901 SW 72nd Street
Sedgwick, KS 67135

2. Domestic Well
Bernadine Manning
6908 SW 72nd Street
Sedgwick, KS 67135

3. Domestic Well
Stephen & Jane Kill
6524 SW 72nd Street
Sedgwick, KS 67135

RECEIVED

MAR 19 2018

Stafford Field Office
Division of Water Resources

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521

PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 22, 2018

Stephen & Jane Kill
6524 SW 72nd Street
Sedgwick KS 67135

RE: Water Appropriation, File No(s). 29,392

Dear Water-User,

This is to advise you that Micheal P. McGinn, on behalf of the Michael P. & Susannah M. McGinn Rev. Trusts, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD #2

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521

PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 22, 2018

Christopher McGinn
6901 SW 72nd Street
Sedgwick KS 67135

RE: Water Appropriation, File No(s). 29,392

Dear Water-User,

This is to advise you that Micheal P. McGinn, on behalf of the Michael P. & Susannah M. McGinn Rev. Trusts, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD #2

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521

PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 22, 2018

Bernadine Manning
6908 SW 72nd Street
Sedgwick KS 67135

RE: Water Appropriation, File No(s). 29,392

Dear Water-User,

This is to advise you that Micheal P. McGinn, on behalf of the Michael P. & Susannah M. McGinn Rev. Trusts, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

pc: GMD #2

SCANNED

Saryerwinnie, Tyler [KDA]

From: Jane Kill <jlpatty@me.com>
Sent: Wednesday, March 28, 2018 11:47 AM
To: Saryerwinnie, Tyler [KDA]
Subject: Re: Water Appropriation, File No. 29-392

Thank you.

Sincerely,

Jane Kill

Sent from my iPhone

On Mar 28, 2018, at 10:56 AM, Saryerwinnie, Tyler [KDA] <Tyler.Saryerwinnie@ks.gov> wrote:

Jane,

We have received your email with your comments regarding the application for change in point of diversion filed under Water Right, File No. 29,392 and they have been added to our records. Once the nearby notification comment period has ended, you should expect a formal reply from the Stafford Field Office which will be sent via standard mail as per our normal processing procedure. In the meantime, I have attached a scanned pdf copy of the above referenced change application for your review, since you were unable to access this via our online posting web page.

Thank you and have a good day,
Tyler Saryerwinnie

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

From: Jane Kill [<mailto:jlpatty@me.com>]
Sent: Saturday, March 24, 2018 6:05 PM
To: Saryerwinnie, Tyler [KDA]
Subject: Water Appropriation, File No. 29-392

Tyler Saryerwinnie,

Stephen & Jane Kill received a letter from the State of Kansas, Department of Agriculture, Division of Water Resources regarding an application that may effect the water well on our property 6524 SW 72nd St, Sedgwick Township in Sedgwick County, Kansas. The letter states that Micheal P. McGinn has filed an application for approval from the State of Kansas, to change the point of diversion of the well that has been dug across the street from our land. The well was already a point of contention and had been protested by the other land owners on our section.

This being Bernadine Manning and Stephen and Jane Kill. I don't know about Chris and Serena McGinn. Since the well for his pivot point has been dug over the winter; We're assuming the well was authorized by the State of Kansas against our protest. The well we use at 6524 SW 72nd St, Sedgwick Township in Sedgwick County, Kansas is only 30 feet deep. We have used this well for 20 years without issue. I contacted the Division of Water Resources prior to the new well being dug by M. P. McGinn. I questioned who would be responsible if our well is damaged by the drilling and use of this new well. I was informed we could petition M. P. McGinn to help us dig an new and deeper well, but the State would not be responsible.

We continue to protest the new well and application to change the point of diversion as applied by Micheal P. McGinn on SW 72nd. The well that had been used near the Emma Creek, once turned on his corn stays on for months at a time. Not once in that last several years does that irrigation system get turned off once the switch has been flipped. During droughts like the one we're in now, I've seen the Emma Creek go dry from the continued use of his well. The Emma Creek is spring fed in our area, it doesn't help landowners, residence, livestock or wildlife who depend on in the summer or winter.

I understand the State is responsible to regulate the use of these wells for irrigation. I would like to know who specifically comes out to read the wells used by Micheal P. McGinn. Who will be responsible to ensure he lets this well rest since he has used the well on the section south of ours for years without rest and now he wants to tap into and use more water from the equis beds and this new pivot point.

I also am concerned about the noise from the motor pumping the water from the equis beds and how it will effect our daily lives.

I tried to find the complete application posted by the water right file number 29,392 as referenced at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices web site. The site informed me:

We apologize, but a problem has occurred and your request could not be completed.

You may not be able to visit this page because of:

1. an **out-of-date bookmark/favorite**
2. a search engine that has an **out-of-date listing for this site**
3. a **mistyped address**
4. you have **no access** to this page
5. The requested resource was not found.
6. An error has occurred while processing your request.

Please try one of the following pages:

- Homepage

If difficulties persist, please contact the System Administrator of this site.

I am requesting an application and response from the Stafford Field Office.

You may reach me at 316-765-4435.

Sincerely,

Jane Kill

6524 SW 72nd

Sedgwick, Kansas 67135

<29392.20180322.Acc.Chg.pdf>

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521



PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 6, 2018

Jane Kill
6524 SW 72nd Street
Sedgwick KS 67135

RE: Change Application, Water Right, File No. 29,392

Dear Water-User,

This will acknowledge receipt of your email dated March 24, 2018, in which you expressed comments concerning the proposed change in the point of diversion location authorized by the referenced file number. Your comments will be considered, and approval of the application if granted, will authorize diversion of water only when it does not impair prior existing rights.

We are in the process of thoroughly reviewing this application to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. The next step in processing will be to forward the application on to Equus Beds Groundwater Management District No. 2 for their review of the application and they will be provided a copy of your email.

Please note that K.A.R. 5-22-2 requires that non-domestic wells must meet specific spacing guidelines in order to minimize the potential that existing water wells of any kind would be impaired. In this case, the specific regulation requires a minimum well spacing of 660 feet from any senior domestic well and this has been included as a condition of approval for the proposed application for point of diversion.

Additionally, 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 change application is approved you believe the diversion of water is impairing your water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office so that an investigation can be made.

Also, in your email you questioned who specifically comes out to read the wells used by the applicant. In this case, the approval of application and permit to proceed for Water Appropriations, File No. 49102 was conditioned so that the requirements of a "Groundwater Monitoring Plan" be implemented. It is our understanding that the applicant has contracted with Equus Beds Groundwater Management District #2 to fulfill these requirements and they have a technician who performs these water level measurements as scheduled in the plan.

If you have any questions, please feel free to 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, appearing to read 'Tyler Saryerwinnie', with a horizontal line extending to the right.

Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 6, 2018

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

RE: Point of Diversion Change Application, File No. 29,392

Dear Mr. Boese,

We are enclosing a copy of the application, as referenced above, for your review and recommendation. At this time the application appears to be in proper form. Notification letters were sent to all nearby well owners shown on the application map. These owners were given a 15 day comment period; one response was received via email and has been included with this correspondence.

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

If you have any questions, please feel free to contact the office.

Sincerely,

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

Enclosure

Saryerwinnie, Tyler [KDA]

From: Saryerwinnie, Tyler [KDA]
Sent: Friday, April 06, 2018 2:42 PM
To: 'Rebecca Wilson'
Cc: Conant, Cameron [KDA]
Subject: Recommendation Request - File No. 29392
Attachments: 29392.GMD Request + Response.pdf; 29392.Change App.pdf

Rebecca,

I have attached a cover letter, a copy of one (1) point of diversion application for GMD review and recommendation. Please provide the GMD recommendation by no later than April 26, 2018.

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

Tyler

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

Saryerwinnie, Tyler [KDA]

From: Jane Kill <jlpatty@me.com>
Sent: Thursday, June 14, 2018 9:25 AM
To: Saryerwinnie, Tyler [KDA]
Subject: Emma Creek

Tyler with all the irrigation in Harvey County we have the Emma Creek completely dry. Who do I contact to check on how long the irrigation systems are running during this drought?

Sincerely,

Stephen and Jane Kill
316-765-4435
6524 SW 72nd
Sedgwick, Kansas 67135

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: June 14, 2018

FROM: Tyler Saryerwinnie

RE: Documenting a Phone Call
SE ¼ 16-24S-1W HV Co.

On June 14, 2018, Stephen and Jane Kill sent an email regarding the stream conditions in Emma Creek (email included in file). In response to their email, Assistant Water Commissioner Cameron Conant called the phone number provided in the email to discuss the issue. He was unable to document his call so he asked me to transcribe his notes.

During the phone conversation, Mrs. Kill expressed her concern that Emma Creek was now dry and she was concerned about her domestic well. She stated that Emma Creek had gone dry two days ago. She also said that her domestic well was 30 feet deep and it had been there for a long time; they have lived there for 20 years but she did not know when it was drilled. She said that they were not having problems with her domestic well at this time, but that she was concerned that it will be an issue due to the drought conditions and the dry creek nearby.

The impairment process was discussed. It was conveyed to Mrs. Kill that shale in this area was approximately 120-145 feet deep and that any impairment claims would require her well to fully penetrate and use all of the available aquifer, providing there are no water quality concerns. They also discussed the potential for civil action; Mrs. Kill seemed to think the cost of these types of proceedings may be more costly than re-drilling her domestic well.

The concept of minimum desirable streamflow (MDS) was also discussed. Mrs. Kill was directed to the USGS website, where streamflow conditions are displayed in real time (Emma Creek & Valley Center gages).

At the end of the conversation, Mrs. Kill was satisfied that any of her concerns regarding surface or groundwater have been addressed at this time. It was also relayed to Mrs. Kill that any further action from DWR would require a complaint in writing.

Saryerwinnie, Tyler [KDA]

From: Saryerwinnie, Tyler [KDA]
Sent: Monday, May 07, 2018 5:08 PM
To: 'Rebecca Wilson'
Subject: RE: Recommendation Request - File No. 29392

Rebecca,

Per your request for an extension of time for the Groundwater Management District review and recommendation, the new deadline to submit a recommendation on the proposed change application is June 6, 2018, or 30 days from the date of this email.

If you need any other information, please let me know.

Thank you,

Tyler Saryerwinnie

From: Rebecca Wilson [<mailto:rwilson@gmd2.org>]
Sent: Monday, May 07, 2018 4:08 PM
To: Saryerwinnie, Tyler [KDA]
Subject: RE: Recommendation Request - File No. 29392

Hello!

Could we please have an extension on the review and recommendation for this application?

Thanks!

Rebecca Wilson

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

From: Saryerwinnie, Tyler [KDA] [<mailto:Tyler.Saryerwinnie@ks.gov>]
Sent: Wednesday, May 02, 2018 4:24 PM
To: Rebecca Wilson
Subject: RE: Recommendation Request - File No. 29392

Rebecca,

I am just wanting to check on the status of this recommendation request. Please let me know if you need anything regarding this application.

Thank you,
Tyler Saryerwinnie

From: Rebecca Wilson [<mailto:rwilson@gmd2.org>]
Sent: Friday, April 06, 2018 4:40 PM
To: Saryerwinnie, Tyler [KDA]
Subject: RE: Recommendation Request - File No. 29392

Got it!

Thanks!

Rebecca Wilson

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

From: Saryerwinnie, Tyler [KDA] [<mailto:Tyler.Saryerwinnie@ks.gov>]
Sent: Friday, April 06, 2018 2:42 PM
To: Rebecca Wilson
Cc: Conant, Cameron [KDA]
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I have attached a cover letter, a copy of one (1) point of diversion application for GMD review and recommendation. Please provide the GMD recommendation by no later than April 26, 2018.

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

Tyler

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

Property Detail Information



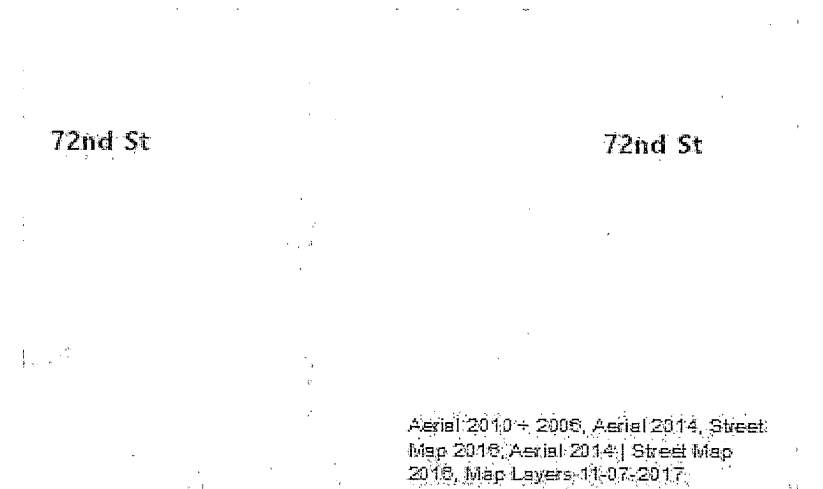
Generated: 3/21/2018 11:40:01 AM

Report for Parcel No. 040-135-21-0-00-00-003.01-0 (Quick Ref. ID R16417)

Property Physical (Situs) Address
00000 SW 72ND ST, Sedgwick, KS 67135

Tract (Legal) Description
S21, T24, R01W, ACRES 143.16, NW1/4 EXC BEG NW COR NW1/4, E1490.54, S431.57, W758.16, SWLY455.23, W344.64, N658.08 TO POB, LESS ROW

Owner(s)	Owner Mailing Address
MCGINN, MICHAEL P; TR - (P)	1123 W 4TH ST SEDGWICK, KS 67135-9126
MCGINN, SUSANNAH M; TR	1123 W 4TH ST SEDGWICK, KS 67135-9126



Property Factors	
Topography	Level - 1
Utilities	None - 8
Access	Semi Improved Road - 2
Fronting	Secondary Street - 3
Location	Neighborhood or Spot - 6
Parking Type	None - 0
Parking Quantitiy	None - 0
Parking Proximity	Far - 0
Covered Parking	Not Available
Uncovered Parking	Not Available

Saryerwinnie, Tyler [KDA]

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Tuesday, May 15, 2018 4:54 PM
To: Saryerwinnie, Tyler [KDA]
Cc: Engelbrecht, Jessica [KDA]
Subject: 29392 PD Change App Approval Letter
Attachments: 29392 PD Change App Approval Letter 5-15-18.pdf; 29392 Meter Installation Letter 5-15-18.pdf

Hello!

Attached you will find the Change in Point of Diversion Application Approval Letter and Meter Installation Letter from Manager Tim Boese for #29392.

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

Thanks!

Rebecca Wilson

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

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



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

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

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

May 15, 2018

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

Re: Water Right No. 29392 Change in Point of Diversion Application – Michael P. McGinn

Dear Mr. Saryerwinnie:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in point of diversion application on May 15, 2018, 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 application proposes to move the point of diversion to the existing irrigation well authorized by Water Permit No. 49102. The proposed point of diversion as described in the application as 5,230' North and 3,200 feet West of the Southeast corner of Section 21, Township 24 South, range 1 West, Harvey County does not comply with the District's Well Spacing Regulation K.A.R. 5-22-2(a)(2), as the proposed point of diversion is located closer than 660 feet to a domestic well. However, the actual well location for Water Permit No. 49102, as drilled and constructed, is located 5,275' North and 3,350 feet West of the Southeast corner of Section 21, Township 24 South, Range 1 West, Harvey County, and meets the well spacing requirements to existing domestic and non-domestic points of diversion (see enclosed District GPS printouts).

The District's review found that, subject to the footage measurements for the proposed point of diversion being modified to the actual well location (5,275' N & 3,350' W), the change application complies with the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Therefore, the change application is recommended for approval, subject to the proposed well location being modified to 5,275' North and 3,350 feet West of the Southeast corner of Section 21, Township 24 South, Range 1 West, Harvey County.

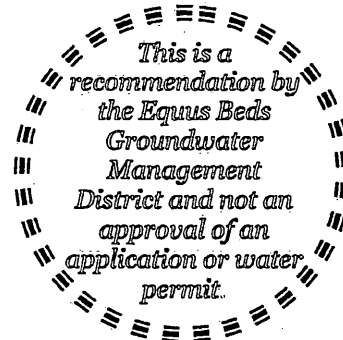
A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/STF

Enclosures

Pc: Michael P. McGinn, Applicant and Landowner
Jane Kill, Nearby well owner



RECEIVED

MAY 15 2018

Stafford Field Office
DIVISION OF WATER RESOURCES

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

1) Application No. 29392 Date filed: 3/19/18
 2) Applicant: Michael P. McGinn County: HV
 3) Proposed maximum quantity: 90 acre-feet/year Rate: 700 GPM
 4) Proposed Use: Irrigation
 5) P/D location: NE NE NW 21-24S-1W Geo Center: North 5230 ft, West 3200 ft
 6) Number and type of points of diversion listed on the application 1 Well

7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8? Yes No, Why
 8) Meets change PD 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
 (a) Total allowable appropriations: af/yr
 (b) Total existing appropriations: af/yr
 (c) Total small user exemptions: af/yr
 (d) Total non-consumptive use: af/yr
 (e) Total consumptive use: af/yr
 (f) Total consumptive Appropriations: af/yr
 (total existing) - (non-consumptive)
 (g) exempt from regulation? Yes No, Cite exemption:

10) Meets Well Spacing K.A.R. 5-22-2? Yes No N/A
 (a) POD in enhanced well spacing area? Yes No
 (b) Domestic well spacing interval: >660 (see notes) ft
 (c) Non-Domestic well spacing interval: >1320 ft

If move is over 300 ft from currently authorized, must comply with spacing
 Cannot be moved more than 2640 from originally authorized

11) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 (a) Irrigation max quantity: acre-feet / acre
 application paragraph 3 value (acre-feet) / proposed acres = Q
 (b) Stockwater max quantity: GPD unit
 (c) Industry max quantity: Acre
 Industry standard:
 (d) Groundwater pit max Q:
 Net evap * pit area/12

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

14) Date reviewed: 5/9/18
 15) Reviewed by: S. Flaherty Title: Hydrogeologist
 16) District recommendation: Approve Deny Other, see comment
Renewal 5-15-18

17) Comments and Calculations:

Review complete for a change in point of diversion application submitted by Michael P. McGinn for Irrigation Use in Harvey County
 Proposed pd is existing well authorized by #49102
 Move is 1813 feet from originally authorized PD to proposed PD and therefore, must comply with spacing.
 Cannot be moved more than 2640 from originally authorized PD. Application proposes a move of 1813 feet.
 Abandoned-well plugging agreement submitted and will be plugged within 30 days after replacement well is operational.

RECEIVED

MAY 15 2018

Stafford Field Office
 DIVISION OF WATER RESOURCES

Proposed pd is 1320 from nondomestic wells and groundwater pits BUT is within 660 ft from domestic well to the east.
 Actual PD as drilled and constructed for No. 49102 meets well spacing as verified by GMD2 GPS of #49102 well & nearby domestic wells.
 Move is 1691 from currently authorized PD to actual PD for No. 49102
 Notice of completion was timely filed
 Owner signed application
 Overlapping PD and PU with file no. 49102
 Well is not in any Special Use area or IGUCA
 Recommend approval subject to the correction of the proposed footage measurements (5230'N & 3200'W) to the actual drilled location (5275'N & 3350'W)

INPUTS	
Target Section Definition	
Section	21
Township	24
Range	1
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-97.438300 NAD27
Target Latitude	37.955830

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter *NAD27* or *NAD83* longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

Longitude changed
Latitude changed

**Water Permit No. 49102
irrigation well**

UTM - NAD27
637203
4201859

5/3/2018

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.94134169	-97.44546359
NW	37.95592872	-97.44555428
NE	37.95595956	-97.42704486
SE	37.94135661	-97.42700027
Degrees Longitude per Foot		3.46774019E-06
Degrees Latitude per Foot		2.74611622E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	5276	-2066
NW	-36	-2092
NE	-47	3246
SE	5270	3259

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.94133000	-97.44514500
NW	37.95591700	-97.44523600
NE	37.95594800	-97.42672700
SE	37.94134500	-97.42668200
Degrees Longitude per Foot		3.46773964E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	5280	-1974
NW	-32	-2000
NE	-43	3337
SE	5275	3350

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00001169	-0.00031859
NW	0.00001172	-0.00031828
NE	0.00001156	-0.00031786
SE	0.00001161	-0.00031827
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-4.50822058	-91.87219978
NW	-4.26633780	-91.78280024
NE	-4.20753643	-91.66252632
SE	-4.47882856	-91.78076098

RECEIVED

MAY 15 2018

Stafford Field Office
DIVISION OF WATER RESOURCES

INPUTS	
Target Section Definition	
Section	21
Township	24
Range	1
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-97.440730
Target Latitude	37.955450

NAD27

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

Longitude changed
Latitude changed

west domestic house well

UTM - NAD27
636990
4201813
10/25/2017

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.94134169	-97.44546359
NW	37.95592872	-97.44555428
NE	37.95595956	-97.42704486
SE	37.94135661	-97.42700027
Degrees Longitude per Foot		3.46774019E-06
Degrees Latitude per Foot		2.74611622E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	5138	-1365
NW	-174	-1391
NE	-186	3946
SE	5132	3959

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.94133000	-97.44514500
NW	37.95591700	-97.44523600
NE	37.95594800	-97.42672700
SE	37.94134500	-97.42668200
Degrees Longitude per Foot		3.46773964E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	5142	-1273
NW	-170	-1299
NE	-181	4038
SE	5137	4051

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00001169	-0.00031859
NW	0.00001172	-0.00031828
NE	0.00001156	-0.00031786
SE	0.00001161	-0.00031827
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-4.50163480	-91.87231038
NW	-4.25975202	-91.78291084
NE	-4.20095065	-91.66263692
SE	-4.47224278	-91.78087158

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DIVISION OF WATER RESOURCES

INPUTS		
	Longitude	Latitude
Point 1	-97.438300	37.955830
Point 2	-97.440730	37.955450

Water Permit No. 49102 irrigation well
west domestic house well

Degrees Longitude per Foot 3.46806887E-06
 Degrees Latitude per Foot 2.74611326E-06

Distance Between Points (ft) 714

Compute Distance Between Points

Instructions
 1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).
 2. Click "Compute Distance Between Points" button.

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INPUTS	
Target Section Definition	
Section	16
Township	24
Range	1
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-97.435700 NAD27
Target Latitude	37.956260

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter *NAD27* or *NAD83* longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

Longitude changed
Latitude changed

east domestic house well

UTM - NAD27

637431
4201910

10/25/2017

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.95592872	-97.44555428
NW	37.97043964	-97.44549293
NE	37.97050166	-97.42704453
SE	37.95595956	-97.42704486
Degrees Longitude per Foot		3.46842479E-06
Degrees Latitude per Foot		2.74611012E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	121	-2841
NW	-5164	-2823
NE	-5186	2496
SE	109	2495

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.95591700	-97.44523600
NW	37.97042800	-97.44517500
NE	37.97049000	-97.42672700
SE	37.95594800	-97.42672700
Degrees Longitude per Foot		3.46842424E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	125	-2749
NW	-5160	-2732
NE	-5182	2587
SE	114	2587

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00001172	-0.00031828
NW	0.00001164	-0.00031793
NE	0.00001166	-0.00031753
SE	0.00001156	-0.00031786
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-4.27352229	-91.76456555
NW	-4.00463236	-91.66365796
NE	-4.01089099	-91.54917176
SE	-4.21474585	-91.64431582

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INPUTS		
	Longitude	Latitude
Point 1	-97.438300	37.955830
Point 2	-97.435700	37.956260

Water Permit No. 49102 irrigation well

east domestic house well

Degrees Longitude per Foot 3.46808791E-06

Degrees Latitude per Foot 2.74611306E-06

Distance Between Points (ft) 766

Compute Distance Between Points

Instructions

1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).
2. Click "Compute Distance Between Points" button.

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Stafford Field Office
DIVISION OF WATER RESOURCES

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



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

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

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

May 15, 2018

Michael P. McGinn
1123 W. 4th Street
Sedgwick, KS 67135

Re: Water Right, File No. 29392

Dear Mr. McGinn:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that change application No. 29392 be approved. Pursuant to K.A.R. 5-22-4a, the well described in the application must be equipped with a District approved water flowmeter. The well is located in the Northwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 21, Township 24 South, Range 1 West, Harvey County.

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

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

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

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/db

Enclosures

Pc: Jeff Lanterman, Division of Water Resources, Stafford

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Stafford Field Office
DIVISION OF WATER RESOURCES

WATER WELL RECORD Form WWC-5 1372257

Division of Water Resources App. No.

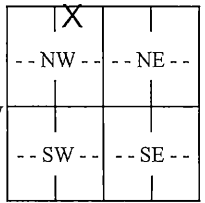
49102

Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: Harvey	Fraction NE ¼ NW ¼ NE ¼ NW ¼	Section Number 21	Township Number T 24 S	Range Number R 1 <input type="checkbox"/> E <input checked="" type="checkbox"/> W
--	---------------------------------	----------------------	---------------------------	--

2 WELL OWNER: Last Name: McGinn First: Mike Business: Address: 1123 W 4th Address: City: Sedgwick State: Kansas ZIP: 67135	Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input type="checkbox"/> SW 72nd and Emma Creek Harvey County
---	--

3 LOCATE WELL WITH "X" IN SECTION BOX: N  W E S -----1 mile-----	4 DEPTH OF COMPLETED WELL: 146 ft. Depth(s) Groundwater Encountered: 1) 25 ft. 2) ft. 3) ft., or 4) <input type="checkbox"/> Dry Well WELL'S STATIC WATER LEVEL: 25 ft. <input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr) 10/30/2017 <input type="checkbox"/> above land surface, measured on (mo-day-yr) Pump test data: Well water was ft. after hours pumping gpm Well water was ft. after hours pumping gpm Estimated Yield: .. 800 gpm Bore Hole Diameter: 30 in. to 146 ft. and in. to ft.	5 Latitude: 37.95584 (decimal degrees) Longitude: 97.43862 (decimal degrees) Datum: <input checked="" type="checkbox"/> WGS 84 <input type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27 Source for Latitude/Longitude: <input type="checkbox"/> GPS (unit make/model:) (WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No) <input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map <input type="checkbox"/> Online Mapper:
--	--	---

7 WELL WATER TO BE USED AS:

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock	2. <input checked="" type="checkbox"/> Irrigation	3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID	6. <input type="checkbox"/> Dewatering: how many wells?	7. <input type="checkbox"/> Aquifer Recharge: well ID	8. <input type="checkbox"/> Monitoring: well ID	9. Environmental Remediation: well ID	<input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease	11. Test Hole: well ID	<input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical	12. Geothermal: how many bores?	a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water	13. <input type="checkbox"/> Other (specify):
--	---	-------------------------------------	--	--	---	---	---	---	--	--	------------------------------	---	---------------------------------------	--	---

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted:

Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded
Casing diameter 16 in. to 146 ft., Diameter in. to ft., Diameter in. to ft.
Casing height above land surface 24 in. Weight lbs./ft. Wall thickness or gauge No. 0.50

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

SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify)
 Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)

SCREEN-PERFORATED INTERVALS: From 86 ft. to 146 ft., From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 23 ft. to 146 ft., From ft. to ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other
Grout Intervals: From 3 ft. to 23 ft., From 50 ft. to 70 ft., From ft. to ft.

Nearest source of possible contamination:
 Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage
 Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well
 Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well
 Other (Specify)

Direction from well? Distance from well? ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	30	Clay			
30	50	Medium to Fine Sand			
50	70	Clay			
70	145	Medium to Fine Snd			
145	146	Hard Shale			
Notes:					

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 10/30/2017 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 238 This Water Well Record was completed on (mo-day-year) 11/2/2017 under the business name of Premier Pump and Well Service, Inc.

Application Map - File No. 29392



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

3/14/18
Date

- New Application
- Application No. 29392 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) See attached
- 2)
- 3)

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Division of Water Resources

* TJS-SFFO

Equus Beds Groundwater Management District No. 2

SPACING EVALUATION NO 29392

LOCATION: NENENW (5230'N & 3200'W) 21-24S-01W, Harvey County

SPECIAL USE AREA: None

Prepared By: STEVE FLAHERTY Date: 5/7/2018



R1W

0 660 1,320 Feet

Map Legend

- Monitoring Well
- Bedrock
- GMD2 Boundary

- Proposed Point of Diversion
- Authorized Location

- Burrton IGUCA
- Hollow Nikkel SWQUA
- McPherson IGUCA
- Enhanced Well Spacing Area
- Application Suspension Area



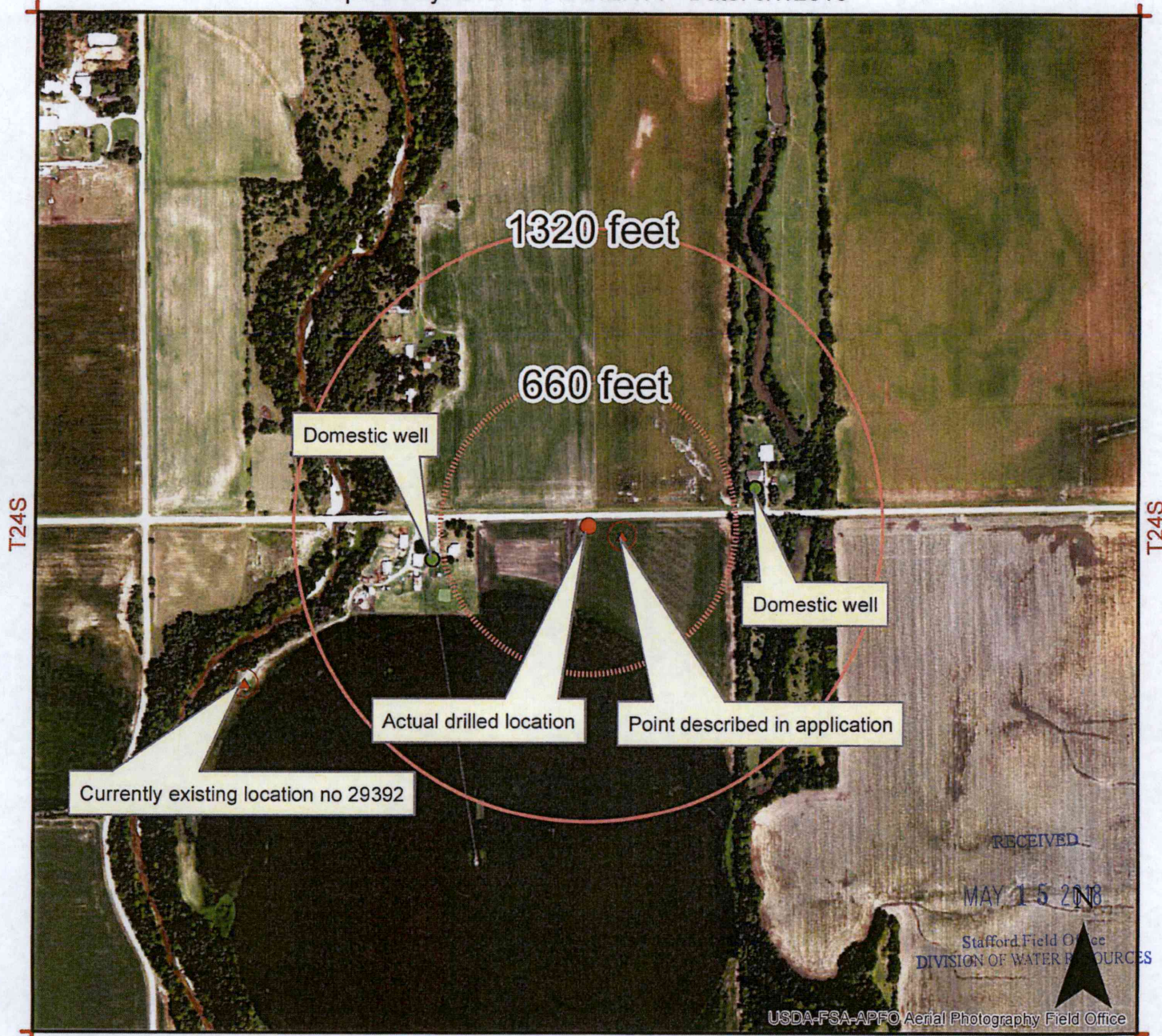
Equus Beds Groundwater Management District No. 2
313 Spruce Street, Halstead, KS 67056
316-835-2224, equusbeds@gmd2.org

Equus Beds Groundwater Management District No. 2

SPACING EVALUATION NO 29392 Actual well location

LOCATION: NWNENW (5275'N & 3350'W) 21-24S-01W, Harvey County
 SPECIAL USE AREA: None

Prepared By: STEVE FLAHERTY Date: 5/7/2018



R1W

0 660 1,320 Feet

Map Legend

 Monitoring Well	 Actual Drilled Location	 Burrton IGUCA
 Bedrock	 Application footage measurements	 Hollow Nikkel SWQUA
 GMD2 Boundary	 Equus Beds Groundwater Management District No. 2 313 Spruce Street, Halstead, KS 67056 316-835-2224, equusbeds@gmd2.org	 McPherson IGUCA
		 Enhanced Well Spacing Area Application Suspension Area