

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: UMW WORKSHEET

1. File Number: 41025	2. Status Change Date: 10/26/2021	3. Change Num: C2	4. Field Office: 2	5. GMD: 2
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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: 10/15/2020
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8a. Applicant(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID 67619 Add Seq# _____ LINDA L STEVEN TRUST 6111 W 29TH N WICHITA, KS 67205	8c. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ 7a	8d. WUC <input type="checkbox"/> New to system <input type="checkbox"/> Person ID 61507 Add Seq# _____ CRAIG & LINDA L STEVEN 6111 W 29TH N WICHITA, KS 67205
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **NO** 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: **IND** To: **REC**

Date Prepared: **10/15/2021** By: **KJN**
 Date Entered: **10/27/2021** By: **LMoody**

File No. **41025** 11. County: **SG** Basin: **LITTLE ARKANSAS RIVER** Stream: Formation Code: **113** Special Use:

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 Rate gpm/cfs Quantity af/mgy Overlap PD Files

NO CHANGE 2349 NC N2 NE 17 25S 1W 4552 1372 GW PIT

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				Total	Owner	Chg?	Overlap Files
	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
NO CHANGE 9835 17 25S 1W					GW EXPOSURE (N2 NE) 48.6 AC															

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: August 11, 2021

FROM: Kris Neuhauser

RE: Water Right, File No. 41,025
& Term Permit, File No.
939048

The above referenced change application was filed to change the use made of water authorized under Water Right, File No. 41,025 from industrial to recreational, on October 15, 2020, by Linda L. Stevens Trust. This is a 48.6-acre sand and gravel pit located in the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 17, Township 25 South, Range 1 West, Sedgwick County, Kansas. Term Permit, File No. 939048 overlaps in point of diversion and place of use, and is currently authorized for hydraulic dredging of the pit. Dredging is no longer active, thus this application proposes to change the authorized use made of water from industrial use to recreational use, to reflect the correct, present use.

The referenced file number is currently authorized 26.394 million gallons of water per calendar year, at a rate of natural evaporation. The quantity and rate will not change. The pit is entirely owned by the applicant, Linda L. Steven Trust.

A voluntary dismissal of Term Permit, File No. 939048 (hydraulic dredging) was also submitted by the applicant on October 15, 2020. The dismissal will be worked in conjunction with this change application.

Five domestic wells were identified within $\frac{1}{2}$ miles of the point of diversion (geocenter of the pit). Nearby notification letters were mailed on May 7, 2021. No responses of any kind have been received to date.

The local source of supply will remain the same, which appears to be main stem alluvium of the Little Arkansas River.

The appropriation is located within Equus Beds Groundwater Management District No. 2. Manager Tim Boese recommended the change application for approval in a letter dated August 10, 2021.

In an email discussion on October 15, 2021, Jeff Lanterman, Stafford Water Commissioner of the Stafford Field Office, and Cameron Conant, Assistant Water Commissioner of the Stafford Field Office, indicated no objections to approval of the referenced change application.

Based on the above discussion, that the change is 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.



Kris Neuhauser
New Applications Lead
Water Appropriation Program

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



DIRECTORS:
JOE BERGKAMP
ALAN BURGHART
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

August 10, 2021

Chief Engineer, Division of Water Resources
Attn: Kris Neuhauser
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Water Right No. 41025 Change Application – Linda L. Steven Trust

Dear Mr. Neuhauser:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in use made of water application on August 10, 2021, 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 application proposes to change the use made of water from industrial to recreation. The District's review found that the change application complies with the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Based on the review, the change application is recommended for approval by the Equus Beds Groundwater Management District.

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



pc: Linda L. Steven Trust, Applicant and Landowner
Jeff Lanterman, Division of Water Resources, Stafford

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

1) Application No. 41025 Date filed: October 15, 2020
 2) Proposed maximum quantity: 81 acre-feet/year Rate: Nat Evap GPM
 3) Proposed Use: Recreational
 4) P/D location: SEWNNE 17-25S-1W Geo Center: North 4552 ft, West 1372 ft
 5) Number and type of points of diversion listed on the application 1 GW pit

6) Is the well location on the app the same on the evaluation sheet? Yes No
 7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8? Yes No, Why GW PIT
 8) Meets change app requirements K.A.R. 5-22-8? Yes No N/A

9) Meets Safe Yield K.A.R. 5-22-7? Yes No N/A
 9(a) Safe yield analysis total existing appropriations: _____ af/yr
 9(b) Safe yield total allowable appropriations: _____ af/yr
 9(c) Total appropriations for small user exemptions: _____ af/yr
 9(d) Total appropriations for non-consumptive use: _____ af/yr
 9(e) Total appropriations for consumptive use: _____ af/yr
 (total existing appropriations) – (non-consumptive appropriations)
 9(f) exempt from regulation? Yes No,
 Cite exemption: Change in Use Made of Water

10) Meets Well Spacing K.A.R. 5-22-2? Yes No N/A
 10(a) POD in enhanced well spacing area? Yes No
 10(b) Domestic well spacing interval: _____ ft
 10(c) Non-Domestic well spacing interval: _____ ft

11) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 11(a) Irrigation max quantity: _____ acre-feet / acre
 application paragraph 3 value (acre-feet) / proposed acres = Q
 11(b) Stockwater max quantity: _____ GPD _____ unit
 11(c) Industry max quantity: _____ Acre
 Industry standard: _____
 11(d) Municipal max quantity: _____ GCD
 Lesser of either 200 GCD or
 $1.10 * (X - Y) * 365 d * (z + t)$
 X - Average of last three years usage in Gallons per Capita per Day (GCD)
 Y - water usage for industries that use over 200,000 gal/yr (GCD)
 Z - Projected population in 20 years
 T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)
 11(e) Pond max quantity is
 (Net evap + seepage)/12 x pond area + any initial fill
 11(f) Groundwater pit max Q: 81 AF = 20 inches net evap
 Net evap * pit area/12

12) Reasonable rate for intended use? Yes No N/A
 13) Depth to water: 16.01 feet blsat observation well: IW34A

14) Date reviewed: August 10, 2021
 15) Reviewed by: T. Boese Title: Manager
 16) District recommendation: Approve Deny Other, see comment

17) Comments and Calculations:
 Review completed for a change in use application submitted by Linda L. Steven Trust for Recreation use in Sedgwick County.
 The application seeks to change the use made of water from industrial use to recreation use for a 48.6 acre groundwater pit authorizing 81 acre feet of water. The pit is no longer being dredged and will not be further expanded.
 Item #11(a) – 81 acre-feet / 48.6 acres = 1.6667 acre-feet / acre (20 inches net evaporation)
 Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17

From: Lanterman, Jeff [KDA]
Sent: Fri 10/15/2021 12:15 PM
To: Neuhauser, Kris [KDA]
Cc: Conant, Cameron [KDA]
Subject: FW: 41025 UMW change rec request
Attachments: 41025_ChangeMemo.docx, 41025 Change App Approval Recommendation 8-10-21.pdf, 41025 map.pdf

Chris.

Lets approve this one. Sorry we(more to the point me) lost it.

Thanks
Jeff

From: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Sent: Friday, October 15, 2021 11:46 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: 41025 UMW change rec request

Jeff, everything is done here. The applicant finished dredging early and requested the pit be certified early so it could be converted to Rec. Here we sit, the pit is done being dredged, term permit dismissed, file certified with the correct acreage of exposed pit, this change from IND to REC makes it all official and essentially closes the app back down to the existing REC use of evap from the exposed GW.

The pro-cert map is attached, we utilized multiple aerials during the pro-cert, this is vetted and good to go, GMD recommended approval. Please pass on to Kris, this change to REC use should be approved.

Cameron

From: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>
Sent: Tuesday, October 12, 2021 11:33 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: RE: 41025 UMW change rec request

Hey guys, Craig Stevens called me this morning and was ancy about his 41025 change, said I'd check in with you guys. He wanted a ring back from me once I did – so he knew a better timeline. Assuming everything looks okay with it, I can try and get it out the door quickly once I have your approval rec.

Kris

From: Neuhauser, Kris [KDA]
Sent: Wednesday, August 11, 2021 3:04 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: 41025 UMW change rec request

Afternoon guys,

Attached is my draft memo for a UMW change for 41025 – changing a S&G pit from industrial to rec use. The applicant also submitted a voluntary dismissal for 939048, which has been authorizing hydraulic dredging at the pit. I'll push the change and dismissal out together.

Also attached Tim's GMD recommendation of approval. Let me know if you need anything else!

Kris Neuhauser

New Applications Lead

Kansas Department of Agriculture, Division of Water Resources

Phone: 785-564-6643

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

APPROVAL OF APPLICATION
FOR
CHANGE IN USE MADE OF WATER
WATER RIGHT
FILE NO. 41,025

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Craig Steven, on behalf of Linda L. Steven Trust, 6111 W. 29th Street, Wichita, Kansas 67205-1021, received in this office on October 15, 2020, for approval of a change in the use made of water under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial 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 use made of water shall be:

recreational use

at the authorized place of use described as:

a groundwater exposure with a surface area of 48.6 acres, with a geographical center located near the center of the North Half of the Northeast Quarter (N 1/2 NE 1/4) of Section 17, more particularly described as being near a point 4,552 feet North and 1,372 feet West of the Southeast corner of said section, in Township 25 South, Range 1 West, Sedgwick County, Kansas,

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

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 41,025, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated December 22, 2020.

Ordered this 20 day of October, 2021, in Manhattan, Riley County, Kansas.

[Handwritten signature of Lane P. Letourneau]

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 20 day of October, 2021, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



[Handwritten signature of Ashlee Freeman]
Notary Public

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

November 2, 2021

CRAIG & LINDA L STEVEN
6111 W 29TH N
WICHITA, KS 67205

RE: Water Right, File No. 41,025

Dear Sir or Madam:

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.

Please be reminded that these specific conditions of the permit remain:

- The area around the open groundwater exposure shall be graded or bermed, so as to exclude overflow of surface water from entering.
- A sign must be permanently posted at the excavation site, identifying the excavation as a groundwater pit, and stating that dumping or discharges into the pit are prohibited to prevent contamination of the Equus Beds aquifer. The sign must be a minimum of three (3) feet in length by two (2) feet in height, easily visible, and of durable construction.

Since the order for the referenced file number 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 at 785-564-6640 or your local Stafford Field Office at 620-234-5311 or the Equus Beds Groundwater Management District No. 2 at 316-835-2224. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive style.

Kristen A. Baum
New Applications and Changes Supervisor
Water Appropriation Program

KAB: kjn:li

Enclosures:

pc: Stafford Field Office

Equus Beds Groundwater Management District No. 2

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 2 day of November, 2021, I hereby certify that the attached Approval of Application for the Change in Use Made of Water, File No. 41,025, dated 26 October 2021 was mailed postage prepaid, first class, US mail to the following:

CRAIG & LINDA L STEVEN
6111 W 29TH N
WICHITA, KS 67205

With photocopies sent to:

Stafford Field Office


Division of Water Resources