



File No. **46118**      11. County: **MCPHERSON**      Basin: **Little Arkansas River**      Stream: ---      Formation Code: **190 (Equus Beds)**      Special Use: **NA**

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

CHK 71118      1      46120

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

NE 1/4	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total	Owner	Chg?	Overlap Files		
	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4							
MOD 56829	11	21S	3W	1															95	8b.	No	46120

Base Acres: **62**      Year: **2012**      Minimum Reasonable Quantity: **1.06 AF/acre (MP Co)**  
 Comments:

9:30 am  
RECEIVED

JUL 1 1 2019



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. 46118

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: Larry L. Stucky  
1528 Cimarron Road, McPherson, KS 67460-7037

Phone Number: (620)504-4701      Email address: cstucky@mtelco.net

Name and address of Water Use Correspondent: Larry L. and Cindy Lou Stucky  
1528 Cimarron Road, McPherson, KS 67460-7037

Phone Number: (620)504-4701      Email address: cstucky@mtelco.net

3. The presently authorized place of use is:  
Owner of Land ---- NAME: CNS Land LLC  
ADDRESS: Larry L & Cindy Stucky, 1528 Cimarron Road, McPherson, KS 67460-7037

(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	
11	21S	3W		30	32														62

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: CNS Land LLC  
ADDRESS: Larry L & Cindy Stucky, 1528 Cimarron Road, McPherson, KS 67460-7037

(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	
11	21S	3W		30	32	33													95

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 7/11/19 Check # 11775  
RECEIVED

JUL 1 1 2019

5. **Presently authorized point of diversion:**  
 One in the NW Quarter of the SE Quarter of the NE Quarter of Section 11, Township 21 South, Range 3 (W), in McPherson County, Kansas, 3,952 feet North 882 feet West of Southeast corner of section. Authorized Rate 895 Authorized Quantity 80.6 acre-feet Depth of well 132 (feet)  
 (DWR use only: Computer ID No. 1 GPS -- feet North -- feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ 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 46120

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) to make a complete overlap in p/u between 2 files with the same point of diversion.

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

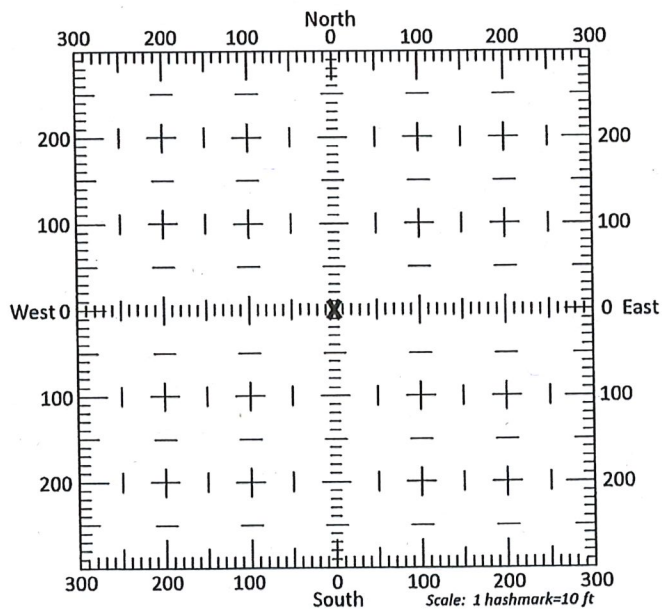
9. The change(s) (was)(will be) completed by?  
N/A

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

11. Groundwater Management District recommendation attached?  
 Yes  No 9/5/19 TJS-SFFO

12. Assisted by CRC-SFFO

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.)

RECEIVED

JUL 11 2019

File No. 46118

Stafford Field Office  
 DIVISION OF WATER RESOURCES

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 Moundridge, Kansas, this 9<sup>th</sup> day of July, 2019.

Larry L Stucky  
 (Owner)  
Larry L STUCKY  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

Cindy Lou Stucky  
 (Spouse)  
Cindy Lou STUCKY  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (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 9<sup>th</sup> day of July, 2019.

 MCKENZIE EDIGER  
 Notary Public - State of Kansas  
 My Appt. Expires 01/31/2023

Mckenzie Ediger  
 Notary Public

My Commission Expires 01/31/2023.

**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 . . . . .	<b>\$200</b>

RECEIVED  
 JUL 11 2019  
 Stafford Field Office  
 DIVISION OF WATER RESOURCES  
 File No. 46118

**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. 46118

1. A change application was received on July 11, 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, 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
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: September 6, 2019

State of Kansas )

County of Stafford ) SS

Acknowledged before me on 9/6/2019

by Cameron Conant

Signature: Jessica M. Engelbrecht

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





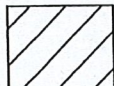

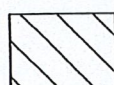



**P/U Change Application for File No. 46,118**  
**Section 11-21S-R03W in McPherson County**



**Sec. 11**

0 1,320 2,640 5,280 Feet

	authorized point of diversion for File Nos. 46118 & 46120 (3952' N & 882'W)		1/2 mile circle around authorized well
	authorized place of use covering 62 acres		section corners
	proposed place of use covering 95 acres		domestic well Parker Zerger Family Trust 1680 Cheyenne RD Moundridge, KS 67107



By signing below I agree that all wells, including domestic wells, within  
 1/2 mile of our proposed well have been shown on this map.

*X* *Fanny J. Study* 7-9-19  
 signature date

RECEIVED  
 JUL 11 2019  
 Stafford Field Office  
 Division of ~~1~~ 1,000 Feet RESOURCES

map created on 7/2/19 scale 1:12,000





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, Secretary

Laura Kelly, Governor

September 6, 2019

CNS Land LLC  
ATTN: Larry L & Cindy Stucky  
1528 Cimarron Road  
McPherson KS 67460

Re: Water Right, File No(s). 46118

Dear Water Right Owner:

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

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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 **6th** day of **September, 2019**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **46120**, dated **September 6, 2019** was mailed via Certified U.S. mail to the following:

CNS Land LLC  
ATTN: Larry L & Cindy Stucky  
1528 Cimarron Road  
McPherson KS 67460

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:** 7/16/2019

**FROM:** Tyler Saryerwinnie

**RE:** File Nos. 46118 & 46120

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 7/11/2019 for the above referenced files meet this criteria and surrounding well owners will not be notified.

**Saryerwinnie, Tyler [KDA]**

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Tuesday, July 16, 2019 9:53 AM  
**To:** 'Rebecca Wilson'  
**Cc:** Conant, Cameron [KDA]  
**Subject:** GMD Recommendation Request - File Nos 46118 & 46120  
**Attachments:** 46118.46120.Cover Letter.pdf; 46118.Change App.pdf; 46120.Change App.pdf

Rebecca,

I have attached a cover letter and copies of two (2) place of use change applications for GMD review and recommendation. Please provide the GMD recommendation by no later than August 5th , 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

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, Secretary

Laura Kelly, Governor

July 16, 2019

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

RE: Place of Use Change Application, File No(s). 46,118 & 46,120

Dear Mr. Boese,

We are enclosing a copy of each application, 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 applications. 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]

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Wednesday, August 07, 2019 1:56 PM  
**To:** 'Rebecca Wilson'  
**Subject:** RE: GMD Recommendation Request - File Nos 46118 & 46120

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 applications is September 5, 2019, or 30 days from the date of this email.

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

Thank you,

Tyler Saryerwinnie

---

**From:** Rebecca Wilson [<mailto:rwilson@gmd2.org>]  
**Sent:** Wednesday, August 07, 2019 1:43 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** RE: GMD Recommendation Request - File Nos 46118 & 46120

**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, Tyler!

Could we please have an 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]  
**Sent:** Tuesday, August 06, 2019 8:08 AM  
**To:** Rebecca Wilson <[rwilson@gmd2.org](mailto:rwilson@gmd2.org)>  
**Subject:** RE: GMD Recommendation Request - File Nos 46118 & 46120

Rebecca,

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

Thank you,  
Tyler Saryerwinnie

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Tuesday, July 16, 2019 9:58 AM  
**To:** Rebecca Wilson  
**Cc:** Conant, Cameron [KDA]  
**Subject:** GMD Recommendation Request - File Nos 46118 & 46120

Rebecca,

I have attached a cover letter and copies of two (2) place of use change applications for GMD review and recommendation. Please provide the GMD recommendation by no later than August 5th , 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

## Saryerwinnie, Tyler [KDA]

---

**From:** Rebecca Wilson <rwilson@gmd2.org>  
**Sent:** Thursday, September 05, 2019 4:40 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Cc:** Engelbrecht, Jessica [KDA]  
**Subject:** 46118 46120 PU Change App Approval Recommendation  
**Attachments:** 46118 46120 PU Change App Approval Recommendation 9-05-19.pdf

**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,

Attached you will find the Place of Use Change Application Approval Recommendation Letter from Manager Tim Boese for file #46118 and #46120.

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  
VIN KISSICK, VICE PRESIDENT  
DAVID BOGNER, SECRETARY  
MIKE MCGINN, TREASURER  
TIM BOESE, MANAGER  
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:  
ALAN BURGHART  
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

September 5, 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. 46118 & 46120 – Larry L. Stucky

Dear Mr. Saryerwinnie:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use applications on September 5, 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.

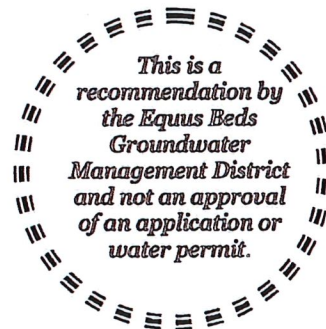
The change applications propose to create an identical place of use overlap between the water rights totaling 95 acres. The proposed place of use results in a total combined water to land ratio of 1.3 acre-feet per acre.

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: CNS Land, LLC, Attn Larry L. Stucky, Applicant and Landowner

RECEIVED

SEP 05 2019

Stafford Field Office  
Division of Water Resources

H:\MSOFFICE\LETTERS\APPLICCHANGE\_PU\Recommendation\Approval\#46118\_46120\_Stucky.docx



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

1) Application No. 46118 Date filed: 7/11/19  
 2) Applicant: Larry L. Stucky County: McPherson  
 3) Proposed maximum quantity: 80.6 acre-feet/year Rate: 895 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: NW SE NE 11-21S-3W Geo Center: North 3952 ft, West 882 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. 46120 (PROPOSED)  
 10) Overlapping PD File No. 46120  
 11) Authorized Acres 62 Acres  
 12) Base Acres 62 Acres

13) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 0.85 (1.3 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: September 5, 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. Stucky.  
 Application proposes to increase the place of use from 62 acres to 95 acres and overlap the place of use and form identical place of use overlap with change application filed on No. 46120. No. 46118 and 46120 have identical PD overlap.  
 The proposed place of use is 95 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.  
 Water right no 46118 - Authorized for 80.6 AF  
 Water right no 46120- Authorized for 42.9 AF  
 Item 13: 80.6 AF / 95 acres = 0.85 AF/A. Total combined is 123.5 AF / 95 acres = 1.3 AF/A  
 Recommend Approval, complies with K.A.R. 5-22-1 through 5-22-17

RECEIVED  
 SEP 05 2019  
 Stafford Field Office  
 Division of Water Resources