

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

1. File Number: 44768	2. Status Change Date: 4/29/2020	3. Change Num: C3	4. Field Office: 02	5. GMD: 02
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 18-JULY-2018
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID <u>65980</u> Add Seq# <u>1</u> SALT CREEK LAND LLC 6400 W ILLINOIS AVE HUTCHINSON, KS 67501-9137	8c. Landowner(s) New to system <input type="checkbox"/> Person ID <u>66049</u> Add Seq# <u>1</u> OMAR L & ELSIE MILLER TRUST 1208 MAPLEWOOD RD HARRISON, AR 72601
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID <u>65980</u> Add Seq# <u>1</u> SALT CREEK LAND LLC 6400 W ILLINOIS AVE HUTCHINSON, KS 67501-9137	8d. WUC New to system <input type="checkbox"/> Person ID <u>65980</u> Add Seq# <u>1</u> SALT CREEK LAND LLC 6400 W ILLINOIS AVE HUTCHINSON, KS 67501-9137
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/21 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: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **04/13/20** By: **RAK**
 Date Entered: 5/4/2020 **LMoody**

File No. **44768** 11. County: **RN** Basin: **ARKANSAS RIVER** Stream: _____ Formation Code: _____ Special Use: _____

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

NO CHANGES

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

14. Limitation: _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ 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										NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
MOD										¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼								
DEL	PUSE	S	T	R	ID																								
ENT																													
MOD	54390	36	23	7W	1									37	16	5	11.3					69.3	8B	NO	50088				
MOD	68860	36	23	7W	3												3.7					3.7	8C	NO	50088				

Base Acres: _____ Year: _____ Minimum Reasonable Quantity: _____
 Comments: _____

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

TO: Files
DATE: April 13, 2020
FROM: Richelle A. Krueger
RE: Water Right
File No. 44,768

Orville and Mary Jane Miller, and Omar and Elsie Miller, on behalf of Salt Creek Land, L.L.C., filed an application for approval to change the authorized place of use under Water Right, File No. 44,768, authorized groundwater in the Arkansas River Basin. The referenced change application was filed along with Application, File No. 50,088 being processed by Kris Neuhauser, Environmental Scientist, Permits Unit.

The referenced water right does not appear abandoned as per K.S.A. 82a-718.

File No. 44,768 is authorized 81.2 acre-feet and 300 gallons per minute from one well (1991'N,3677'W) in Section 36, Township 23 South, Range 7 West, Reno County, Kansas for irrigation of 63.80 acres in the Southwest Quarter (SW $\frac{1}{4}$) of Section 36. The referenced change application proposes to create a complete overlap in the point of diversion and place of use with Application, File No. 50,088, for a total of 73 acres in Section 36.

The total limited quantity under File Nos. 44,768 and 50,088, 102.2 acre-feet, can irrigate the proposed 73 acres with 1.4 acre-feet per acre, which appears reasonable since the maximum acre-feet per acre allowed in Reno County is 1.4 acre-feet per acre. The additional quantity acquired by File No. 50,088 should be sufficient to cover any increase in consumptive use.

No nearby well owners were notified of the referenced change application since the application creates an exact overlap in place of use with a new application.

The same local source of supply will not change, which appears to be Equus Beds (190).

In a letter dated January 29, 2020, Tim Boese, Manager of Equus Beds Groundwater Management District No. 2 recommended that the application be approved subject to approval of File No. 50,088.

In e-mail dated April 9, 2020, Jeff Lanterman, Water Commissioner of the Stafford Field Office, indicated no objections to approval of the referenced change application.

A water flow meter is required. A check valve is required if chemigating.

Based on the above discussion that the changes are reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it is recommended that the referenced application be approved.


Richelle A. Krueger
Environmental Scientist

Water Resources
Received

JUL 18 2018

12:26
KS Dept. of Agriculture



State of Kansas

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

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

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

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

Water Resources
Received

UNACCEPTABLE FOR PRIORITY
JUL 19 2018

1:31
KS Dept Of Agriculture

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- Point of Diversion
- Use Made of Water

(Check one or more)

File No. 44,768

2. Name of applicant: SALT CREEK LAND LLC

Address: 6400 W ILLINOIS AVE

City, State and Zip: HUTCHINSON KS 67501-9137

Phone Number: (620)727-6936 E-mail address: orville@millerdairy.com

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

Name of water use correspondent: SALT CREEK LAND LLC

Address: 6400 W ILLINOIS AVE

City, State and Zip: HUTCHINSON KS 67501-9137

Phone Number: () E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

Requesting change to form complete PU overlap with New Water Right Application.

The change(s) (will be) completed by ASAP _____

(Date)

For Office Use Only:					
F.O. <u>2</u>	GMD <u>2</u>	Meets K.A.R. 5-5-1 (YES/NO) <u>YES</u>	Use <u>IRR</u>	Source <u>G/S</u>	County <u>RN</u>
Code <u>CPU</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>7/18/18</u>	By <u>AW</u>	Date <u>7/18/18</u>
			Check # <u>75072</u>		

APPLICATION COMPLETE

4/9/20
Reviewer RAIC

7/18/18 DAW **SCANNED**

4. The presently authorized place of use is:

Owner of Land — NAME: SALT CREEK LAND LLC

ADDRESS: 6400 W ILLINOIS AVE HUTCHINSON KS 67501-9137

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		
36	23S	7W										33.5	13.3	4	10.5					61.3

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

Owner of Land — NAME: OMAR L & ELSIE MILLER TRUST

ADDRESS: 1208 MAPLEWOOD RD HARRISON AR 72601

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		
36	23S	7W													2.5					2.5

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

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

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

Owner of Land — NAME: SALT CREEK LAND LLC

ADDRESS: 6400 W ILLINOIS AVE HUTCHINSON KS 67501-9137

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		
36	23S	7W										37	16	5	11.3					69.3

List any other water rights that cover this place of use. * 50088

Owner of Land — NAME: OMAR L & ELSIE MILLER TRUST

ADDRESS: 1208 MAPLEWOOD RD HARRISON AR 72601

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		
36	23S	7W													3.7					3.7

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* per WATS
* RAL/OWN
8/22/19

Water Resources
Received

Received
JUL 18 2018

KS Dept Of Agriculture

Water Resources
Received
UNACCEPTABLE FOR PRIORITY
JUL 13 2018

KS Dept Of Agriculture
SCANNED

Krueger, Richelle [KDA]

From: Lanterman, Jeff [KDA]
Sent: Thursday, April 9, 2020 12:31 PM
To: Krueger, Richelle [KDA]; Neuhauser, Kris [KDA]
Cc: Conant, Cameron [KDA]
Subject: FW: Request for Recommendation New App, File No. 50,088
Attachments: 50088_Memo to File.doc; 50088 New App Approval Recommendation 1-29-20.pdf; 44768pumemexactolapneapp50088.doc

Afternoon all!

I recommend that this package of change and new app be approved. No concerns with it here. I have a message I need to call Orville Miller back on it. Hes getting antsy.

Thanks!

From: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Sent: Thursday, April 9, 2020 10:24 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: Request for Recommendation New App, File No. 50,088

Jeff, this is the review for new application 50088. The new application will completely overlap 44768 in p/d and p/u. The p/u on 44768 is also being changed to add about 10 acres to reflect the acreage under 50088. 50088 is requesting additional quantity to cover the increase in acres and the total Q will be limited to 102.2 AF (21 AF additional) and 400 GPM (100 gpm additional).

This was scanned as a black blob, so I can't really see the map and can't see nearby wells and such. But Kris sent 14 letters out, we received a response from a nearby domestic well with concerns about their domestic well b/c irrigation wells run 24 hours a day and are wasteful but provided no information about any issues they have experienced or any information about their well. Many of the area domestic wells appear to be completed to around 70' deep, this irrigation well is completed to shale at 135' with a SWL of ~35' providing about 100' of saturated thickness. As Kris noted in the memo, this file has the required spacing to all nearby wells, in fact, spacing to domestic and irrigation wells is more than twice the required distance of 660' and 1320'.

<http://www.kgs.ku.edu/Hydro/WWC5/W/23S7/453215.pdf> (completed irrigation log for 44768 & 50008)

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=380010098020801 (98' deep well about ½ mile east of File 50,008)

GMD#2 has recommended approval of this packet, so SY is good, spacing is met to all nearby wells, and water level in the area remains pretty stable the past 17 years with a total decline of about 1' to date. A 2.5' drop occurred during the 2011 drought but we have recovered 1.5' of that back. I would have expected the water level to have risen back to the 2010 levels at this time, but still, a 1 foot decline over 17 years is pretty reasonable especially given the saturated thickness at this location.

I think this new application for additional rate (+100gpm) and quantity (+21AF) can be recommended for approval. I also think the p/u change under 44768 should be recommended for approval as well to make the complete overlap. Please pass on to Kris and Richelle if you agree.

Cameron

From: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>
Sent: Thursday, March 12, 2020 11:33 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Cc: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Subject: RE: Request for Recommendation New App, File No. 50,088

Jeff and Cameron,

Here is my memo for New App 50,088, to go along with Richelle's change for 44,768. Let me know if you need anything else.

Thanks,

Kris Neuhauser

Environmental Scientist
Kansas Department of Agriculture, Division of Water Resources
Address: 1320 Research Park Drive, Manhattan, KS 66502
Phone: (785)564-6643
Website: <http://agriculture.ks.gov/divisions-programs/dwr>

From: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Sent: Monday, February 3, 2020 1:44 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>; Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>
Subject: Request for Recommendation Change in PU File No. 44768 Salt Creek Land LLC

Hi Jeff,

Attached is a draft memo for the referenced pu change, which overlaps new application File No. 50,088 Kris is working.

Do you recommend approval of the change in pu for File No. 44768?

Thanks,

Richelle

Richelle Krueger, Environmental Scientist
Kansas Department of Agriculture
Water Appropriation Program
(785) 564-6635
Richelle.Krueger@ks.gov (please note e-mail address change)
www.ksda.gov/dwr

Krueger, Richelle [KDA]

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Thursday, January 30, 2020 8:55 AM
To: Krueger, Richelle [KDA]
Cc: Curtis, Faith [KDA]
Subject: 44768 PU Change App Approval Recommendation
Attachments: 44768 PU Change App Approval Recommendation 1-29-20.pdf; 44768 50088 Meter Letter 1-29-20.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.

Richelle,

Attached you will find the Place of Use Change Application Approval Recommendation Letter and Meter Letter from Manager Tim Boese for file #44768.

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

Thanks!

Rebecca Wilson

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

WATER RESOURCES
RECEIVED
JAN 30 2020
KS DEPT OF AGRICULTURE

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

January 29, 2020

Chief Engineer, Division of Water Resources
Attn: Richelle A. Krueger
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Place of Use Change Application, File No. 44768 – Salt Creek Land LLC

Dear Ms. Krueger:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use application on January 29, 2020, 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 irrigation place of use from 63.8 acres to 73 acres and creates an identical place of use overlap with new Application No. 50088. The proposed water to land ratio is approximately 1.11 acre-feet per acre and the water to land ratio when combined with No. 50088 is 1.40 acre-feet per acre.

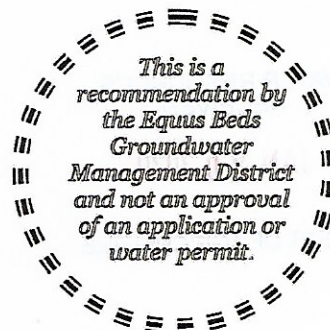
The District's review found that the change application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Based upon the review, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2, subject to the approval of new Application No. 50088.

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/db

WATER RESOURCES
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JAN 30 2020
DEPT OF AGRICULTURE



pc: Salt Creek Land LLC, Applicant and Landowner
Omar L. & Elsie Miller Trust, Landowner
Jeff Lanterman, Division of Water Resources, Stafford

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

1) Application No. 44768 Date filed: 7/18/18
 2) Applicant: Salt Creek Land LLC County: Reno
 3) Proposed maximum quantity: 81.2 acre-feet/year Rate: 300 GPM
 4) Proposed Use: Irrigation
 5) P/D location: NW NE SW 36-23S-7W Geo Center: North 1991 ft, West 3677 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. No. 50088
 10) Overlapping PD File No. No. 50088
 11) Authorized Acres 63.8 Acres
 12) Base Acres 58 Acres

13) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 (a) Irrigation max quantity: 1.11 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: 36.92 bls at observation well: 44768MW1

16) Date reviewed: January 29, 2020
 17) Reviewed by: T. Boese Title: Manager
 18) District recommendation: Approve Deny Other, see comment

19) Comments and Calculations:
 Change in place of use application submitted by Salt Creek Land LLC to increase the irrigation place of use from 63.8 acres to 73 acres in Reno County.
 Proposed irrigation place of use creates an identical place of use overlap with pending new application No. 50088. Identical PD overlap also. Change in PU application filed for purposes of creating identical irrigation PU overlap with No. 50088.
 Item 13: 81.20 AF / 73 acres = 1.11 AF/A. No. 50088 proposes 102.2 AF on same 73 acres = 1.4 AF/A. No. 50088 to be limited to 102.2 AF and 400 GPM when combined with No. 50088.
 Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17, subject to No. 50088 being approved.

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JAN 30 2020

KS DEPT OF AGRICULTURE

NOV-01-2004	-36.23	-	GMD2	Unknown	-	-	---	TDB
DEC-06-2004	-36.21	-	GMD2	Unknown	-	-	---	TDB
JAN-03-2005	-36.21	-	GMD2	Unknown	-	-	---	TDB
APR-04-2005	-36.12	-	GMD2	Unknown	-	-	---	TDB
JUL-05-2005	-36.11	-	GMD2	Unknown	-	-	---	TDB
OCT-03-2005	-36.17	-	GMD2	Unknown	-	-	---	DDR
JAN-03-2006	-35.97	-	GMD2	Unknown	-	-	---	DDR
APR-03-2006	-35.98	-	GMD2	Unknown	-	-	---	DDR
JUL-03-2006	-36.23	-	GMD2	Unknown	-	-	---	DDR
OCT-02-2006	-36.79	-	GMD2	Unknown	-	-	---	DDR
JAN-02-2007	-36.86	-	GMD2	Unknown	-	-	---	DDR
APR-02-2007	-36.84	-	GMD2	Unknown	-	-	---	DDR
JUL-02-2007	-36.31	-	GMD2	Unknown	-	-	---	DDR
OCT-01-2007	-36.71	-	GMD2	Unknown	-	-	---	DDR
JAN-07-2008	-36.6	-	GMD2	Unknown	-	-	---	DDR
JAN-05-2009	-36.38	-	GMD2	Unknown	-	-	---	DDR
JAN-04-2010	-35.93	-	GMD2	Unknown	-	-	---	DDR
JAN-03-2011	-35.66	-	GMD2	Unknown	-	-	---	DDR
JAN-03-2012	-36.84	-	GMD2	Unknown	-	-	---	DDR
JAN-07-2013	-37.93	-	GMD2	Unknown	-	-	---	DDR
OCT-21-2013	-37.83	-	GMD2	Unknown	-	-	---	DDR
JAN-10-2014	-37.64	-	GMD2	Unknown	-	-	---	DDR
APR-11-2014	-37.73	-	GMD2	Unknown	-	-	---	DDR
JUL-11-2014	-37.87	-	GMD2	Unknown	-	-	---	DDR
OCT-08-2014	-38.34	-	GMD2	Unknown	-	-	---	DDR
JAN-02-2015	-38.18	-	GMD2	Unknown	-	-	---	DDR
APR-03-2015	-38.23	-	GMD2	Unknown	-	-	---	DDR
JUL-08-2015	-38.33	-	GMD2	Unknown	-	-	---	DDR
OCT-08-2015	-38.58	-	GMD2	Unknown	-	-	---	DDR
JAN-11-2016	-38.55	-	GMD2	Unknown	-	-	---	DDR
APR-07-2016	-38.49	-	GMD2	Unknown	-	-	---	DDR
JUL-07-2016	-38.28	-	GMD2	Unknown	-	-	---	DDR
OCT-10-2016	-38.01	-	GMD2	Unknown	-	-	---	DDR
JAN-11-2017	-37.63	-	GMD2	Unknown	-	-	---	DDR
APR-07-2017	-37.44	-	GMD2	Unknown	-	-	---	DDR
JUL-05-2017	-37.51	S	GMD2	Unknown	-	-	---	DDR
OCT-18-2017	-37.95	-	GMD2	Unknown	-	-	---	DDR
JAN-16-2018	-37.73	-	GMD2	Unknown	-	-	---	DDR
APR-03-2018	-37.68	-	GMD2	Electronic-Tape	-	40.78	0.00	DDR
JUL-06-2018	-38.07	-	GMD2	Electronic-Tape	-	41.17	0.00	DDR
OCT-26-2018	-38.33	-	GMD2	Electronic-Tape	-	41.43	0.00	DDR
APR-03-2019	-37.87	-	GMD2	Electronic-Tape	-	40.97	0.00	DDR
JUL-05-2019	-37.17	-	GMD2	Electronic-Tape	-	40.27	0.00	DDR
OCT-09-2019	-37.23	-	GMD2	Electronic-Tape	-	40.33	0.00	DDR
JAN-16-2020	-36.92	-	GMD2	Electronic-Tape	-	40.02	0.00	DDR

2020 8 Mar

WATER RESOURCES
RECEIVED

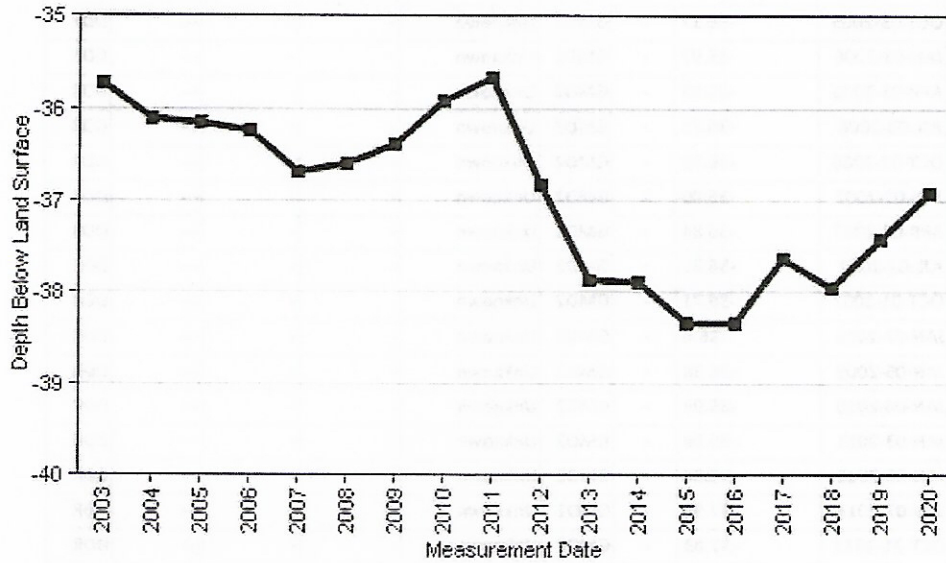
JAN 30 2020

KS DEPT OF AGRICULTURE

44768MW1 Water-Level Data – NE-NW-SW 36-23S-7W, Reno County

Hydrograph- Annual Average Depth to Water Below Land Surface

Source: Kansas Geological Survey



Actual Water-Level Data – Collected by GMD2

Date	Depth to Water	Status	Agency	Method	WL Source	Tape Hold	Chalk Cut	Initials
JAN-06-2003	-35.52	-	GMD2	Steel Tape	-	-	--	TDB
FEB-03-2003	-35.5	-	GMD2	Unknown	-	-	--	TDB
MAR-03-2003	-35.54	-	GMD2	Unknown	-	-	--	TDB
APR-07-2003	-35.54	-	GMD2	Unknown	-	-	--	TDB
MAY-05-2003	-35.56	-	GMD2	Unknown	-	-	--	TDB
JUN-02-2003	-35.5	-	GMD2	Unknown	-	-	--	TDB
JUL-07-2003	-35.68	-	GMD2	Unknown	-	-	--	TDB
AUG-04-2003	-35.95	-	GMD2	Unknown	-	-	--	TDB
SEP-02-2003	-36.02	-	GMD2	Unknown	-	-	--	TDB
OCT-06-2003	-36.01	-	GMD2	Unknown	-	-	--	TDB
NOV-03-2003	-35.99	-	GMD2	Unknown	-	-	--	TDB
DEC-01-2003	-36	-	GMD2	Unknown	-	-	--	TDB
JAN-05-2004	-36	-	GMD2	Unknown	-	-	--	TDB
FEB-02-2004	-36	-	GMD2	Unknown	-	-	--	TDB
MAR-01-2004	-36	-	GMD2	Unknown	-	-	--	TDB
APR-05-2004	-35.98	-	GMD2	Unknown	-	-	--	TDB
MAY-03-2004	-36.01	-	GMD2	Unknown	-	-	--	TDB
JUN-07-2004	-36.06	-	GMD2	Unknown	-	-	--	TDB
JUL-06-2004	-36.12	-	GMD2	Unknown	-	-	--	TDB
AUG-02-2004	-36.14	-	GMD2	Unknown	-	-	--	TDB
SEP-07-2004	-36.24	-	GMD2	Unknown	-	-	--	TDB
OCT-04-2004	-36.27	-	GMD2	Unknown	-	-	--	TDB

WATER RESOURCES
 RECEIVED
 JAN 30 2020
 KS DEPT OF AGRICULTURE

Krueger, Richelle [KDA]

From: Tim Boese <tboese@gmd2.org>
Sent: Monday, November 11, 2019 3:16 PM
To: Neuhauser, Kris [KDA]; Krueger, Richelle [KDA]
Subject: Nos. 44768 & 50088
Attachments: 44768_50088_maps.pdf; 44768_50088_half_mile.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.

Kris and Richelle – I am reviewing the new app No. 50088 and change in PU app for No. 44768 and was checking if the nearby well owners have been notified? The aerial maps I received with the applications were scanned copies and they are almost completely black (attached). I cannot tell for sure, but it doesn't appear that the domestic wells within ½ mile are identified on the maps and the maps are not signed by the applicant. It appears that there are numerous domestic wells within ½ mile – see the attached map I made.

Can you please check and verify if all the well owners within ½ mile were properly identified on the application maps and notified? Also, can you please send me better scans of the application maps?

Thanks!

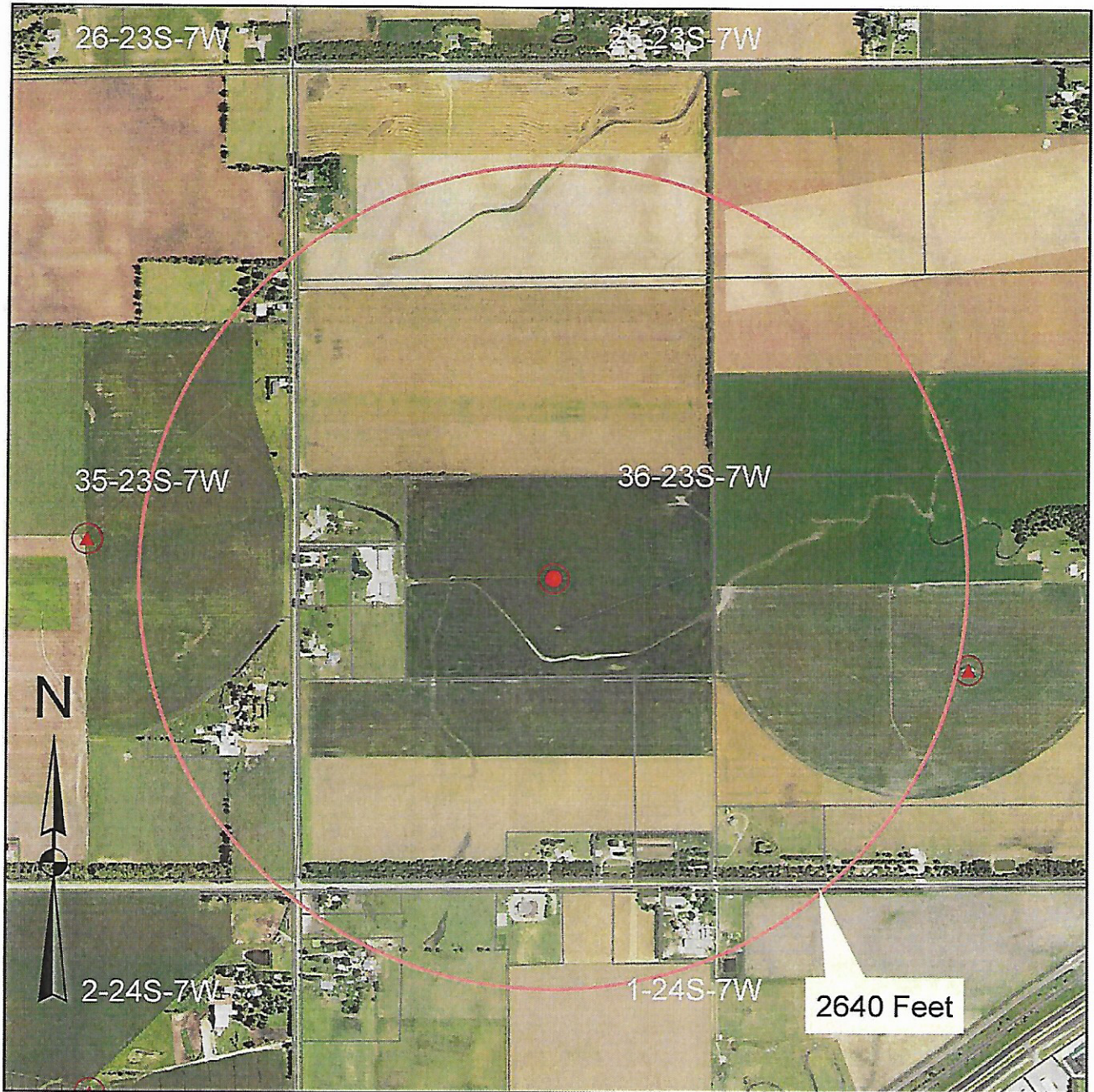
Tim Boese, Manager
Equus Beds GMD2
313 Spruce, Halstead, Kansas 67056
316-835-2224
Fax: 316-835-2225
tboese@gmd2.org
www.gmd2.org

Water Resources
Received

NOV 13 2019

KS Dept Of Agriculture

Equus Beds Groundwater Management District No. 2
 Nos. 44768 & 50088 Wells Within 1/2 mile
 NWNESW (1991'N & 3677'W) 36-23S-07W, Reno Co.
 Prepared By: T. Boese Date:11/11/2019



- | | |
|--------------------------------|---------------------|
| Proposed Point of Diversion | Map Legend |
| Area of Consideration Boundary | Major Highway |
| Monitoring Wells | Other Roadway |
| Points of Diversion | Major Stream |
| District Boundary | Other Water Feature |
| | County Boundary |
| | City Boundary |

Water Resources
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 NOV 13 2019
 KS Dept Of Agriculture

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



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

Mike Beam, Secretary

Laura Kelly, Governor

SALT CREEK LAND LLC
ORVILLE AND MARY JANE MILLER
6400 W ILLINOIS AVE
HUTCHINSON, KS 67501-9137

RE: Water Right, File No. 44,768

Dear Mr. and Mrs. Miller:

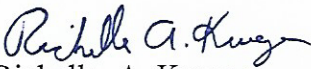
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the diversion works and/or installation of the required meter as soon as these actions are completed.

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

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

pc: Stafford Field Office
Groundwater Management District No. 2
Omar and Elsie Miller

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting Chief Engineer

APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
WATER RIGHT
FILE NO. 44,768

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Orville and Mary Jane Miller, on behalf of Salt Creek Land L.L.C., 6400 West Illinois Avenue, Hutchinson, Kansas 67501-9137, and Omar and Elsie Miller, on behalf of Omar L. and Elsie Miller Trust, 1208 Maplewood Road, Harrison, Arkansas 72601, received in this office on July 18, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated April 5, 2018, approving the application to change the place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

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		
36	23S	7W																		73.00

a total of 73.00 acres in Township 23 South, Range 7 West, Reno County, Kansas,

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

All diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

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

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 44,768, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated September 4, 2014, as modified and amended by the aforementioned order.

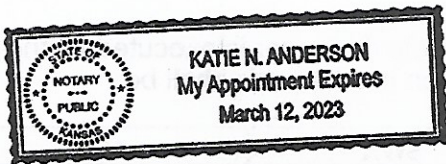
Ordered this 29th day of April, 2020, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 29th day of April, 2020, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Katie N. Anderson

Notary Public

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

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

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

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

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

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

CERTIFICATE OF SERVICE


On this 6th day of May, 2020, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 44,768, dated April 29, 2020 was mailed postage prepaid, first class, US mail to the following:

SALT CREEK LAND LLC
ORVILLE AND MARY JANE MILLER
6400 W ILLINOIS AVE
HUTCHINSON, KS 67501-9137

With photocopies to:

OMAR L AND ELSIE MILLER TRUST
OMAR AND ELSIE MILLER
1208 MAPLEWOOD RD
HARRISON AR 72601

Stafford Field Office
Groundwater Management District No. 2



Division of Water Resources