

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

1. File Number: <b>13056</b>	2. Status Change Date:	3. Change Num: <b>3</b>	4. Field Office: <b>02</b>	5. GMD: <b>02</b>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <b>4/1/19</b>
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8a. Landowner(s)                      Person ID \_\_\_\_\_  
 New to system                       Add Seq# 1

**RAY & DAWN FROESE FAMILY TRUST  
 1462 ARROWHEAD RD  
 INMAN KS 67546**

8c. Landowner(s)                      Person ID 64442  
 New to system                       Add Seq# 1

**NAME / ADDRESS CHANGE**

**LARRY & BEVERLY FROESE FAMILY TRUST ETAL  
 1226 CHEROKEE RD  
 INMAN KS 67546**

8b. Landowner(s)                      Person ID \_\_\_\_\_  
 New to system                       Add Seq# 1

**LARRY L. & BEVERLY D. FROESE  
 1226 CHEROKEE RD  
 INMAN KS 67546**

8d. WUC Change                      Person ID 53574  
 New to system                       Add Seq# 1

**BRETT A FROESE  
 PO BOX 234  
 INMAN KS 67546**

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: 12/31/19     N & P Date to Comply: \_\_\_\_\_

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter

Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: 5/9/19    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **5/7/19**                      By: **TJS**  
 Date Entered: \_\_\_\_\_                      By: \_\_\_\_\_

File No. **13056**      11. County: **MCPHERSON**      Basin: **Little Arkansas River**      Stream: **---**      Formation Code: **190**      Special Use: **---**

12. Points of Diversion  
 CHK  
 MOD  
 DEL PDIV  
 ENT  
 Qualifier      S      T      R      ID      'N      'W      Comment (AKA Line)  
 Rate and Quantity  
 Authorized      Additional  
 Rate      Quantity      Rate      Quantity  
 gpm/cfs      af/mgy      gpm/cfs      af/mgy      Overlap PD Files

CHK 77972      5      39948 & 20167012-MF

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  
 CHK  
 MOD  
 DEL  
 ENT      PUSE      S      T      R      ID  
 NE¼      NW¼      SW¼      SE¼      NE¼      NW¼      SW¼      SE¼      NE¼      NW¼      SW¼      SE¼      NE¼      NW¼      SW¼      SE¼      Total      Owner      Chg?      Overlap Files

16. Place of Use CHK MOD DEL ENT      PUSE      S      T      R      ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
MOD/ENT 14807 18 21S 3W 4	33.5	40	29.5	36.5	Lot 1 40	Lot 2 31	Lot 2 8.5	Lot 1 11									230	8a. & 8b. Yes	37843, 37868, 39948 20167102-MF	
MOD/ENT 614 18 21S 3W 2									Lot 1 70	Lot 2 63.73				40	40	40	253.73	8c. Yes	37843, 37868, 39948, 20167102-MF	
DEL 25774 1																				

Base Acres: ---      Year: ---      Minimum Reasonable Quantity: **1.06 AF/acre**

Comments: **A voluntary dismissal has been submitted on 4/1/19 for File No. 32517 which will eliminate any type of incomplete place of use overlap.**

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



STATE OF KANSAS

WATER METER REQUIRED

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.

File No. 13056

RECEIVED  
*J. 04 pm*  
 APR 01 2019

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

Place of Use                       Point of Diversion

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

The source of supply is:                       Groundwater                       Surface water

Stafford Field Office  
 Division of Water Resources

2. Name and address of Applicant: Larry L. Froese

1226 Cherokee Road, Inman, KS 67546

Phone Number: (620)669-7659                      Email address: froese.larry@gmail.com

Name and address of Water Use Correspondent: Change to: Brett A. Froese

PO Box 234, Inman, KS 67546

Phone Number: (620)728-9174                      Email address: bfroese@usd448.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: Ray & Dawn Froese Family Trust; Larry L. & Beverly D. Froese

ADDRESS: 1462 Arrowhead Rd, Inman, KS 67546; 1226 Cherokee Rd, Inman, KS 67546

(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	Lot 1 NE¼	Lot 2 NW¼	Lot 3 SW¼	Lot 4 SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
18	21S	3W	33.5	40	29.5	36.5	40	31	8.5	11									230

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

Owner of Land ---- NAME: A) Ray & Dawn Froese Family Tr; Larry L. & Beverly D. Froese                      B) Larry & Beverly Froese Family Tr. ETAL

ADDRESS: A)1462 Arrowhead Rd, Inman, KS 67546; 1226 Cherokee Rd, Inman, KS 67546; B)1226 Cherokee Rd, Inman, KS

(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	Lot 1 NE¼	Lot 2 NW¼	Lot 3 SW¼	Lot 4 SE¼	Lot 1 NE¼	Lot 2 NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
A) 18	21	3W	33.5	40	29.5	36.5	40	31	8.5	11									230
B) 18	21	3W									70	63.73				40	40	40	253.73
																			Total: 483.73

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 - TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 2018

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Lot 1 \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_ 18 \_\_\_\_\_, Township \_\_\_\_\_ 21 \_\_\_\_\_ South, Range \_\_\_\_\_ 3W \_\_\_\_\_ (E/W),  
 in McPherson County, Kansas, 4581 feet North 3788 feet West of Southeast corner of section.  
 Authorized Rate 575 GPM Authorized Quantity 115 AF Depth of well 202 (feet)  
**(DWR use only: Computer ID No. 5 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 39948 + 20167102 MF \*

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) Combining place of use with  
Nos. 37843, 37868, & 39948 proposed place of use

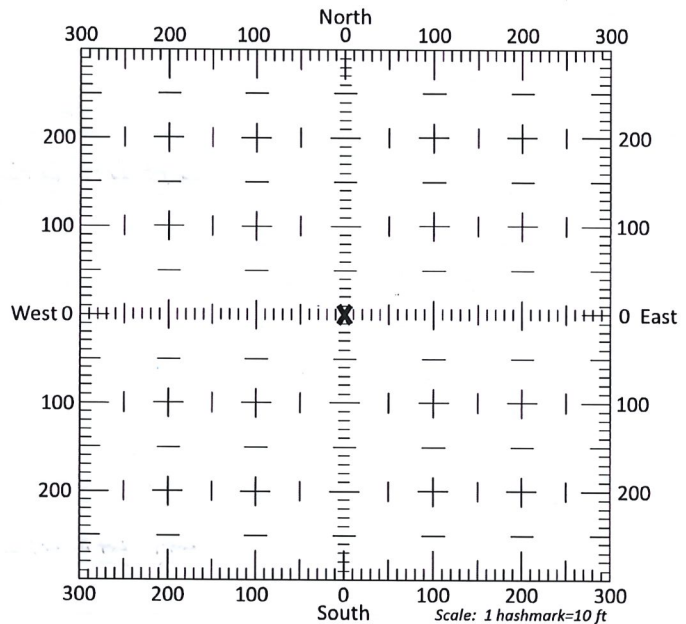
8. If a well, is the test hole log attached?  Yes  No

9. The change(s) (was)(will be) completed by?  
ASAP

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

11. Groundwater Management District recommendation  
 attached?  Yes  No 5/3/19 - TJS-SFFO

12. Assisted by T. Boese, GMD2



13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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

13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the 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 Joplin, Kansas, this 29 day of March, 2019.

[Signature]  
 \_\_\_\_\_  
 (Owner)

[Signature]  
 \_\_\_\_\_  
 (Spouse)

Larry L. Froese  
 (Please Print)

Beverly D. Froese  
 (Please Print)

[Signature]  
 \_\_\_\_\_  
 (Owner)

[Signature]  
 \_\_\_\_\_  
 (Spouse)

Ray Froese, Trustee of the Ray & Dawn Froese Family Trust  
 (Please Print)

[Signature]  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Spouse)

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

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

State of Kansas }  
 County of McPherson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 29<sup>th</sup> day of March, 2019



[Signature]  
 \_\_\_\_\_  
 Notary Public

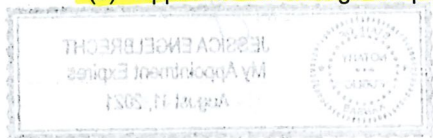
My Commission Expires 11-14-21

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

**FEE SCHEDULE**

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

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



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**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. 13056.

1. A change application was received on 4/1/2019 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 described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. 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
6. 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
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2019**, 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
8. **Installation of the works for diversion of water shall be completed on or before December 31, 2019**, or within any authorized extension of time. By March 1, 2020 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
9. **The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
10. 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
11. Additional Conditions are attached.  Yes  No
12. 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: Cameron R. Conant  
Duly Authorized Designee of the Chief Engineer

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

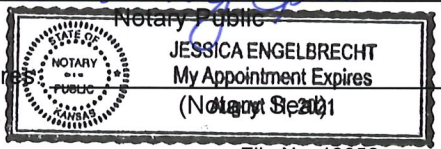
Date of Issuance: May 9, 2019

State of Kansas \_\_\_\_\_ )  
County of Stafford \_\_\_\_\_ ) SS

Acknowledged before me on 05/09/2019  
by Cameron Conant

Signature: Jessica Engelbrecht  
Notary Public

My commission expires \_\_\_\_\_  
JESSICA ENGELBRECHT  
My Appointment Expires \_\_\_\_\_  
(Notary Seal)



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APR 01 2019

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

The effective date of the change approval to change the point of diversion shall be the date this order is executed by the Chief Engineer.

- 11a. The owner of the authorized place(s) of use shall properly install an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer
  
- 11b. A seal shall be placed on the water flowmeter by the Division of Water Resources or the Groundwater Management District in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right.

Well owners within ½ mile – No. 13056

- 1) Domestic Well  
Junis E. & Velma Schroeder  
389 12<sup>th</sup> Avenue  
Inman, KS 67546
  
- 2) Domestic Well  
Larry & Beverly Froese Family Trust  
1226 Cherokee Rd.  
Inman, KS 67546

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APR 01 2019



# Application Map - File No. 13056



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

[Signature]  
Signature

3-24-19  
Date

- New Application
- Application No. 13056 To Change:

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

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

- 1) See Attached
- 2)
- 3)

Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
<http://agriculture.ks.gov/dwr>

**ATTENTION LANDOWNER(S): COMPLETE ONLY IF  
A NON-OWNER IS TO REPORT WATER USAGE**

ATTN: Water Use Coordinator

RE: Water Use Correspondent for  
File No(s) 13056, 39948  
37843, 37868

Dear Sir:

I am aware that Kansas law (K.S.A. 82a-732) requires the owner of a water right or permit to appropriate water for beneficial use, except for domestic use, to file an annual water use report with the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, on or before March 1 following the end of the previous calendar year.

I understand that the law provides that failure to file the report or submission of an incomplete or inaccurate report could subject me, as owner (or part owner) of the above file number(s) to a civil penalty not to exceed \$1000 and that any person falsifying the report could be charged with a class C misdemeanor.

For confirmation of the correspondent change provide a valid e-mail address.

E-mail: froese.larry@gmail.com

With full knowledge of these facts, I request that Brett A. Froese,  
PO Box 234, Inman, KS, 67546, (620) 728-9174  
(Address) (City) (State) (Zip) (Telephone)

be designated as water use correspondent for the above file number(s) until I rescind this authority in writing.

I further understand that as water use correspondent my designee will be the only person who will receive an annual water use report from the Division of Water Resources concerning my water use reporting requirement.

[Signature]  
(Signature)

1226 Cherokee Rd  
(Address)

Inman, KS 67546  
(City, State, Zip)

Larry L. Froese  
(Print Name)

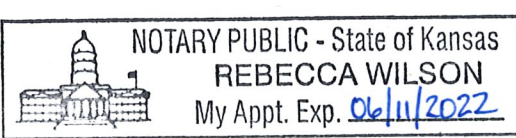
620-669-7659  
(Telephone)

State of KANSAS }  
County of HARVEY } SS

The foregoing instrument was acknowledged before me this 25TH day of  
MARCH, 2019, by LARRY FROESE  
(Water Right Owner)

Rebecca Wilson  
Notary Public

My appointment expires:



RECEIVED DWR Initials: \_\_\_\_\_

DWR 1-207.2 (Revised 01/09/2017)

APR 01 2019

Stafford Field Office  
Division of Water Resources



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

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

Mike Beam, Interim Secretary

Laura Kelly, Governor

May 9, 2019

Larry Froese  
1226 Cherokee Road  
Inman KS 67546

Re: Water Right, File No(s). 13056

Dear Water Right Owner:

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

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

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

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

Sincerely,

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

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Groundwater Management District No. 2

## CERTIFICATE OF SERVICE

On this **9th** day of **May, 2019**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **13056**, dated **May 9, 2019** was mailed via Certified U.S. mail to the following:

Larry Froese  
1226 Cherokee Road  
Inman KS 67546

A copy of the letter was sent via First Class U.S. Mail to the following:

GMD 2

  
Staff



## KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

### MEMORANDUM

---

**TO:** File

**DATE:** 4/4/2019

**FROM:** Tyler Saryerwinnie

**RE:** File Nos. 13056, 39948,  
37843, & 37868

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 applications filed on 4/1/19 for the above referenced files meet this criteria and surrounding well owners will not be notified.

## Saryerwinnie, Tyler [KDA]

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Friday, April 05, 2019 8:00 AM  
**To:** 'Rebecca Wilson'  
**Cc:** Conant, Cameron [KDA]  
**Subject:** RE: GMD Recommendation Request - File Nos. 13056, 37843, 37868, 39948  
**Attachments:** 37868.Change App.pdf; 39948.Change App.pdf

Email 2 of 2

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**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Friday, April 05, 2019 7:58 AM  
**To:** 'Rebecca Wilson'  
**Cc:** Conant, Cameron [KDA]  
**Subject:** GMD Recommendation Request - File Nos. 13056, 37843, 37868, 39948

Rebecca,

I have attached a cover letter and copies of four (4) place of use change applications for GMD review and recommendation. Please provide the GMD recommendation by no later than April 25, 2019.

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

Thank you,  
Tyler

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

Email 1 of 2

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



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

April 5, 2019

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

RE: Place of Use Change Application, File No(s). 13056, 39948, 37843, & 37868

Dear Mr. Boese,

We are enclosing copies of four (4) applications, as referenced above, for your review and recommendation. At this time the applications appear 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,

A handwritten signature in blue ink, appearing to read "Tyler Saryerwinnie".

Tyler Saryerwinnie  
Environmental Scientist  
Stafford Field Office  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

Enclosure

## Saryerwinnie, Tyler [KDA]

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**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Thursday, April 25, 2019 3:26 PM  
**To:** 'Rebecca Wilson'  
**Subject:** RE: GMD Recommendation Request - File Nos. 13056, 37843, 37868, 39948

Rebecca,

Per your request for an extension of time for the Groundwater Management District review and recommendation, the new deadline to submit a recommendation on the proposed change application is May 25, 2019, or 30 days from the date of this email.

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

Thank you,

Tyler Saryerwinnie

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**From:** Rebecca Wilson [<mailto:rwilson@gmd2.org>]  
**Sent:** Thursday, April 25, 2019 10:34 AM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** RE: GMD Recommendation Request - File Nos. 13056, 37843, 37868, 39948

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Tyler,

I apologize, but we have a backlog of reviews right now. Could we please have a 30 day extension to review these files?

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)

---

**From:** Saryerwinnie, Tyler [KDA] <[Tyler.Saryerwinnie@ks.gov](mailto:Tyler.Saryerwinnie@ks.gov)>  
**Sent:** Friday, April 05, 2019 7:59 AM  
**To:** Rebecca Wilson <[rwilson@gmd2.org](mailto:rwilson@gmd2.org)>



**Cc:** Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>

**Subject:** GMD Recommendation Request - File Nos. 13056, 37843, 37868, 39948

Rebecca,

I have attached a cover letter and copies of four (4) place of use change applications for GMD review and recommendation. Please provide the GMD recommendation by no later than April 25, 2019.

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

Thank you,  
Tyler

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

Email 1 of 2

## Saryerwinnie, Tyler [KDA]

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**From:** Rebecca Wilson <rwilson@gmd2.org>  
**Sent:** Friday, May 03, 2019 5:04 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Cc:** Engelbrecht, Jessica [KDA]  
**Subject:** 13056 37843 37868 39948 PU Change Application Approval Recommendation Letters  
**Attachments:** 13056 PU Change App Approval Recommendation Letter 5-03-19.pdf; 37843 PU Change App Approval Recommendation Letter 5-03-19.pdf; 37868 PU Change App Approval Recommendation Letter 5-03-19.pdf; 39948 PU Change App Approval Recommendation Letter 5-03-19.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello!

Attached you will find the Change in Place of Use Application Approval Recommendation Letters from Manager Tim Boese for files #13056, #37843, #37868, and #39948.

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

Thanks!

*Rebecca Wilson*

Rebecca Wilson  
Administrative Assistant  
Equus Beds GMD2  
313 Spruce Street  
Halstead, KS 67056  
316-835-2224  
316-835-2225 Fax  
[rwilson@gmd2.org](mailto:rwilson@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)

JEFF WINTER, PRESIDENT  
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DIRECTORS:  
DAVID BOGNER  
JOE PAJOR  
DALE SCHMIDT  
BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

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

May 3, 2019

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

Re: Place of Use Change Applications, File Nos. 13056, 39948, 37843, 37868 – Larry L. Froese

Dear Mr. Saryerwinnie:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use applications on May 3, 2019, using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

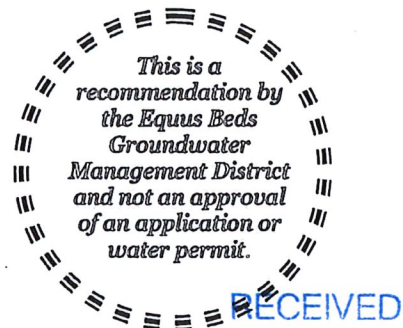
The change applications propose to create an identical place of use overlap between the water rights totaling 483.73 acres. The proposed place of use results in a total combined water to land ratio of approximately 0.90 acre-feet per acre.

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

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

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB



pc: Larry L. & Beverly D. Froese, Applicant and Landowner  
Ray & Dawn Froese Family Trust, Landowner

MAY 03 2019

Stafford Field Office  
Division of Water Resources

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

- 1) Application No. 13056 Date filed: 4/01/19  
 2) Applicant: Larry L. Froese County: McPherson  
 3) Proposed maximum quantity: 115 acre-feet/year Rate: 575 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: Lot 1 18-21S-3W Geo Center: North 4581 ft, West 3788 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 P/UF file No. No. 39948, Pending Nos. 37843 and 37868  
 10) Overlapping PD File No. N. 39948  
 11) Authorized Acres 230 Acres  
 12) Base Acres NA Acres

- 13) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 0.24; 0.90 combined 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: \_\_\_\_\_ bls at observation well: \_\_\_\_\_

- 16) Date reviewed: May 3, 2019  
 17) Reviewed by: T. Boese Title: Manager  
 18) District recommendation:  Approve  Deny  Other, see comment

19) Comments and Calculations:  
 Review completed for an application to change the place of use submitted by Larry L. Froese.  
 Application proposes to increase the place of use from 230 acres to 483.73 acres and overlap the place of use and form identical place of use overlap with change applications filed on Nos. 39948, 37843, 37868  
 The proposed place of use is 483.73 acres and no new acres are proposed between the files - changes filed only for the purpose of creating an identical place of use overlap between the files. Therefore, base acre review is not necessary  
 Water right no 13056 - Authorized for 115 AF  
 Water right no 39948 - Authorized for 115 AF (limited to 115 AF when combined with No. 13056. Net Q = 0 AF)  
 Water right no. 37843 - Authorized for 130 AF  
 Water right no. 37868 - Authorized for 191 AF  
 Item 13: 115 AF / 483.73 acres = 0.24 AF/A. Total combined is 436 AF / 483.73 acres = 0.90 AF/A  
 Recommend Approval, complies with K.A.R. 5-22-1 through 5-22-17