

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

1. File Number: <b>47896</b>	2. Status Change Date:	3. Change Num: <b>1</b>	4. Field Office: <b>02</b>	5. GMD: <b>02</b>	
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: <b>3/12/18</b>	
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID <b>60815</b> Add Seq# <b>1</b>		8d. WUC New to system <input type="checkbox"/>	
<b>DANIEL &amp; BARBARA ANDREW 4605 S RIDGE RD SEDGWICK KS 67135</b>		<b>DANIEL &amp; BARBARA ANDREW 4605 S RIDGE RD SEDGWICK KS 67135</b>		<b>DANIEL &amp; BARBARA ANDREW 4605 S RIDGE RD SEDGWICK KS 67135</b>	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/18</b> <input type="checkbox"/> N & P Date to Comply: _____					
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input 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>4/4/18</b> By: <b>TJS</b>	
				Date Entered: _____    By: _____	

File No. **47896**      11. County: **HARVEY**      Basin: **Little Arkansas River**      Stream: ---      Formation Code: **190**      Special Use: ---

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	
DEL	78905							2			GEO CTR					None
MOD	80725	NW SE SE		4	24S	1W		3	906	895		800 GPM	67.6 AF	800 GPM	67.6 AF	None
DEL	80726							4			BATT 1 OF 3 WELLS					None
DEL	80727							5			BATT 1 OF 3 WELLS					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
CHK	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				
MOD	62240	4	24S	1W				1										25				32	57	8b.	No	None			

Base Acres: **52**    Year: **Permit**    Minimum Reasonable Quantity: **1.00 AF/acare**

Comments: ---

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

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

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



STATE OF KANSAS

**Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.**  
 Fee Schedule is on the third page of this application form.

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

RECEIVED  
 10:00am  
 MAR 12 2018

File No. 47896

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: Daniel Andrew  
4605 S. Ridge Road, Sedgwick, KS 67135

Phone Number: ( 316 ) 283-1776      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Daniel & Barbara Andrew  
4605 S. Ridge Road, Sedgwick, KS 67135

Phone Number: ( 316 ) 283-1776      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land --- NAME: Daniel & Barbara Andrew

ADDRESS: 4605 S. Ridge Road, 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										
04	24S	1W																	24								28	52

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: Daniel & Barbara Andrew

ADDRESS: 4605 S. Ridge Road, 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										
04	24S	1W																	25								32	57

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 1709

5. **Presently authorized point of diversion:** Geo-Center of battery of 3 wells

One in the NW Quarter of the SE Quarter of the SE Quarter of Section 04, Township 24 South, Range 1W (EW), in Harvey County, Kansas, 900 feet North 1150 feet West of Southeast corner of section. Authorized Rate 800 GPM Authorized Quantity 67.6 AF Depth of well \_\_\_\_\_ (feet)

(DWR use only: Computer ID No. \_\_\_\_\_ GPS 906 feet North 889 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 NW Quarter of the SE Quarter of the SE Quarter of Section 04, Township 24 South, Range 1W (EW), in Harvey County, Kansas, 906 feet North 889 895\* feet West of Southeast corner of section. Proposed Rate 800 GPM Proposed Quantity 67.6 AF Proposed well depth (feet) \_\_\_\_\_

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

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

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (EW), 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:

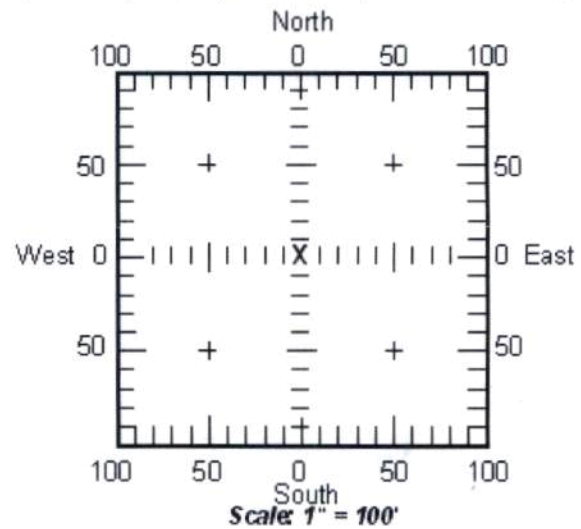
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (EW), 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) Changing place of use to authorize place of use as actually being irrigated and include possible future irrigation area
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? NA  
 (b) When will this be done? NA

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



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

11. Groundwater Management District recommendation attached?  Yes  No 4/2/2018\*
12. Assisted by T. Boese, GMD2  
\*TJS-SFFO

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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 Sedgwick, Kansas, this 26<sup>th</sup> day of Feb, 2018.

[Signature]  
(Owner)

[Signature]  
(Spouse)

Daniel Andrew

Barbara Andrew

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

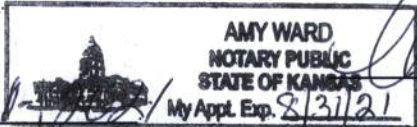
(Spouse)

(Please Print)

(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 26<sup>th</sup> day of Feb, 2018.



[Signature]  
Notary Public

My Commission Expires Aug 31 2021

**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



**SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 47,896.

- 1. A change application was received on 3/12/2018 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
- 2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
- 3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_ foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
- 4. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
- 5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.  Applicable  Not Applicable
- 6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
- 7. **Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_**, or within any authorized extension of time. By March 1, 20\_\_\_\_ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable  Not Applicable
- 8. **The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
- 9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.  Applicable  Not Applicable
- 10. Additional Conditions are attached.  Yes  No
- 11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

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

By: Jeff Lanterman  
Duly Authorized Designee of the Chief Engineer

(Print Name): Jeff Lanterman  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 4/5/2018

State of Kansas )

County of Stafford ) SS

Acknowledged before me on 4/5/2018

by Jeff Lanterman

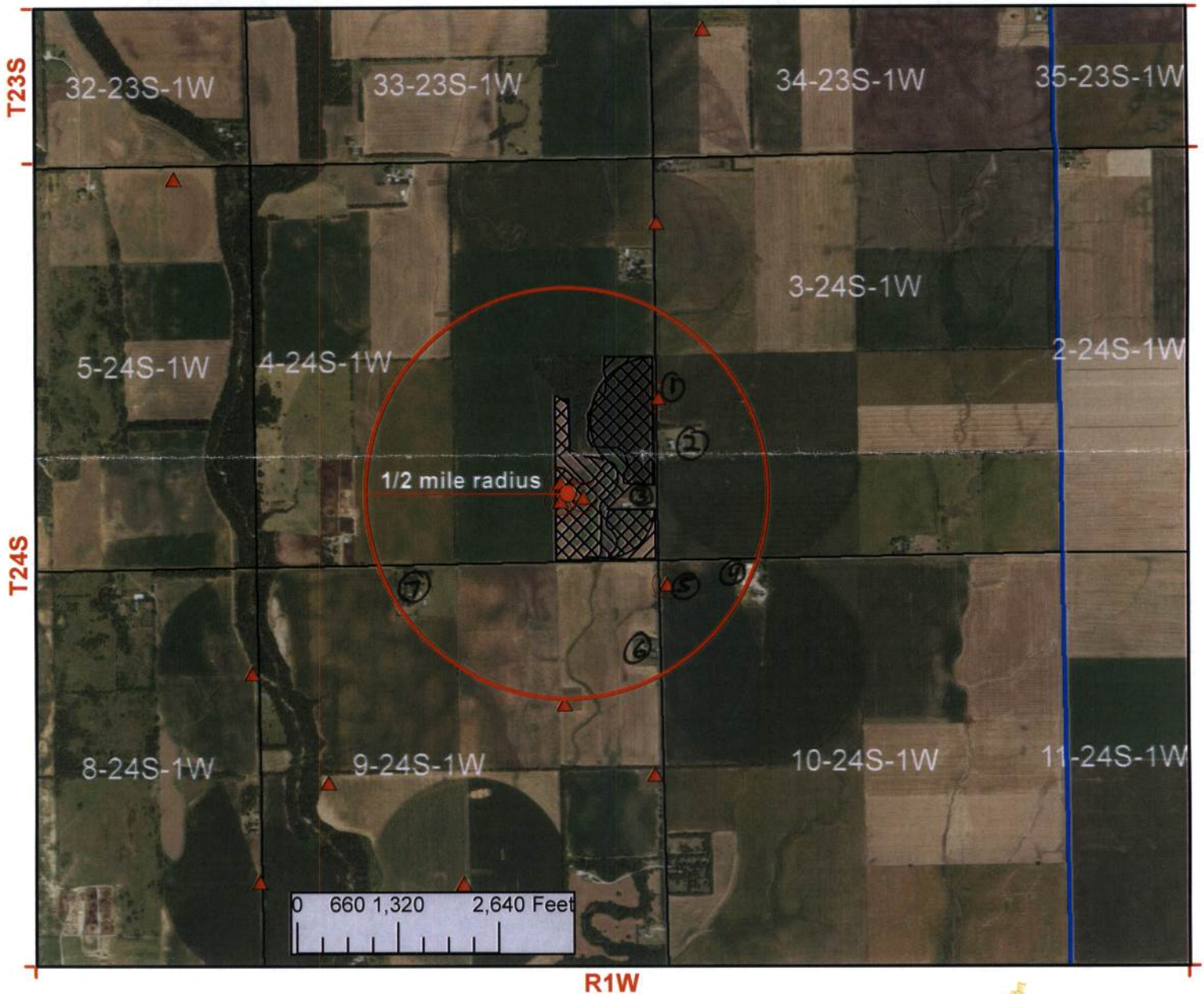
Signature: Jessica Engelbrecht



My commission expires \_\_\_\_\_

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# Change in Place of Use Application Map No 47896



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

26 Feb 2018

Date



- New Application
- Application No. 47896 To Change:
  - Point of Diversion
  - Place of Use
  - Use Made of Water

-  Permit no 47896 Point of Diversion
-  Existing Points of Diversion
-  Proposed Place of Use
-  Authorized Place of Use

See attached for well owners within 1/2 mile

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Water Wells Within ½ Mile

1. Irrigation Well – Water Permit No. 47110  
Margie K. Busenitz  
5095 S. Woodlawn Rd.  
Newton, KS 67114
  
2. Domestic Well  
Christopher Hahn  
4426 S. Ridge Rd.  
Sedgwick, KS 67135
  
3. Domestic Well  
Daniel P. & Barbara Andrew  
4605 S. Ridge Rd.  
Sedgwick, KS 67135
  
4. Domestic Well  
John D. & Margaret Schmidt  
613 Fern St.  
Sedgwick, KS 67135
  
5. Irrigation Well – Water Right No. 41475  
John D. & Margaret Schmidt  
613 Fern St.  
Sedgwick, KS 67135
  
6. Domestic Well  
Rodney D. & Glenda Smith  
5015 S. Ridge Rd.  
Sedgwick, KS 67135
  
7. Domestic Well  
Quintin S. Taylor  
c/o Shawn Taylor  
1505 W. 7<sup>th</sup> St.  
Newton, KS 67114

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MAR 05 2018

Stafford Field Office  
Division of Water Resources



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 authorized location of the point(s) of diversion currently described as:

A battery of three (3) wells with a geographic center located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW¼ SE¼ SE¼) of Section 4, more particularly described as being near a point 900 feet North and 1,150 feet West of the Southeast Corner of said section, Township 24 South, Range 1 West, Harvey County, Kansas.

has been found to be more accurately located and will be hereafter described as:

one (1) well located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW¼ SE¼ SE¼) of Section 04, more particularly described as being near a point 906 feet North and <sup>895'</sup>~~889~~ feet West of the Southeast Corner of said section, Township 24 South, Range 1 West, Harvey County, Kansas.

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MAR 12 2018

\*TJS-SFFD

DWR 1-121-3 (Rev. 01/23/2008)

File No. 47896

Stafford Field Office

9 Mar 2018

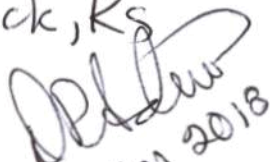
Ref: File no. 47896

Elizabeth,

Per our conversation this morning, 9 Mar 2018.  
Attached is the letter referencing a "battery"  
of wells. As discussed there is and never  
was, nor was there intended, to be a battery  
of wells. There is only one well as clearly  
visible on a satellite view. The bottom half  
of the attached is correct.

Thank you for your time and patience with me.

Dan Andrew  
Sedgwick, KS

  
9 Mar 2018

P.S. Enclosed please find the requisite ransom.

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MAR 12 2018

Stafford Field Office

# STATE OF KANSAS



PHONE: (620) 234-5311  
FAX: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

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

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

April 6, 2018

Daniel & Barbara Andrew  
4605 S Ridge Rd  
Sedgwick KS 67135

Re: Water Right, File No(s). 47896

Dear Water Right Owner:

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

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

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

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

Sincerely,

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Groundwater Management District No. 2

## CERTIFICATE OF SERVICE

On this **6th** day of **April, 2018**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **47896**, dated **April 5, 2018** was mailed via Certified U.S. mail to the following:

Daniel & Barbara Andrew  
4605 S Ridge Rd  
Sedgwick KS 67135

A copy of the letter was sent to the following:

GMD 2

  
-----  
Staff



# KANSAS DEPARTMENT OF AGRICULTURE

## Division of Water Resources

### Stafford Field Office

## MEMORANDUM

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**TO:** File

**DATE:** 3/20/2018

**FROM:** Tyler Saryerwinnie

**RE:** File No. 47896

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

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

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

The change in place of use filed on 3/12/2018 for the above referenced file meets this criteria and surrounding well owners will not be notified.

## Saryerwinnie, Tyler [KDA]

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Wednesday, March 21, 2018 10:30 AM  
**To:** Phillips, Janelle [KDA]  
**Subject:** RE: Update: Pivot Crossings E2 SE4 4-24-1W

Thank you Janelle,

I will continue processing these place of use change applications and also note this in our file. I appreciate your help on this.

Have a good day,

Tyler Saryerwinnie

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**From:** Phillips, Janelle [KDA]  
**Sent:** Wednesday, March 21, 2018 10:24 AM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** RE: Update: Pivot Crossings E2 SE4 4-24-1W

I spoke to Dan Andrew. It sounds like (and is verified by aerial photos) that he has placed gravel in the stream to create the pivot crossings. He told me that they are within the ruts that his pivot already created. Based on this information these pivot crossing can qualify as a minor stream obstruction and no permit will be required.

Janelle N. Phillips, P.E., C.F.M., LEED-AP  
Stream Permit Team Lead  
Water Structures Program  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6656

**My email has changed:** [janelle.phillips@ks.gov](mailto:janelle.phillips@ks.gov)

*Analytical-Consistency-Learner-Discipline-Deliberative*

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**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Wednesday, March 21, 2018 10:18 AM  
**To:** Phillips, Janelle [KDA]  
**Subject:** RE: Update: Pivot Crossings E2 SE4 4-24-1W

Thank you for looking into this.

Tyler Saryerwinnie

---

**From:** Phillips, Janelle [KDA]  
**Sent:** Wednesday, March 21, 2018 10:07 AM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** RE: Update: Pivot Crossings E2 SE4 4-24-1W

I have left two messages on the answering machine. If I don't hear back I will write a letter and send you a copy.

Janelle N. Phillips, P.E., C.F.M., LEED-AP  
Stream Permit Team Lead  
Water Structures Program  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6656

My email has changed: [janelle.phillips@ks.gov](mailto:janelle.phillips@ks.gov)

*Analytical-Consistency-Learner-Discipline-Deliberative*

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Tuesday, March 20, 2018 12:36 PM  
**To:** Phillips, Janelle [KDA]  
**Subject:** RE: Update: Pivot Crossings E2 SE4 4-24-1W

Sorry Janelle,

The following contact information was listed on the application:

Daniel Andrew  
4605 S. Ridge Road  
Sedgwick KS 67135

Phone: 316-283-1776

Tyler Saryerwinnie

---

**From:** Phillips, Janelle [KDA]  
**Sent:** Tuesday, March 20, 2018 12:05 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** RE: Update: Pivot Crossings E2 SE4 4-24-1W

Tyler –

Silly question do you have a phone number for Mr and Mrs. Andrew

Janelle N. Phillips, P.E., C.F.M., LEED-AP  
Stream Permit Team Lead  
Water Structures Program  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6656

My email has changed: [janelle.phillips@ks.gov](mailto:janelle.phillips@ks.gov)

*Analytical-Consistency-Learner-Discipline-Deliberative*

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**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Tuesday, March 20, 2018 11:47 AM  
**To:** Phillips, Janelle [KDA]  
**Subject:** RE: Update: Pivot Crossings E2 SE4 4-24-1W

Janelle,

Yes. We would appreciate it if you would contact the owner regarding the water structures issue.

As far as the change in place of use application, it appears to be a fairly simple proposal which I can continue processing here in the field office. Do you feel it is appropriate to continue processing the application through to approval without the structures issue resolved, or is it necessary to hold the approval of such an application until the stream obstructions have been addressed? I would like to note that our office has sent a Notice of Non-Compliance / Cease Diversion for unauthorized place of use which is still in effect.

If you would like more details about any of this, please let me know.

Thank you,  
Tyler Saryerwinnie

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**From:** Phillips, Janelle [KDA]  
**Sent:** Tuesday, March 20, 2018 10:12 AM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** RE: Update: Pivot Crossings E2 SE4 4-24-1W

Tyler –

We have no further correspondence with the land owner or Water Appropriations about the crossings. Based on the 2017 aerial it appears that the crossing could qualify as minor stream obstructions. Do you need us to contact the owner?

Janelle N. Phillips, P.E., C.F.M., LEED-AP  
Stream Permit Team Lead  
Water Structures Program  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6656  
**My email has changed:** [janelle.phillips@ks.gov](mailto:janelle.phillips@ks.gov)

*Analytical-Consistency-Learner-Discipline-Deliberative*

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**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Tuesday, March 20, 2018 9:46 AM  
**To:** Phillips, Janelle [KDA]  
**Subject:** Update: Pivot Crossings E2 SE4 4-24-1W

Janelle,



The Stafford Field Office has received a place of use change application for Water Appropriation, File No. 47896. In our files, I have an email string between Elizabeth and Cindy/Mike Calderwood (7/7/17) addressing potential stream obstruction permits for pivot crossings. Elizabeth also addressed this issue in a compliance letter that was sent to the owner on 7/18/17.

I am wanting to check in with you and see if this issue has been resolved. Please let me know if you need any other information regarding this issue.

Thank you,  
Tyler

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

## Saryerwinnie, Tyler [KDA]

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**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Wednesday, March 21, 2018 9:38 AM  
**To:** 'Rebecca Wilson'  
**Cc:** Conant, Cameron [KDA]  
**Subject:** Recommendation Request - File No. 47896  
**Attachments:** 47896.Cover Letter.pdf; 47896.Change App.pdf

Rebecca,

I have attached a cover letter and a copy of one (1) place of use application for GMD review and recommendation. Please provide the GMD recommendation by no later than April 10, 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

STATE OF KANSAS

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



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www.agriculture.ks.gov

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

March 21, 2018

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

RE: Place of Use Change Application, File No(s). 47,896

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.

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 recommendation 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]

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**From:** Rebecca Wilson <[rwilson@gmd2.org](mailto:rwilson@gmd2.org)>  
**Sent:** Monday, April 02, 2018 4:50 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Cc:** Engelbrecht, Jessica [KDA]  
**Subject:** 47896 PU Change App Approval Letter  
**Attachments:** 47896 PU Change App Approval Letter 4-02-18.pdf

Hello!

Attached you will find the Place of Use Change Application Approval Letter from Manager Tim Boese for #47896.

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

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

JEFF WINTER, PRESIDENT  
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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

March 30, 2018

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

Re: Place of Use Change Application, File No. 47896 – Dan Andrew

Mr. Saryerwinnie:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use application on March 30, 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.

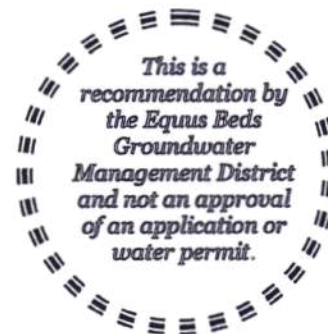
The change application proposes to increase the place of use by 5 acres from 52 acres to 57 acres. The proposed place of use results in a water to land ratio of 1.186 acre-feet per acre.

The District's review found that the change application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Based upon the review, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2.

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

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/STF



pc: Dan Andrew, Applicant and Landowner

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APR 02 2018

Stafford Field Office  
DIVISION OF WATER RESOURCES

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

1) Application No. 47896 Date filed: 3/12/18  
 2) Applicant: Daniel Andrew County: Sedgwick  
 3) Proposed maximum quantity: 67.6 acre-feet/year Rate: 800 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: NW SE SE 4-24S-1W Geo Center: North 906 ft, West 895 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 app requirements K.A.R. 5-22-8?  Yes  No  N/A  
 9) Overlapping PU File No. 0  
 10) Overlapping PD File No. 0  
 11) Authorized Acres 52 Acres  
 12) Base Acres 52 Acres

13) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 1.186 acre-feet / acre  
 (b) Stockwater max quantity: \_\_\_\_\_ GPD \_\_\_\_\_ unit  
 (c) Industry max quantity: \_\_\_\_\_ Acre  
 Industry standard: \_\_\_\_\_  
 14) Reasonable rate for intended use?  Yes  No  N/A  
 15) Depth to water: 23 bls at observation well: Service Contract Well

16) Date reviewed: 3/30/2018  
 17) Reviewed by: S. Flaherty Title: Hydrogeologist *Reviewed 3-30-18*  
 18) District recommendation:  Approve  Deny  Other, see comment *TF*

**19) Comments and Calculations:**

Review complete for a change in place of use application submitted by Dan Andrew in Harvey County.  
 Water Permit No. 47896 is currently authorized for 52 acres and still in perfection period, so base acres = 52 acres  
 Application proposes to increase acres by 5 acres (10%) to make a total of 57 acres.  
 Item 13(a): 67.6 AF / 57 acres = 1.186  
 Additionally, No. 47896 is authorized for a battery of 3 wells, but only one well was completed. Change application proposes a summary order to correct to just the one well as being authorized.  
 Recommend approval, Complies with K.A.R. 5-22-1 through 5-22-17

RECEIVED

APR 02 2018

Stafford Field Office  
DIVISION OF WATER RESOURCES