

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/D WORKSHEET**

1. File Number: <b>30299</b>	2. Status Change Date: <b>5/11/2018</b>	3. Change Num: <b>1</b>	4. Field Office: <b>02</b>	5. GMD: <b>05</b>
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: <b>9/28/2018</b>
8a. Applicant(s) New to system <input checked="" type="checkbox"/>  <b>TOM &amp; JOLENE SNELL</b> <b>509 W 6TH ST</b> <b>ELLINWOOD KS 67526</b>		8c. Landowner(s) New to system <input type="checkbox"/>  <b>KEVIN L &amp; RHEA J SCHATZ</b> <b>836 SE 20 RD</b> <b>ELLINWOOD KS 67526</b>		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>JOLENE K GATTON SNELL TRUST</b> <b>509 W 6TH ST</b> <b>ELLINWOOD KS 67526</b>		8d. WUC New to system <input type="checkbox"/>  <b>JOLENE K GATTON SNELL TRUST</b> <b>509 W 6TH ST</b> <b>ELLINWOOD KS 67526</b>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/2018</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>12/31/2018</b>				
<input checked="" type="checkbox"/> Anti-Reverse Meter <input checked="" type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter  <input type="checkbox"/> Conservation Plan            Date Required: _____            Date Approved: _____            Date to Comply: _____				
10. Use Made of Water    From: _____    To: _____				
Date Prepared: <b>3/19/18</b> By: <b>LI</b> Date Entered: <b>5/14/2018</b> By: <b>uM</b>				

File No. **30299**      11. County: **RC**      Basin: **ARKANSAS RIVER**      Stream:      Formation Code: **110**      Special Use:

12. Points of Diversion										Rate and Quantity							
CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
	MOD			39980	LOT 6	29	20	10W	1	1778	3720	EAST WELL	552	81	552	<del>552</del> <sup>81</sup>	20177151
	MOD			26754	SE NW SW	29	20	10W	2	1556	4360	WEST WELL	443	65	443	65	20177150

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) **NONE NO CHANGE**  
 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 CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
						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						
<b>NO CHANGE</b>																											

Base Acres:      Year:      Minimum Reasonable Quantity:  
 Comments:

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

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

**TO:** Files

**DATE:** April 20, 2018

**FROM:** Leslie Ireland

**RE:** Water Right  
File No. 30,299

Tom and Jolene Snell, on behalf of the Jolene K Gatton Snell Trust along with Kevin L. & Rhea J. Schartz, as owners of the referenced file completed an application for change in point of diversion. The application to change this irrigation right was received on September 28, 2017.

The referenced file was found to be in good standing, as per K.S.A. 82a-718 and 82a-732. The application complies with K.A.R. 5-5-2a.

Water Right, File No. 30,299 authorizes two (2) wells with the quantity and rate assigned per well. The right authorizes a total quantity of 146 acre-feet (AF) and a rate of 995 gallons per minute for the irrigation of 173 acres. The wells are located in Section 29, Township 20 South, Range 10 West, Rice County, approximately 640 feet apart. The right has no overlaps in place of use or point of diversion except both of the wells are proposed to be authorized by multi-year flex accounts, File Nos. 20177150 & 20177151. The applications will be processed in conjunction with the change. The right is not in a special use area, but is in the Big Bend Groundwater Management District No. 5.

The source of supply has not been determined. The well are shallow approximately, 40 feet deep. The 1976 logs indicate a static water level of nine(9) feet. The KGS Bulletin information and well logs indicate the source of supply maybe the undifferentiated Kansas/Nebraska formation (Code 180), but this could be a deeper formation. WIMAS mapping indicates the wells to be terrace deposits of the Arkansas River, but could be considered to be alluvium of the Arkansas River as the wells are approximately 1,900 feet and 2,550 feet from the center line of the river as determined with WIMAS and in a river lot description area and not deep. After a review by the DWR Stafford Field Office staff, the source of supply will be shown as recent alluvium formation (Code 110).

The reassignment of the quantity and rate are proposed to be:

Well Location	Authorized		Proposed	
	Quantity, AF	Rate, mgy	Quantity, AF	Rate, mgy
SW NE SW (ID 1)	62	420	81	552
SE NW SW (ID 2)	84	575	65	443

The well ID 1, SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , approximately 1,750 feet North and 3,795 feet West of the Southeast corner of Section 29 will increase by 19 acre-feet and 132 gpm. The total combined quantity and rate will not increase or decrease. The location of the well, ID 1, will also be updated to the March 2014, Compliance Investigation to show the actual well location of 1,778 feet North and 3,720 feet West of the Southeast corner of Section 29. This well will also be updated to river Lot 6, of Section 29, for the original survey description. A comment will be added to show this as the East Well. The feet distances well, ID 2, will also be updated from 1,520 feet North and 4,390 feet West to 1,556 feet North and 4,360 feet West of the Southeast corner. A comment will be added to show this as the West Well. Both corrections are less than 300 feet so K.A.R. 5-5-6, is not applicable to the corrections. The descriptor qualifiers will remain unchanged.

The change will move quantity and rate approximately 677 feet between existing wells that are under the same priority. The shift in quantity will increase the diversion of water from the well closer to the Arkansas River. The maximum allowed by K.A.R. 5-5-13, *Relocation of alluvial wells*, would be 2,354 feet, but as the proposed well is approximately 2,042 feet, and the source of supply could be alluvial, a **waiver of K.A.R. 5-5-13** was requested by the applicant.

To support the requested waiver of K.A.R. 5-5-13, the change was evaluated by a Glover Analysis completed by David Engelhaupt, Engineering Associate, DWR. He found the requested change would have a stream depletion increase of only 1.84% over a ten-year pumping cycle with a transmissivity of 5,000 and approaches null at 11,000, at all levels of storage coefficients ranging from 0.10 to 0.20. It would appear the Glover Analysis indicates little to no stream depletion with the shifting of an additional 19 acre-feet to be diverted from a well approximately 650 feet closer to the Arkansas River in Rice County.

A review of the file found there were no owners of any other water wells within one-half (½) mile of the wells, other than the applicant/owner of the application for change. No letters were sent for comment.

A March 5, 2018, letter of Orrin Feril, Manager, Big Bend Groundwater Management District No. 5, recommended approval of the application pursuant to the waiver of K.A.R. 5-5-13.

Jeff Lanterman, Water Commissioner, Stafford Field Office was contacted for a comment on the proposed change. He reviewed the proposal and recommend approval of the change per his email dated April 19, 2018.

Conditions of the approval will require the installation of a water flowmeter and check valve if chemigating. The file indicates meters were installed or replaced per the report supplied by the owner on February 15, 2018. The standard wording will be in the approval document. A water level measurement tube and WWC-5 are not applicable, as no new wells have been authorized to be drilled.

Based on the above discussion, that a waiver is granted, it appears the requested change is reasonable, the change should not cause impairment of existing rights or the Arkansas River, and the source of supply will remain the same, it is recommended that the referenced application be approved.



Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

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

JOLENE K GATTON SNELL TRUST  
TOM & JOLENE SNELL  
509 W 6TH ST  
ELLINWOOD KS 67526

May 15, 2018

**FILE COPY**

RE: Water Right, File No. 30,299

Dear Mr. & Mrs. Snell:

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

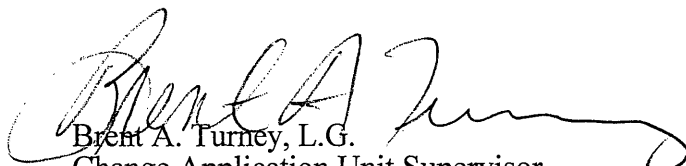
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval. A condition of the approval is that an acceptable water flowmeter must be installed on the diversion works authorized. While we have received your recent form for the installation of the meters, we are still required to request that you complete the required enclosed form for the *Notification of the Completion of the Diversion Works and/or Report of Flowmeter Installation* prior to December 31, 2018.

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.

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 564-6633.

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

Sincerely,

  
Brent A. Turney, L.G.  
Change Application Unit Supervisor

BAT:LI:li:  
Enclosures

pc: Stafford Field Office  
Groundwater Management District No. 5  
Kevin L. & Rhea J. Schartz



**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. 30,299**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Jolene K. Gatton-Snell & Thomas C. Snell, on behalf of the Jolene K. Gatton-Snell Trust, 509 W. 6th Street, Ellinwood, Kansas 67526, along with Kevin L. & Rhea J. Schartz, 836 SE 20 Road, Ellinwood, Kansas 67526, received in this office on September 28, 2017, 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 December 8, 2017, approving the application to change the place of use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the points of diversion shall be:

one (1) well further identified as East Well located in Lot 6 of Section 29, more particularly described as being near a point 1,778 feet North and 3,720 feet West of the Southeast corner of said section, at a quantity not to exceed 81 acre-feet per calendar year and at a diversion rate not in excess of 552 gallons per minute (1.23 c.f.s.), and

one (1) well further identified as West Well located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 29, more particularly described as being near a point 1,556 feet North and 4,360 feet West of the Southeast corner of said section, at a quantity not to exceed 65 acre-feet per calendar year and at a diversion rate not in excess of 443 gallons per minute (0.99 c.f.s.),

both in Township 20 South, Range 10 West, Rice County, Kansas,

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

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 each of 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.

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.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 30,299, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated August 3, 1992, as modified and amended by the aforementioned order.

**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.

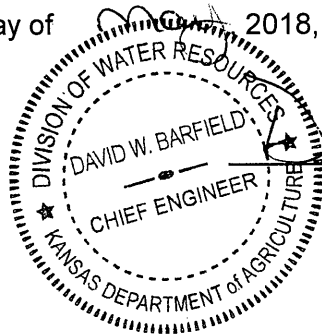
Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

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.

Ordered this 11<sup>th</sup> day of May, 2018, at Topeka, Shawnee County, Kansas.



David W. Barfield  
 David W. Barfield, P.E.  
 Chief Engineer  
 Division of Water Resources  
 Kansas Department of Agriculture

State of Kansas        )  
                                   ) SS  
 County of Riley        )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of May, 2018, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter  
 Notary Public

**CERTIFICATE OF SERVICE**

On this 15<sup>th</sup> day of May, 2018, I hereby certify that the attached Approval of Application for the Change in Point of Diversion for Water Right, File No. 30,299, dated May 11<sup>th</sup>, 2018 was mailed postage prepaid, first class, US mail to the following:

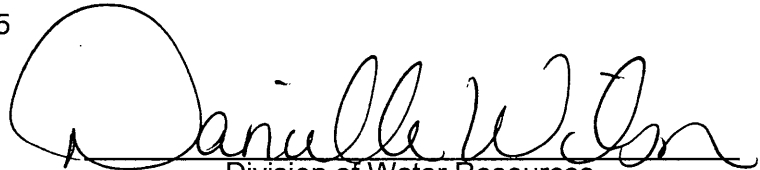
JOLENE K GATTON SNELL TRUST  
TOM & JOLENE SNELL  
509 W 6TH ST  
ELLINWOOD KS 67526

With a True and Correct Copy to:

KEVIN L & RHEA J SCHARTZ  
836 SE 20 RD  
ELLINWOOD KS 67526

With a Photocopy to:

Stafford Field Office  
Groundwater Management District No. 5

  
Division of Water Resources



Kansas Department of Agriculture  
 Division of Water Resources  
**WAIVER REQUEST & WAIVER RULE WORKSHEET**

File Number: 30299

FO: 2

GMD: 5

**WAIVER REQUEST:**

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	9/28/17	57	Statewide	Change Approval	Exceeds Move Distance
Rule Number	Date Granted	Date Denied	Justification:	The requested change will result in a less than 2% increase in stream depletion over a ten-year timeframe.	
K.A.R. 5-5-13	5/14/2018				

**WAIVER RULE:**

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
				K.A.R.		

Date Prepared 3/19/18 By LI

Date Entered 5/14/2018 By LLM



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

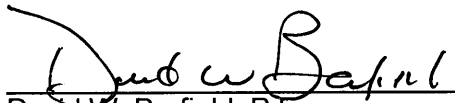
DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**WAIVER OF REGULATION**  
**K.A.R. 5-5-13 Relocation of alluvial wells**

Date: 5/11/2018  
Re: File No. 30,299

1. That K.A.R. 5-5-13 states in part: "If an authorized point of diversion is a well that has its source of supply an alluvium in a reach of a basin that is fully appropriated or closed to new appropriations, the approval of a change in point of diversion, and any subsequent approvals of changes in points of diversion, shall not authorize the distance between the well and the centerline of the stream to be decreased by more than 10 percent as measured from the following: (1) The authorized well location when the basin became fully appropriated or was closed to new appropriations; and (2) the centerline of the stream when the change application was filed."
2. Water Right, File No. 30,299, is located in Groundwater Management District No. 5, which is an area closed to new appropriations. That the application to change the points of diversion for Water Right, File No. 30,299, was received in the office of the Chief Engineer on September 28, 2017.
3. This right is authorized for irrigation use to divert a combined total of 146 acre-feet from two wells each with an assigned diversion rate and quantity. The wells are approximately 670 feet apart and are located a minimum of 1,900 feet from the Arkansas River in Section 29, Township 20 South, Range 10 West, Rice County, Kansas. There are no overlaps in the authorized points of diversion or place of use.
4. The referenced application proposes to transfer 43 acre-feet and 132 gallons per minute from the West well to the East well a distance of 413 feet more than allowed at the 10% required maximum distance. The change will authorize 65 acre-feet at 443 gallons per minute to remain on the West well and 81 acre-feet at a maximum of 552 gallons per minute will be authorized by the East well. The approval will shift 19 acre-feet and 132 gallons per minute towards the Arkansas River, from a well completed in 1979.
5. A Glover analysis completed by David Engelhaupt, DWR, indicated the change would result in a stream depletion increase of 1.84 percent over a ten-year timeframe. It would appear that the Arkansas River would not be significantly impacted so existing water rights can be satisfied under the requested change in point of diversion.
6. The application appears to be supported by Groundwater Management District No. 5.
7. That the waiver will not prejudicially or unreasonably affect the public interest.

Comments:

  
David W. Barfield, P.E.  
Chief Engineer  
Division of Water Resources

39094  
47676  
57293

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO  
CHANGE THE PLACE OF USE, THE  
POINT OF DIVERSION OR THE USE  
MADE OF THE WATER UNDER AN  
EXISTING WATER RIGHT**



State of Kansas

**Filing Fee Must Accompany the Application**  
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

**WATER RESOURCES  
RECEIVED**  
**SEP 28 2017**  
**10:53**  
**KS DEPT OF AGRICULTURE**

- 1. Application is hereby made for approval of the Chief Engineer to change the
  - Place of Use
  - (Check one or more)  Point of Diversion
  - Use Made of Water

File No. 30299

2. Name of applicant: Tom & Jolene Snell

Address: 509 W 6th St

City, State and Zip: Ellinwood KS 67526

Phone Number: (620)564-3312 E-mail address: tjsnell@hbcomm.net

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

Name of water use correspondent: Jolene K Gatton Snell Trust

Address: 509 W 6th St

City, State and Zip: Ellinwood KS 67526

Phone Number: (620) 564-3312 E-mail address: tjsnell@hbcomm.net

3. The change(s) proposed herein are desired for the following reasons (please be specific): The proposed change will move quantity and rate from the west well to the east well (@center pivot); both wells are authorized by File No. 30299. In addition, the location of both wells will be better described based on GPS coordinates. There will not be a new well proposed under this change application.

The change(s) ~~was~~ (will be) completed by upon approval of the application (Date)

For Office Use Only:															
F.O.	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-5-1	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>PC</u>	By	<u>Adw</u>	Date	<u>7/28/17</u>
Code	<u>47676</u>	<u>CGT</u>	Fee \$	<u>408</u>	TR #		Receipt Date	<u>7/28/17</u>	Check #	<u>8054</u>					

APPLICATION COMPLETE  
3/7/18  
Reviewer ET

SCANNED  
9/10/2017 4:44

4. The presently authorized place of use is:

Owner of Land — NAME: Jolene K Gatton Snell Trust

ADDRESS: 509 W 6th St, Ellinwood KS 67526

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	
29	20S	10W							Lot 7 11	Lot 6 40	37	26	Lot 5 34		Lot 6 5	Lot 5 2		163	

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

Owner of Land — NAME: Kevin & Rhea J Schartz

ADDRESS: 836 SE 20 Rd, Ellinwood KS 67526

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	
30	20S	10W													2			2	

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

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: No Change

ADDRESS: \_\_\_\_\_

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

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

Owner of Land — NAME: No Change

ADDRESS: \_\_\_\_\_

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

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

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

SEP 28 2017

6. The presently authorized point(s) of diversion are two wells with diversion works  
(Provide description and number of points)

7. The proposed point(s) of diversion are no change  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the SW Quarter of the NE Quarter of the SW Quarter of Section 29, Township 20 South, Range 10 W, in Rice County, Kansas, 1750 feet North 3795 feet West of Southeast corner of section.  
 Authorized Rate 420 GPM Authorized Quantity 62 AF  
 (DWR use only: Computer ID No. 1 GPS 1778 feet North 3720 feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the SW Quarter of the NE Quarter of the SW Quarter of Section 29, Township 20 South, Range 10 W, in Rice County, Kansas, 1778\* feet North 3720\* feet West of Southeast corner of section.  
 Proposed Rate 552 GPM Proposed Quantity 81 AF  
 This point is:  Additional Well  Geo Center List other water rights that will use this point None **LOT 6 \* (COMMENT EAST WELL)**

9. **Presently authorized point of diversion:**  
 One in the SE Quarter of the NW Quarter of the SW Quarter of Section 29, Township 20S South, Range 10 W, in Rice County, Kansas, 1520 feet North 4390 feet West of Southeast corner of section.  
 Authorized Rate 575 GPM Authorized Quantity 84 AF  
 (DWR use only: Computer ID No. 2 GPS 1556 feet North 4360 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 SE Quarter of the NW Quarter of the SW Quarter of Section 29, Township 20 South, Range 10 W, in Rice County, Kansas, 1556 feet North 4360 feet West of Southeast corner of section.  
 Proposed Rate 443 GPM Proposed Quantity 65 AF  
 This point is:  Additional Well  Geo Center List other water rights that will use this point None **\*2017150 (COMMENT WEST WELL)**

10. **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 \_\_\_\_\_  
 (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 \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

\* LD/DWR - TO ACTUAL - 3/6/18

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12. The presently authorized use of water is for Irrigation purposes.  
It is proposed that the use be changed to No Change purposes.

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

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
  - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
  - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

Both wells are authorized by File No. 30299 and produce out of the same local source of supply. The proposed move involves a distance of approximately 678 feet between existing wells. Although quantity and rate is being moved closer to the nearby stream, the amounts being moved are small.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

The proposed quantity move will likely decrease the distance between the alluvial well and the centerline of the stream by more than 10 percent. However, this well is part of the same place of use and is owned and operated by the applicant. A waiver of K.A.R. 5-5-13 is requested.

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

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**KS DEPT OF AGRICULTURE**

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at 9/26/17 Ellinwood, KS, Kansas, this 26<sup>th</sup> day of September, 2017.

Jolene K. Gatto-Snell  
(Owner)  
Jolene K. Gatto-Snell  
(Please Print)

Thomas C. Snell  
(Spouse)  
Thomas C. Snell  
(Please Print)

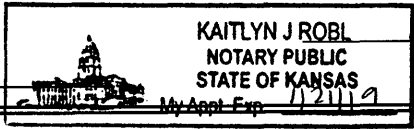
\_\_\_\_\_  
(Owner)  
\_\_\_\_\_  
(Please Print)  
\_\_\_\_\_  
(Owner)  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Spouse)  
\_\_\_\_\_  
(Please Print)  
\_\_\_\_\_  
(Spouse)  
\_\_\_\_\_  
(Please Print)

State of Kansas }  
County of Barton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 26<sup>th</sup> day of September, 2017.

My Commission Expires 1/21/19



Kaitlyn J Robl  
Notary Public

**FEE SCHEDULE**

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

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

Make check payable to Kansas Department of Agriculture.

**WATER RESOURCES RECEIVED**

**SEP 28 2017**

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

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If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Great Bend, Kansas, this 26<sup>th</sup> day of February, 20 18.

*Henry de Jure*  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

*Shea J. Schuck*  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)  
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 (Please Print)

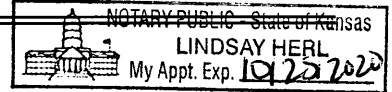
State of Kansas )  
County of Barton ) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 26<sup>th</sup> day of February, 20 18.

*Lindsay Herl*  
\_\_\_\_\_  
Notary Public

My Commission Expires 10/25/2020

FEE SCHEDULE



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

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

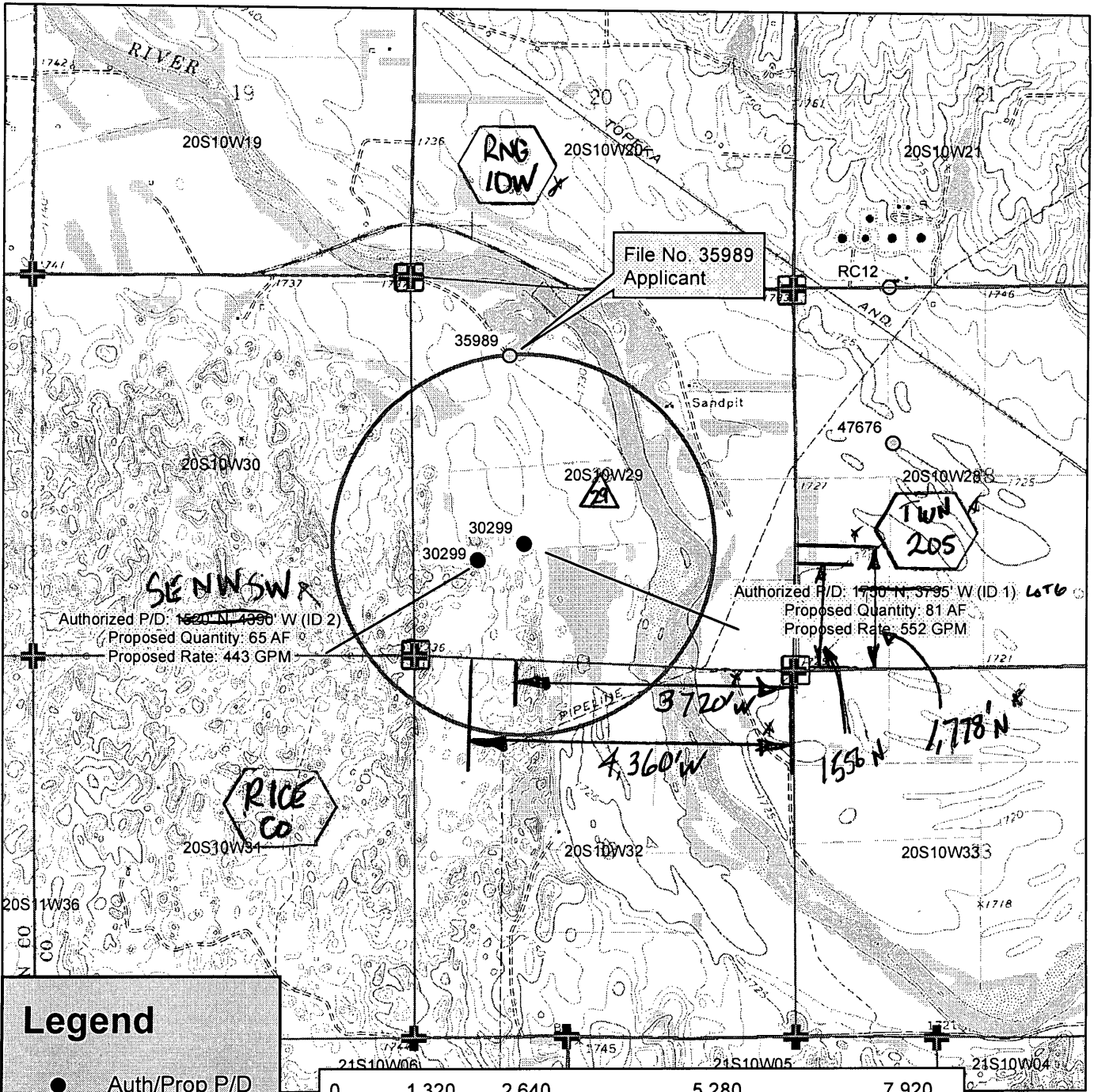
Make check payable to Kansas Department of Agriculture.

Water Resources  
Received  
MAR 02 2018

KS Dept Of Agriculture

SCANNED





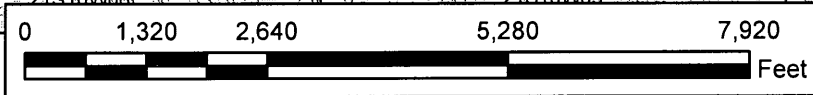
Authorized P/D: 1520' N, 4380' W (ID 2)  
 Proposed Quantity: 65 AF  
 Proposed Rate: 443 GPM

Authorized P/D: 1730' N, 3795' W (ID 1) 626  
 Proposed Quantity: 81 AF  
 Proposed Rate: 552 GPM

File No. 35989  
 Applicant

**Legend**

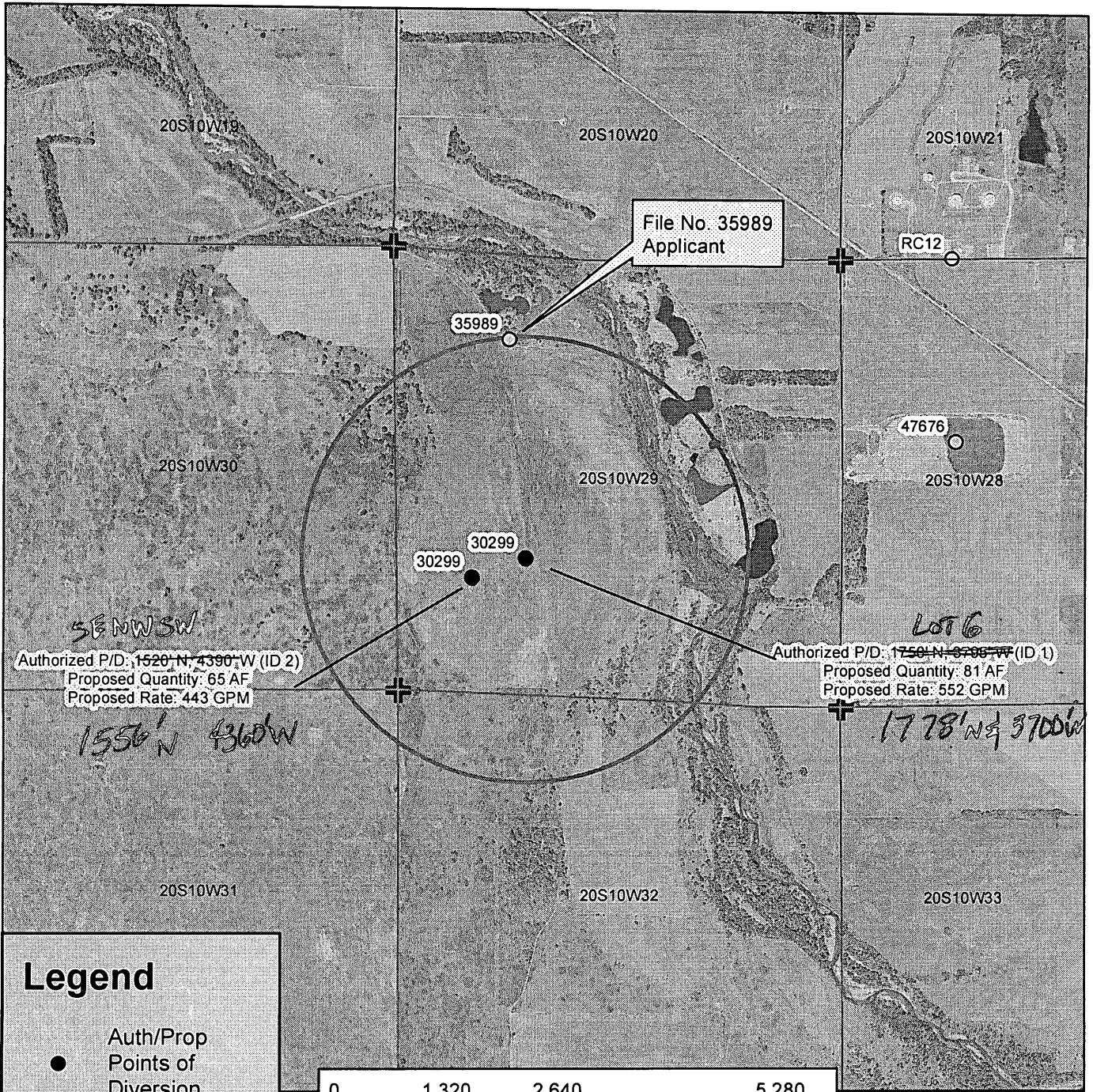
- Auth/Prop P/D
- Water Appropriations
- ⊕ Section Corner
- ▭ Section Line
- ★ Domestic Well
- 1/2 Mile Buffer



**Water Right, File No. 30,299**  
 Change in Point of Diversion, Application Map  
 Moving Quantity and Rate  
 29-20S-10W // Rice County

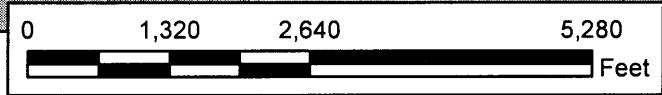
To the best of my knowledge, all water wells including domestic, within 1/2 mile of the proposed point of diversion have been shown.

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 KS DEPT OF AGRICULTURE



**Legend**

- Auth/Prop Points of Diversion
- Water Appropriations
- ✚ Section Corner
- ▭ Section Line
- ★ Domestic Well
- ▭ 1/2 Mile Buffer



**Water Right, File No. 30,299**  
 Change in Point of Diversion, Aerial Map  
 Moving Quantity and Rate  
 29-20S-10W // Rice County

N  
 WATER RESOURCES RECEIVED  
 SEP 28 2017  
 KS DEPT OF AGRICULTURE

## Ireland, Leslie [KDA]

---

**From:** Lanterman, Jeff [KDA]  
**Sent:** Thursday, April 19, 2018 4:09 PM  
**To:** Ireland, Leslie [KDA]  
**Cc:** Conant, Cameron [KDA]  
**Subject:** FW: Recommendation for Change in PD File No. 30,299 (and recommendation for 20177150-MF & 20177151-MF)  
**Attachments:** 20180320022915045.pdf; 20180319232123151.pdf; review map.pdf

Leslie;

I think I am OK with the waiver here. I think you gave me the data I need to be comfortable with a waiver of 5-5-13 in this case. I'll have to call David E. and figure out why Glover stream depletion instead of Jenkins. I think probably for simplicity sake which is OK.

As far as Source Formation Code 180 is kind of the catch all for non alluvium in GMD #5 but I see Cameron's point on 100 or 110 because from the topog it appears to be in the floodplain for the stream. I don't think you would go wrong either way.

See Cameron's notes below.

Approve these and have a good weekend Leslie!

Jeff

---

**From:** Conant, Cameron [KDA]  
**Sent:** Thursday, April 19, 2018 9:52 AM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>  
**Subject:** FW: Recommendation for Change in PD File No. 30,299 (and recommendation for 20177150-MF & 20177151-MF)

Jeff, we discussed these a bit, Rollie Peters old files, see the attached review map to get some perspective. We have to waive relocation of alluvial wells since we are moving a small portion of rate and Q to the well nearer the Ark River (an additional 19AF & 132gpm moving closer). Per David E Glover analysis work, the proposed change doesn't result in any major negative to the River (1.8% stream depletion over a 10 year pumping cycle).

Leslie had some question about source. Without getting in too deep, I would say this is alluvial, the wells are ~34-40' deep with a SWL of ~9'. I don't think we need to call this file anything but alluvium at this time. Leslie mentioned potential terrace deposits and undiff kan/neb (180) but at this time I'd say formation code 110 is the way to go. We could just broadly call it Quaternary (100), but I think 110 is more appropriate.

Per Leslie, the changes and the MYFA's have been signed by all owners (including the owners who have only 2 acres of authorized land in adjoining property to the west).

These are in GMD#5 and Orrin has recommended approval of the changes.

My thoughts: I don't want to get in the habit of waiving the 5-5-13, relocation of alluvial wells. I think it is a good regulation to adhere to. That said, in this case I would be ok waiving 5-5-13 for the following reasons:

- David E Glover Analysis showing very little impact over a 10 year period
- only moving 19AF and 132gpm closer to the river to an already producing well
- the well that is getting additional quantity and rate is still over ¼ mile from the Ark

-there are really no other permitted wells within a 2 mile circle (1 small gravel pit operation and 1 Vested IND right permitted 0.3AF)

I think the reasons above are enough to merit waiving 5-5-13. This is not something we want to waive all the time and GMD#5 should know that the only reason this was waived is because there were enough things that set this apart to be an isolated waiver...this is not setting a district wide precedent to always waive this reg.

20177150-MF & 2017715-MF: The MYFA's have been revised to show the correct rate and Q after approval of this change. Both of the MYFA's allow for 5x authorized based on the NIR method. All owners recently signed and the period is from 2017-2021.

If you agree that 5-5-13 can be waived, the change application and the 2 MYFA's can be recommended for approval. Please pass on to Leslie if you agree. We can talk about it if you like, there is a lot to unpack here. MYFA's can't be approved if p/d change is not also approved.

Cameron

---

**From:** Ireland, Leslie [KDA]  
**Sent:** Monday, April 9, 2018 9:01 AM  
**To:** Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>  
**Cc:** Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** FW: Recommendation for Change in PD File No. 30,299

Please let me know if you could recommend this change. As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

---

**From:** Ireland, Leslie [KDA]  
**Sent:** Monday, March 19, 2018 2:33 PM  
**To:** Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>  
**Cc:** Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** Recommendation for Change in PD File No. 30,299

Jeff,

Please let me know if you could recommend this change in PD. I have attached some information about the source of supply as I'm not sure code 180 is correct. This package has two MYFAs that are being sent by separate emails.

Please let me know if you could recommend this change that was submitted with a requested waiver. David Engelhardt did the study which is also attached.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

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

**MEMORANDUM**

**TO:** Files **DATE:** March 19, 2018  
**FROM:** Leslie Ireland **RE:** Water Right  
File No. 30,299

Tom and Jolene Snell, on behalf of the Jolene K Gatton Snell Trust along with Kevin L. & Rhea J. Schartz, as owners of the referenced file completed an application for change in point of diversion. The application to change this irrigation right was received on September 28, 2017.

The referenced file was found to be in good standing, as per K.S.A. 82a-718 and 82a-732. The application complies with K.A.R. 5-5-2a.

Water Right, File No. 30,299 authorizes two (2) wells with the quantity and rate assigned per well. The right authorizes a total quantity of 146 acre-feet (AF) and a rate of 995 gallons per minute for the irrigation of 173 acres. The wells are located in Section 29, Township 20 South, Range 10 West, Rice County, approximately 640 feet apart. The right has no overlaps in place of use or point of diversion except both of the wells are proposed to be authorized by multi-year flex accounts, File Nos. 20177150 & 20177151. The applications will be processed in conjunction with the change. The right is not in a special use area, but is in the Big Bend Groundwater Management District No. 5.

The source of supply has not been determined. The well are shallow approximately, 40 feet deep. The 1976 logs indicate a static water level of nine(9) feet. The KGS Bulletin information and well logs indicate the source of supply maybe the undifferentiated Kansas/Nebraska formation (Code 180). WIMAS mapping indicates the wells to be terrace deposits of the Arkansas River, but could be considered to be alluvium of the Arkansas River as the wells are approximately 1,900 feet and 2,550 feet from the center line of the river as determined with WIMAS and in a river lot description area and not deep. The source of supply will be shown as undifferentiated Kansas/Nebraska formation (Code 180).

The reassignment of the quantity and rate are proposed to be:

Well Location	Authorized		Proposed	
	Quantity, AF	Rate, mgy	Quantity, AF	Rate, mgy
SW NE SW (ID 1)	62	420	81	552
SE NW SW (ID 2)	84	575	65	443

The well ID 1, SW¼ NE¼ SW¼, approximately 1,750 feet North and 3,795 feet West of the Southeast corner of Section 29 will increase by 19 acre-feet and 132 gpm. The total combined quantity and rate will not increase or decrease. The location of the well, ID 1, will also be updated to the March 2014, Compliance Investigation to show the actual well location of 1,778 feet North and 3,720 feet West of the Southeast corner of Section 29. This West well will also be updated to river Lot 6, of Section 29, for the original survey description. A comment will be added to show this as the East Well The feet distances well, ID 2, will also be updated from 1,520 feet North and 4,390 feet West to 1,556 feet North and 4,360 feet West of the Southeast corner. A comment will be added to show this as the West Well. Both corrections are less than 300 feet so K.A.R. 5-5-6, is not applicable to the corrections. The descriptor qualifiers will remain unchanged.

The change will move quantity and rate approximately 677 feet between existing wells that are under the same priority. The shift in quantity will increase the diversion of water from the well closer to the Arkansas River. The maximum allowed by K.A.R. 5-5-13, *Relocation of alluvial wells*, would be 2,354 feet, but as the proposed well is approximately 2,042 feet, and the source of supply could be alluvial, a **waiver of K.A.R. 5-5-13** was requested by the applicant.

To support the requested waiver of K.A.R. 5-5-13, the change was evaluated by a Glover Analysis completed by David Engelhaupt, Engineering Associate, DWR. He found the requested change would have a stream depletion increase of only 1.84% over a ten-year pumping cycle with a transmissivity of 5,000 and approaches null at 11,000, at all levels of storage coefficients ranging from 0.10 to 0.20. It would appear the Glover Analysis indicates little to no stream depletion with the shifting of an additional 19 acre-feet to be diverted from a well approximately 650 feet closer to the Arkansas River in Rice County.

A review of the file found there were no owners of any other water wells within one-half (½) mile of the wells, other than the applicant/owner of the application for change. No letters were sent for comment.

A March 5, 2018, letter of Orrin Feril, Manager, Big Bend Groundwater Management District No. 5, recommended approval of the application pursuant to the waiver of K.A.R. 5-5-13.

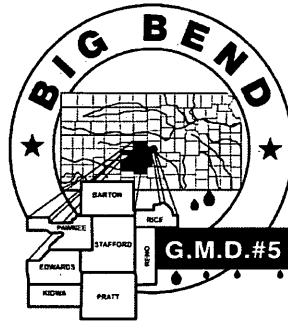
Jeff Lanterman, Water Commissioner, Stafford Field Office was contacted for a comment on the proposed change. He reviewed the proposal and recommend approval of the change per his email dated March xx, 2018.

Conditions of the approval will require the installation of a water flowmeter and check valve if chemigating. The file indicates meters were installed or replaced per the report supplied by the owner on February 15, 2018. The standard wording will be in the approval document. A water level measurement tube and WWC-5 are not applicable, as no new wells have been authorized to be drilled.

Based on the above discussion, that a waiver is granted, it appears the requested change is reasonable, the change should not cause impairment of existing rights or the Arkansas River, and the source of supply will remain the same, it is recommended that the referenced application be approved.

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

Darrell Wood - Edwards (Pres.)  
Fred Grunder - Pratt (V Pres.)  
John Janssen - Kiowa (Treas.)  
Jerry Cullop - Rice (Sec.)  
Justin Gatz - Reno  
Kent Lamb - Stafford  
Phil Martin - Barton  
Kerry Froetschner - Pawnee  
Tom Taylor - At-Large



Orrin Feril, Manager  
125 South Main Street  
Stafford, Kansas 67578  
ph: (620) 234-5352  
fx: (620) 234-5718  
gmd5@gmd5.org  
www.gmd5.org

Water Resources  
Received  
MAR 05 2018  
KS Dept Of Agriculture

March 5, 2018

Leslie Ireland  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502

RE: Water Right File No. 30299  
Change in the Place of Use &  
Change in the Point of Diversion

Dear Ms. Ireland,

The Big Bend Groundwater Management District #5 reviewed the above referenced application to change the point of diversion and place of use. It is the understanding of the District that these changes are intended to shift existing water quantity and rate between two wells authorized by Water Right File No. 30299. There is an issue with compliance with K.A.R. 5-5-13(a), of which the District has no jurisdiction. It is the District's opinion that the proposed changes will not have a significant effect on the immediate hydrologic system. Contingent on the Chief Engineer approving a waiver of K.A.R. 5-5-13(a), the District recommends these applications for approval.

The application to change is subject to the District's well equipment regulation K.A.R. 5-25-5 for required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril  
Manager

SCANNED

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



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

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

March 2, 2018

BIG BEND GROUNDWATER  
MANAGEMENT DISTRICT #5  
ORRIN FERIL MANAGER  
125 S MAIN ST  
STAFFORD KS 67578

Re: Application for Change, Water Right, File No. 30,299

Dear Mr. Feril:

We are enclosing a copy of the application referred to above which appears to be in proper form.

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

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li

Enclosure

pc: Stafford Field Office ✓  
Tom & Jolene Snell



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



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

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

March 2, 2018

BIG BEND GROUNDWATER  
MANAGEMENT DISTRICT #5  
ORRIN FERIL MANAGER  
125 S MAIN ST  
STAFFORD KS 67578

Re: Application for Change, Water Right, File No. 30,299

Dear Mr. Feril:

We are enclosing a copy of the application referred to above which appears to be in proper form.

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

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li

Enclosure

pc: Stafford Field Office  
Tom & Jolene Snell

**FILE COPY**



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

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

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

February 8, 2018

KEVIN L & RHEA J SCHATZ  
836 SE 20 RD  
ELLINWOOD KS 67526

RE: Water Right, File No. 30,299  
Multi-Year Flex Account, File Nos. 20177150-MF & 20177151- MF

Dear Mr. & Mrs. Schartz:

We have received the application for approval of the Chief Engineer to change the point of diversion under Water Right, File No. 30,299 and the Multi-Year Flex Account term permit applications referenced above. In order to complete the applications, we are **required to obtain a notarized signature from each landowner and their spouse.**

Information in this office indicates you as owners of a portion of the authorized place of use, specifically, two acres in the Northeast Quarter of the Southeast Quarter of Section 30, Township 20 South, Range 10 West, Rice County. If you are no longer an owner of this portion of Water Right, File No. 30,299, please provide us documentation to that effect so we can update our records. We are sending you copies of the applications and new signature pages so you may provide the needed signatures.

In order for the applications to retain their priority of filing the needed **signature pages must be completed and returned to this office on or before, Friday, February 23, 2018.**

According to law, default in returning requested information as outlined above within the time allowed or any authorized extension of time, shall cause dismissal of the applications referenced above.

Should you need to request additional time in which to return the requested information please do so prior to the 15-day deadline. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

RE: File Nos. File No. 30,299  
Multi-Year Flex Account, File Nos. 20177150-MF & 20177151- MF

Page 2

If you have any questions or need additional time, please contact me at (785) 564-6633 or via email at Leslie.Ireland@KS.GOV. Please reference the file numbers listed above so that I may help you more efficiently.

Sincerely,



Leslie Ireland  
Environmental Scientist  
Change Application Unit

LI:li  
Enclosures  
pc: Stafford Field Office  
Groundwater Management District No. 5

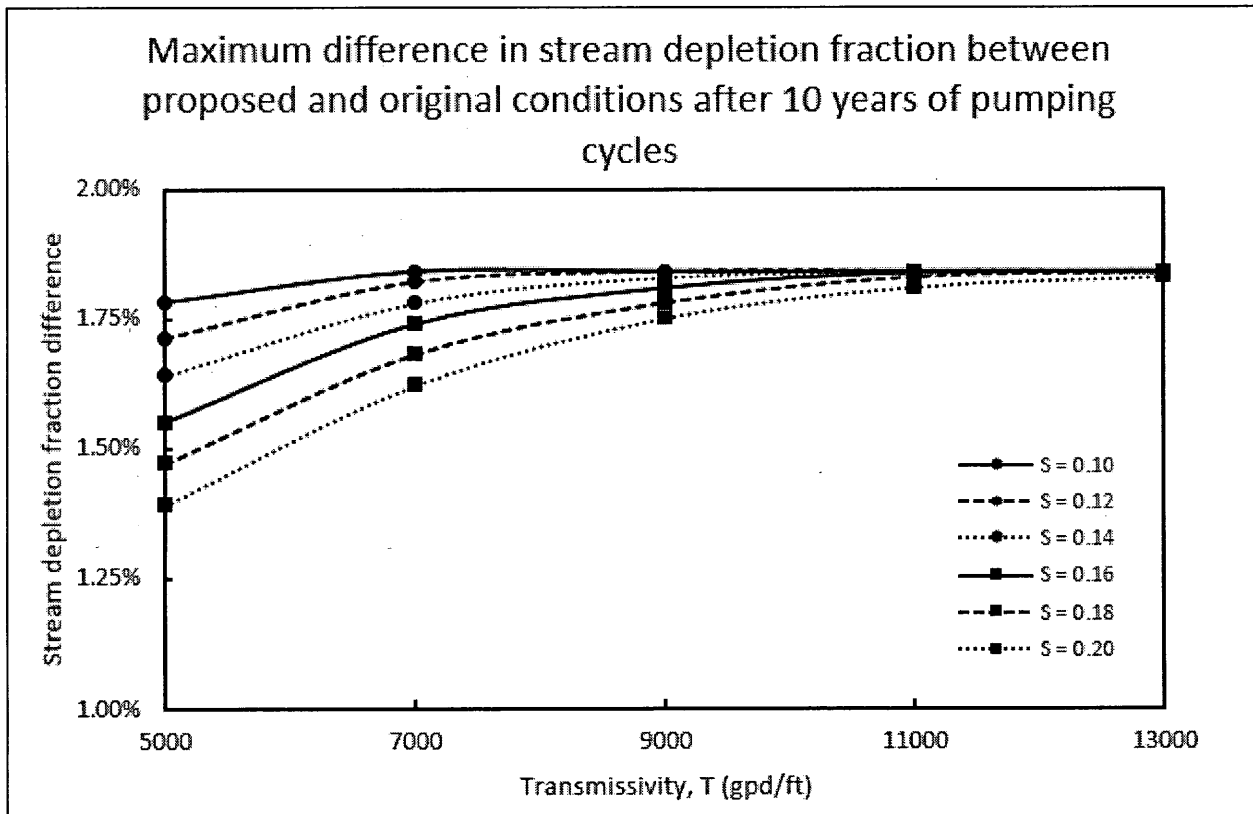
**Glover analysis for Water Right, File No. 30,299 change**

A Glover analysis was performed to evaluate the impact of the change to Water Right, File No. 30,299 on Arkansas River streamflow. The Glover equation was used to estimate the stream depletion fraction under proposed and original scenarios (Table 1). In both the proposed and original scenarios it was assumed that both wells are pumped continuously at the authorized rate until the authorized quantity has been diverted. The analysis was performed using a range of transmissivities (T) [5,000; 7,000; 9,000; 11,000; 13,000 ft<sup>2</sup>/d] and storage coefficients (S)[0.10, 0.12, 0.14, 0.16, 0.18, 0.20] (Figure 1).

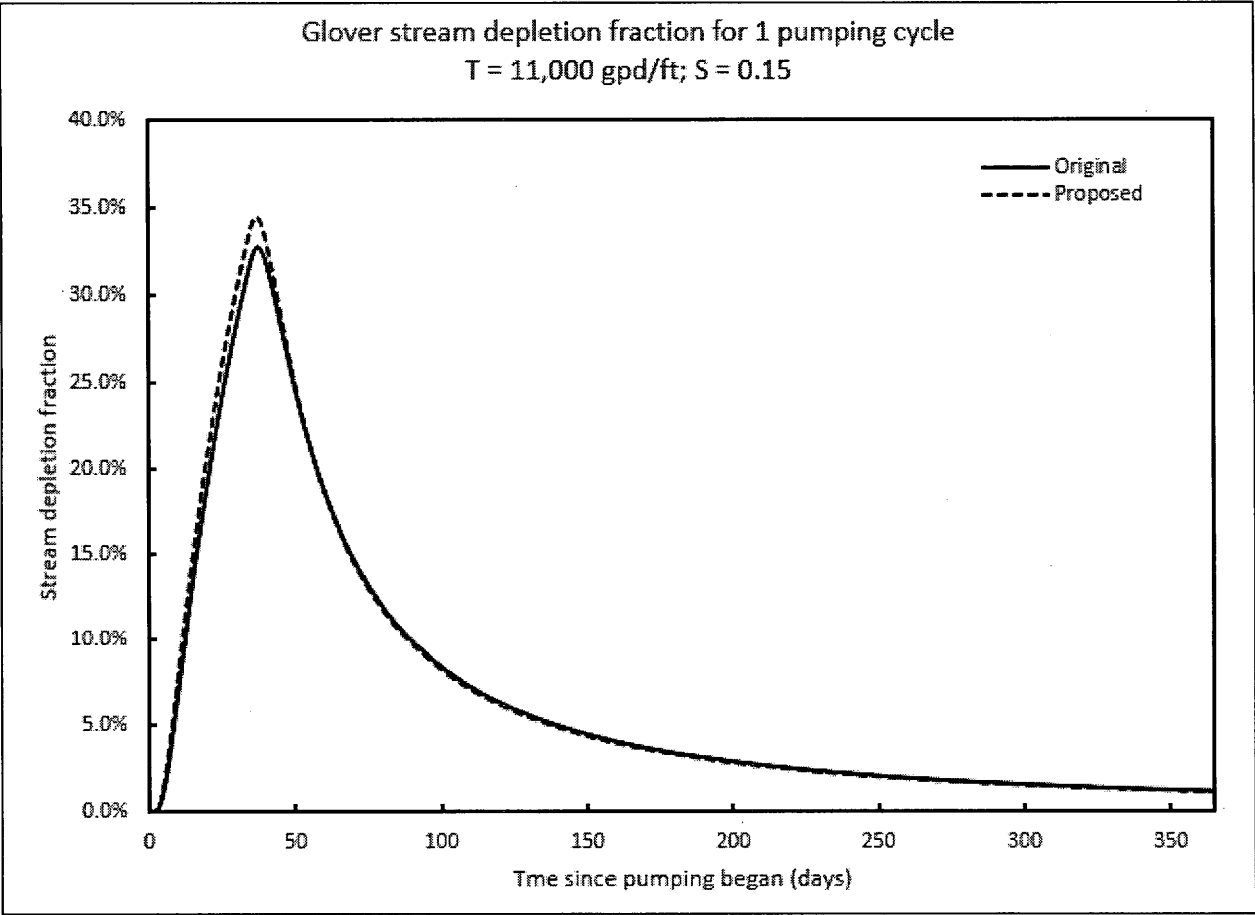
The maximum difference in stream depletion fraction between the proposed and original conditions after ten years of pumping cycles is 1.84% for the range of T and S evaluated. This occurs when the transmissivity is high.

**Table 1:** Summary of proposed and original scenarios

Well (PD)	Distance from Stream (FT)	Authorized Quantity (AF)		Authorized Rate (GPM)	
		Proposed	Original	Proposed	Original
30,299 SE NW SW	2,550	65	84	443	575
30,299 SW NE SW	1,900	81	62	552	420

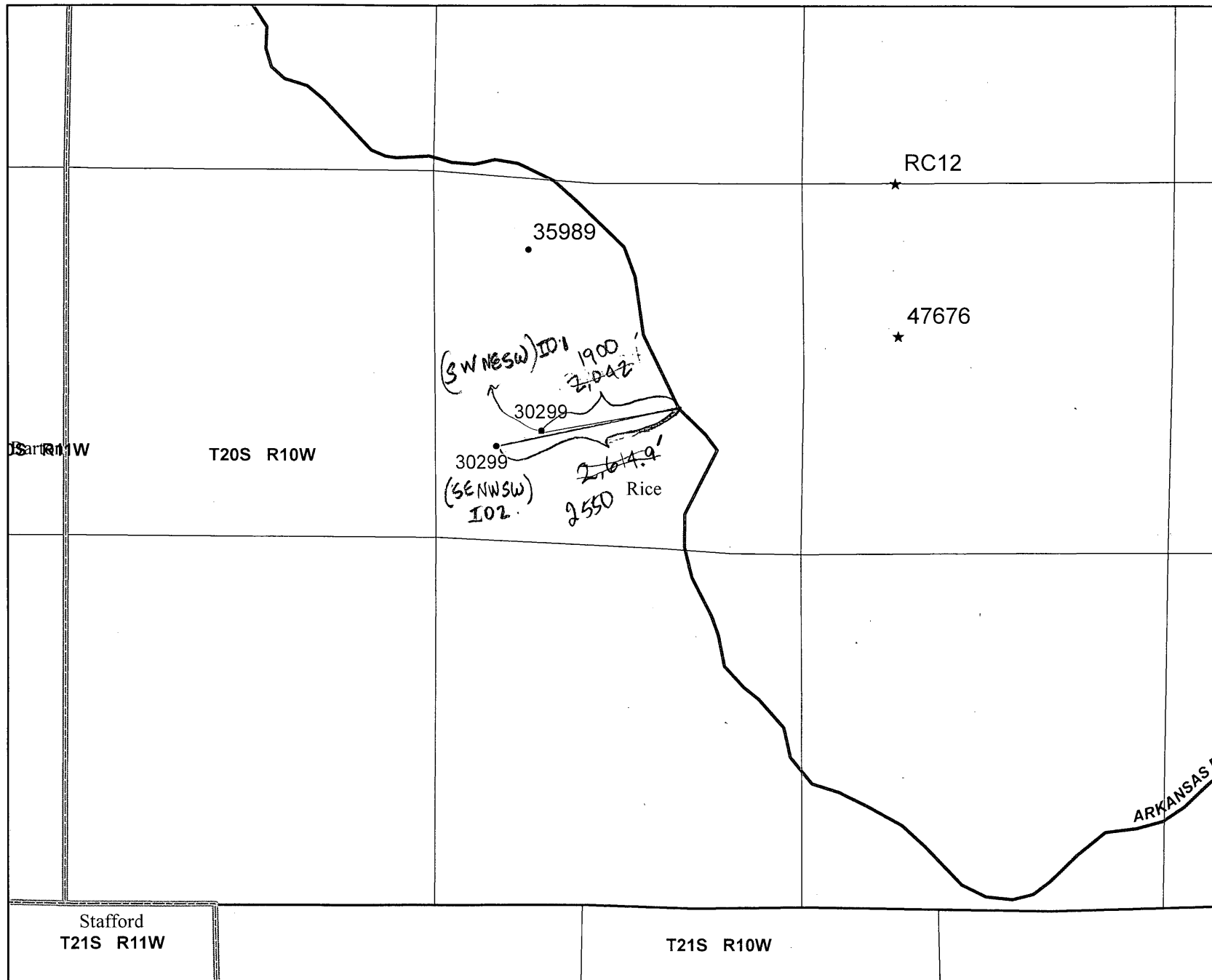


**Figure 1:** Maximum difference in stream depletion fraction between proposed and original conditions after 10 years of pumping cycles for the evaluated transmissivities and storage coefficients



**Figure 2:** Stream depletion fraction during first pumping cycle for  $T = 11,000 \text{ gpd/ft}$  and  $S = 0.15$

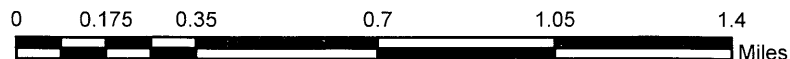
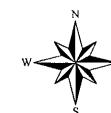
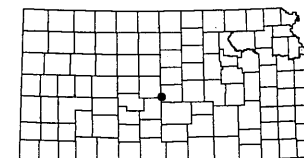
# Water Right File No. 30,299 Distance to CL Stream



- Legend**
- WIMAS\_PD
  - S\_UMW
  - ★ G\_IND
  - G\_IRR

$$2614.9 \times 0.9 = \underline{2353'}$$

Index Map



This map was created by L.Ireland in WIMAS on 12/6/2017.

AND UPDATED ON 3/7/18

Township 20 S, Range 10 W, Rice Co.

Filed No. 30, 299

Sec. 17.

Sec. 16.

7

K

R

T

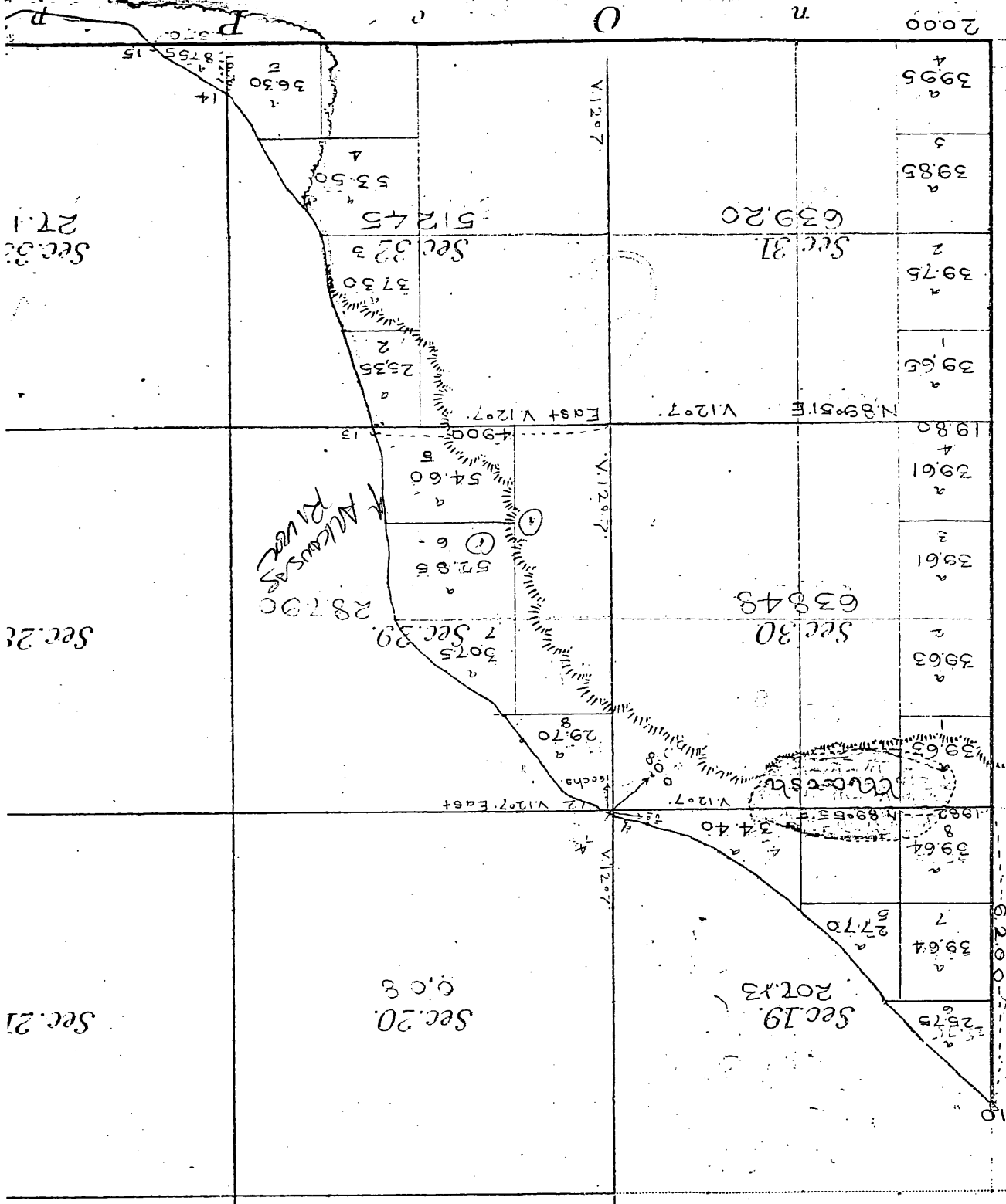
1

M

m

N

0.02 E. V. 12.0



2000

3995

3985

639.20

3975

3965

N. 89.51 E. V. 12.07

1980

3961

638.48

3961

3963

3963

N. 89.51 E. V. 12.07

3964

3964

207.13

3975

9.08

287.90

V. 12.07

V. 12.07

V. 12.07

East V. 12.07

Sec. 23

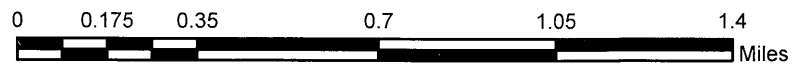
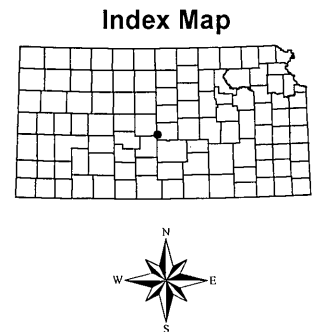
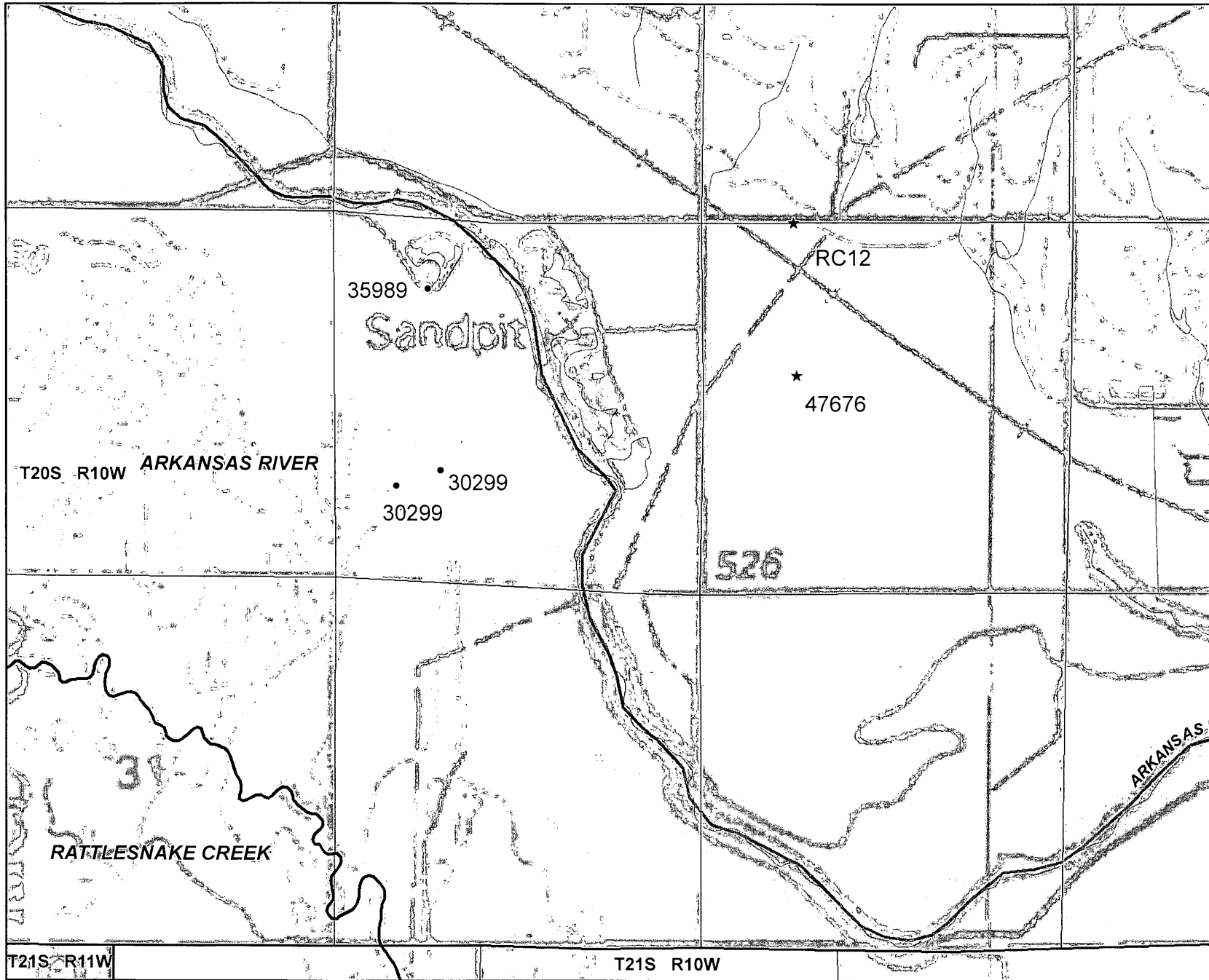
Sec. 22

Sec. 21

Sec. 16

Sec. 17

# Water Right, File No. 30299 Proposed Change in PD



This map was created by L. I RELAND in WIMAS on 12/6/2017.



58.—Sample log of test hole 20-10-1aa in the NE cor. sec. 1, T. 20 S., R. 10 W., drilled by the State Geological Survey, August 1946. Surface altitude, 1,724.9 feet.

	Thickness, feet	Depth, feet
QUATERNARY		
Dune sand (Pleistocene and Recent)		
Sand, fine to medium, and silt, gray and brown.....	16	16
Sanborn formation (Pleistocene)		
Peoria silt member		
Silt, calcareous, light tan, and medium to fine sand..	8	24
Todd Valley sand member		
Sand, fine to coarse; contains some fine to medium gravel .....	21	45
Gravel, fine to medium, and sand.....	6	51
Loveland silt member		
Silt, light gray and tan.....	12	63
Silt, tan; contains much coarse to fine sand.....	13	76
Silt, calcareous, light gray and tan; contains much coarse to fine sand and concretionary calcium carbonate .....	14	90
Chase Channel formation		
Fullerton member		
Silt, calcareous, tan.....	56	146
Holdrege member		
Sand, fine, tan silt, and fine to medium gravel.....	13	159
PERMIAN—Leonardian		
Siltstone, red.....	6	165

59.—Sample log of test hole 20-10-1cc in the SW cor. sec. 1, T. 20 S., R. 10 W., drilled by the State Geological Survey, August 1946. Surface altitude, 1,757.7 feet.

	Thickness, feet	Depth, feet
Road fill.....	1.5	1.5
QUATERNARY		
Dune sand (Pleistocene and Recent)		
Sand, fine, and silt, dark gray.....	1.5	3
Sanborn formation (Pleistocene)		
Todd Valley sand member		
Sand, medium to fine, and silt, gray and buff; contains some fine to medium gravel in upper part of interval .....	22	25
Loveland silt member		
Silt, buff, and very fine to medium sand; contains much concretionary calcium carbonate.....	56	81
Sand, medium, and silt, tan; contains many sandstone pebbles .....	4	85
CRETACEOUS—Comanchean		
Kiowa shale		
Shale, dull gray green and yellow.....	5	90
Sandstone, very fine, yellow and white.....	10	100
Shale, silty, blue gray; contains much very fine sand and a few charcoal fragments.....	10	110

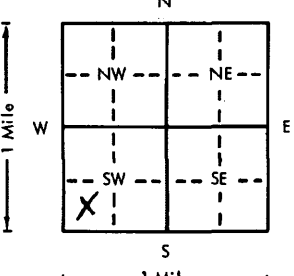
60.—Sample log of test hole 20-10-10dd in the SE cor. sec. 10, T. 20 S., R. 10 W., drilled by the State Geological Survey, October 1946. Surface altitude, 1,804.8 feet.

	Thickness, feet	Depth, feet
Road fill .....	1.5	1.5
QUATERNARY		
Dune sand (Pleistocene and Recent)		
Sand, fine to medium; contains some gray-brown and light-gray silt .....	18.5	20
Sanborn formation (Pleistocene)		
Loveland silt member		
Silt, buff to tan, and very fine to fine sand; contains much concretionary calcium carbonate .....	35.5	55.5
TERTIARY—Pliocene		
Ogallala formation		
Limestone, partly brecciated, pink to yellowish; contains a small amount of sand ("Algal limestone")...	0.5	56
Sand, very fine, silt, and clay, greenish gray to yellow; loosely cemented by calcium carbonate.....	2	58
Gravel, coarse, composed mostly of angular Cretaceous fragments; contains fine to medium sand and some clay, yellow gray .....	3	61
Sand, very fine to medium, and silt, gray; contains many sandstone and shale fragments.....	14	75
CRETACEOUS—Comanchean		
Kiowa shale		
Sandstone, fine, light brown.....	6.5	81.5
Shale, blue gray .....	8.5	90
61.—Sample log of test hole 21-6-8aa in the NE cor. sec. 8, T. 21 S., R. 6 W., drilled by the State Geological Survey, July 1946. Surface altitude, 1,657.1 feet.		
QUATERNARY		
Dune sand (Pleistocene and Recent)		
Sand, medium to fine.....	5	5
Sand, medium to fine, and silt, light gray.....	7.5	12.5
Sand, medium to fine, and silt, tan.....	3.5	16
Sand, medium to fine, and silt, light gray.....	3	19
Meade formation (Pleistocene)		
Sappa (?) member		
Silt, buff, and very fine to medium sand; contains many pebbles of sandstone, Cretaceous shells, and caliche .....	8	27
PERMIAN—Leonardian		
Shale, micaceous, pink and greenish gray; contains much very fine sand.....		
	5	32
Siltstone, red brown; contains much very fine sand.....	4	36

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD  
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment  
(Water well Contractors)  
Topeka, Kansas 66620

1. Location of well:	County <b>Rice</b>	Fraction <b>C 1/4 SW 1/4 SW 1/4</b>	Section number <b>29</b>	Township number <b>T 20 S R</b>	Range number <b>10 E 10</b>
2. Distance and direction from nearest town or city: <b>1 N 2 1/2 W se into the field of Raymond</b>			3. Owner of well: <b>Terry Kowalsky</b> R.R. or street: <b>2924 Quivira</b> City, state, zip code: <b>Great Bend, Ks. 67530</b>		
4. Locate with "X" in section below: N W E S 1 Mile			Sketch map: 		
5. Type and color of material			From	To	6. Bore hole dia. <b>29</b> in. Completion date _____ Well depth <del>40</del> <b>30</b> <b>8-25-76</b>
Sandy Top Soil			0	2	7. <input type="checkbox"/> Cable tool <input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input type="checkbox"/> Reverse rotary
Fine Sand			2	4	8. Use: <input type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other
Dark Brown Clay			4	6	9. Casing: Material <b>steel</b> Height: Above or below Threaded <input type="checkbox"/> Welded <input checked="" type="checkbox"/> Surface <b>18</b> in. RMP <input type="checkbox"/> PVC <input type="checkbox"/> Weight _____ lbs./ft. Dia. <b>16</b> in. to <b>40</b> ft. depth Wall Thickness: _____ inches or Dia. _____ in. to _____ ft. depth Gauge No. <b>7</b>
Fine Sand and Gravel Gray Clay Mixed			6	9	10. Screen: Manufacturer's name _____ <b>Doerrs</b> Type <b>steel</b> Dia. <b>16</b> Slot/gauge <b>3/16</b> Length <b>6</b> Set between <b>24</b> ft. and <b>30</b> ft. _____ ft. and _____ ft. Gravel pack? <input checked="" type="checkbox"/> Size range of material <b>1/2 3/4 3/8</b>
Sand & Gravel Med. loose			9	18	11. Static water level: _____ mo./day/yr. <b>9</b> ft. below land surface Date <b>8-2-76</b>
Gray Sandy Clay			18	19	12. Pumping level below land surfaces: <b>9</b> ft. after <b>1</b> hrs. pumping <b>550</b> g.p.m. _____ ft. after _____ hrs. pumping _____ g.p.m. Estimated maximum yield <b>600</b> g.p.m.
Sand and Gravel Coarse			19	40	13. Water sample submitted: _____ mo./day/yr. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <b>8-2-76</b>
					14. Well head completion: <input type="checkbox"/> Pitless adapter _____ Inches above grade
					15. Well grouted? <input checked="" type="checkbox"/> With: <input type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input checked="" type="checkbox"/> Concrete Depth: From <b>0</b> ft. to <b>10</b> ft.
					16. Nearest source of possible contamination: ft. <b>2</b> Direction <b>NE</b> Type <b>correll</b> Well disinfected upon completion? <input type="checkbox"/> Yes <input type="checkbox"/> No
					17. Pump: _____ Not installed Manufacturer's name <b>Western Land Roller</b> Model number <b>6-CM-10</b> HP <b>40</b> Volts _____ Length of drop pipe <b>20</b> ft. capacity <b>600</b> g.p.m. Type: <input type="checkbox"/> Submersible <input checked="" type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other
(Use a second sheet if needed)					
18. Elevation:	19. Remarks:		20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. <b>Rosencrantz-Bemis 134</b> Business name _____ License No. _____ Address <b>Great Bend, Ks. 6752</b> Signed <b>Fredia Dobson</b> Date <b>11/18/76</b> Authorized representative		
Topography: <input type="checkbox"/> Hill <input type="checkbox"/> Slope <input checked="" type="checkbox"/> Upland <input type="checkbox"/> Valley					

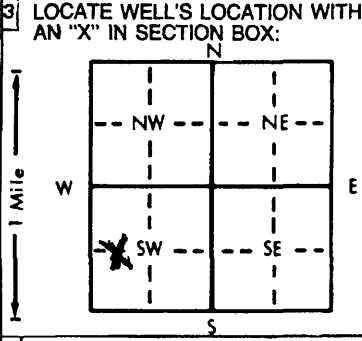
20  
10  
29  
C-508 SW  
1/4  
1/8  
76

WATER WELL RECORD Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL: Fraction SW Section Number 29 Township Number T 20 S Range Number R 10 E/W  
 County: Rice C  $\frac{1}{4}$  W  $\frac{1}{2}$   $\frac{1}{4}$  28  $\frac{1}{4}$

Distance and direction from nearest town or city street address of well if located within city?  
1 1/2 East of Raymond, Ks.

2 WATER WELL OWNER: Lorin Peter  
 RR#, St. Address, Box #: RR Board of Agriculture, Division of Water Resources  
 City, State, ZIP Code: Ellinwood, Ks. 67526 Application Number:



4 DEPTH OF COMPLETED WELL: 26 ft. ELEVATION: .....  
 Depth(s) Groundwater Encountered 1. .... ft. 2. .... ft. 3. .... ft.  
 WELL'S STATIC WATER LEVEL 14 ft. below land surface measured on mo/day/yr June 18, 92  
 Pump test data: Well water was ..... ft. after ..... hours pumping ..... gpm  
 Est. Yield na gpm: Well water was ..... ft. after ..... hours pumping ..... gpm  
 Bore Hole Diameter 10 in. to 26 ft., and ..... in. to ..... ft.  
 WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well  
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)  
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well Stock  
 Was a chemical/bacteriological sample submitted to Department? Yes..... No x.....; If yes, mo/day/yr sample was submitted  
 Water Well Disinfected? Yes nth No

5 TYPE OF BLANK CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued x Clamped .....  
 1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded .....  
 2 PVC 4 ABS 7 Fiberglass Threaded .....  
 Blank casing diameter 2 1/2 in. to 16 ft., Dia ..... in. to ..... ft., Dia ..... in. to ..... ft.  
 Casing height above land surface 2 1/2 in., weight 258 lbs./ft. Wall thickness or gauge No. ....  
 TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC 10 Asbestos-cement  
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify) .....  
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)  
 SCREEN OR PERFORATION OPENINGS ARE: 5 Gauzed wrapped 8 Saw cut 11 None (open hole)  
 1 Continuous slot 3 Mill slot 6 Wire wrapped 9 Drilled holes  
 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify) .....  
 SCREEN-PERFORATED INTERVALS: From 16 ft. to 26 ft., From ..... ft. to ..... ft.  
 From ..... ft. to ..... ft., From ..... ft. to ..... ft.  
 GRAVEL PACK INTERVALS: From 14 ft. to 26 ft., From ..... ft. to ..... ft.  
 From ..... ft. to ..... ft., From ..... ft. to ..... ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other hole plug  
 Grout Intervals: From 0 ft. to 14 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.  
 What is the nearest source of possible contamination: 10 Livestock pens 14 Abandoned water well  
 1 Septic tank 4 Lateral lines 7 Pit privy 11 Fuel storage 15 Oil well/Gas well  
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 12 Fertilizer storage 16 Other (specify below)  
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 13 Insecticide storage none

Direction from well? How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	3	Top soil			
3	5	Clay			
5	26	Sand and gravel			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 6-18-92 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 134 This Water Well Record was completed on (mo/day/yr) June 30, 1992 under the business name of Rosencrutz-Bemis by (signature) Fredrick Peterson

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY T R EW SEC. 1/4 1/4 1/4

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

1750 ft N and 3795 ft W of the SE Corner of Section 29, T 20S, R 10W

Located at: 98.456091 West Longitude and 38.279402 North Latitude

GROUNDWATER ONLY

*APPROVED CUG -  
SMITTING Q -*

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 30299 00	IRR	NK	G*	8	--	SW	NE	SW	1750	3795	29	20	10W	1		62.00	62.00	AF	
Same				632	--	SE	NW	SW	1520	4390	29	20	10W	2		84.00	84.00	AF	
A__ 35989 00	IRR	NK	G	2643	--	--	--	--	4405	3895	29	20	10W	3		66.00	66.00	AF	
A__ 47676 00	IND	KE	G	5364	--	SE	SW	NW	3110	3842	28	20	10W	2		32.84	32.84	AF	
T_20177149	MF	IRR	AY	G	2643	--	--	--	4405	3895	29	20	10W	3		330.00	.00	AF	
T_20177150	MF	IRR	AY	G	632	--	SE	NW	SW	1520	4390	29	20	10W	2		420.00	.00	AF
T_20177151	MF	IRR	AY	G	8	--	SW	NE	SW	1750	3795	29	20	10W	1		310.00	.00	AF
VRC 12 00	IND	AA	G	6267	--	--	CS	SW	-----	-----	21	20	10W	1		3.22	3.22	AF	

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	32.84	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	212.00	.00
Total Vested Amount (AF) =	3.22	.00
TOTAL AMOUNT (AF) =	248.06	.00

An \* after the source of supply indicates a pending application for change for the file number.  
 An \* after the ID indicates a 15 AF exemption was granted for the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

98.456091 West Longitude and 38.279402 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 30299 00	IRR	NK	G
> JOLENE K GATTON SNELL TRUST			
>			
> 509 W 6TH ST			
> ELLINWOOD KS 67526			
-----			
A__ 35989 00	IRR	NK	G
> JOLENE K GATTON SNELL TRUST			
>			
> 509 W 6TH ST			
> ELLINWOOD KS 67526			
-----			
A__ 47676 00	IND	KE	G
> RAYMOND SAND & GRAVEL INC			
>			
> PO BOX 872 421 WASHINGTON ST			
> GREAT BEND KS 67530			
-----			

T\_20177149 MF IRR AY G  
> JOLENE K GATTON SNELL TRUST  
>  
> 509 W 6TH ST  
> ELLINWOOD KS 67526  
>-----

T\_20177150 MF IRR AY G  
> JOLENE K GATTON SNELL TRUST  
>  
> 509 W 6TH ST  
> ELLINWOOD KS 67526  
>-----

T\_20177151 MF IRR AY G  
> JOLENE K GATTON SNELL TRUST  
>  
> 509 W 6TH ST  
> ELLINWOOD KS 67526  
>-----

VRC 12 00 IND AA G  
> JAYHAWK PIPELINE LLC  
>  
> 1390 10TH RD  
> CHASE KS 67524  
>-----  
=====



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

TOM & JOLENE SNELL  
509 W 6TH ST  
ELLINWOOD, KS 67526

9/28/2017

RE: File No 30299

**FILE COPY**

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PD
- point of diversion
- use made of water

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

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

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

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

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

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

Sincerely,

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

BAT: DLW  
pc: STAFFORD Field Office GMD5