

Kansas Department of Agriculture
 Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET NAME CHANGE

1. File Number: <b style="font-size: 1.2em;">49948	2. Status Change Date: <b style="color: purple;">3/22/2021	3. Field Office: <b style="font-size: 1.2em;">2	4. GMD: <b style="font-size: 1.2em;">2
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

7a. Applicant(s)
 New to system Person ID ~~1235~~
 Add Seq# _____
PERSON ID 61655

JOHN BLOCKER
13310 E PLEASANT VALLEY RD
HAVEN, KS 67543

7c. Landowner(s)
 New to system Person ID _____
 Add Seq# _____

7d. Misc.
 New to system Person ID _____
 Add Seq# _____

7b. Landowner(s)
 New to system Person ID ~~1235~~
 Add Seq# _____
61655

~~7a~~ JOHN M & SUSAN M BLOCKER
13310 E PLEASANT VALLEY RD
HAVEN KS 67543
NAME CHG

8. WUR Correspondent
 New to system Person ID _____
 Add Seq# _____
 Overlap File (s) WUC
 Agree Yes No Notarized WUC Form

7a

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN

STK SED DOM CON

HYD DRG WTR PWR ART RECHRG

IND SIC: _____ OTHER: _____

10. Completion Date: 12/31/2022 11. Perfection Date: 12/31/2026 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **3/8/2021** By: **KJN**
 Date Entered: 3/23/2021 By: LMoody

3/14/2021
Llreland

File No. 49948	15. Formation Code: 190		Drainage Basin: Arkansas River		County: RN		Special Use:		Stream:												
16. Points of Diversion										17. Rate and Quantity											
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files							
CHK	86445	NE NE SE	23	25S	4W	6	2442	271		800	222.6	800	222.6	none							
CHK	86446	NE NE SE	23	25S	4W	7	2654	483													
CHK	86447	NE NE SE	23	25S	4W	8	2654	59													
CHK	86448	NE NE SE	23	25S	4W	9	2230	59													
CHK	86449	NE NE SE	23	25S	4W	10	2230	483													
BATTERY #2051																					
18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																					
19. Limitation: _____ MG/yr at _____ gpm (_____ cfs) when combined with file number(s) _____ Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																					
20. Meter Required? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No To be installed by 12/31/2022 Date Acceptable Meter Installed _____																					
21. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T MOD DEL ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK	68641	23	25S	4W	2									40	40	40	39	159	7a b	no	none
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: Kris Neuhauser

RE: New Application, File No. 49,948

John Blocker has filed the above referenced new application proposing to appropriate 222.6 acre-feet of groundwater per calendar year at a diversion rate not to exceed 800 gallons per minute for irrigation use from a battery of four wells. The geo-center of said battery is located in the Southeast Quarter (SE $\frac{1}{4}$) of Section 23, Township 25 South, Range 4 West, Reno County, Kansas, which is within the drainage basin of the Arkansas River. Based on surrounding well logs, and the test hole log provided with the application, it appears the source of supply is the Equus Beds Aquifer.

The proposed place of use is a total of 159 acres in the Southeast Quarter (SE $\frac{1}{4}$) Section 23, Township 25 South, Range 4 West, Reno County Kansas. The applicant owns the entire place of use.

The requested quantity of 222.6 acre-feet applied to 159 acres appears to reasonable, as it is equivalent to 1.4 acre-feet per acre, which is the maximum quantity allowed for irrigation use in Reno County, Kansas.

Two nearby well owners were notified on July 13, 2018 by ex-employee Alex Whitesell. No responses of any kind were received.

Per the requirements in K.A.R. 5-4-4, minimum well spacing should be 1,320 feet to non-domestic wells and 660 feet to domestic wells with the same source of supply. The closest non-domestic well is over 2,300 feet away (authorized under Water Right, File No. 47,583), while the closest domestic well is over 1,000 feet away. Therefore, the proposed point of diversion meets minimum well spacing requirements.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

In a letter dated April 10, 2020, Tim Boese, Manager of the Equus Beds Groundwater Management District No. 2 recommended the application for approval.

Jeff Lanterman, Water Commissioner of the Stafford Field Office, gave a recommendation that the new application should be approved, in an e-mail conversation on March 8, 2021.

Based on the above discussion, that the area is open to new appropriations, the application meets well spacing criteria, and the approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.



Kris Neuhauser
Environmental Scientist
Water Appropriation Program

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



DIRECTORS:
ALAN BURGHART
DON HENRY
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

April 10, 2020

Chief Engineer, Division of Water Resources
Attn: Kris Neuhauser
1320 Research Park Dr.
Manhattan, KS 66502

Re: Appropriation Application No. 49948 – John Blocker

Dear Mr. Neuhauser:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced application on April 10, 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 District's review found that the 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.

Please contact the District should you have any questions regarding the review or recommendation.

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

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/db
Enclosures

pc: John M. & Susan K. Blocker, Applicant and Landowner
Jeff Lanterman, Division of Water Resources, Stafford



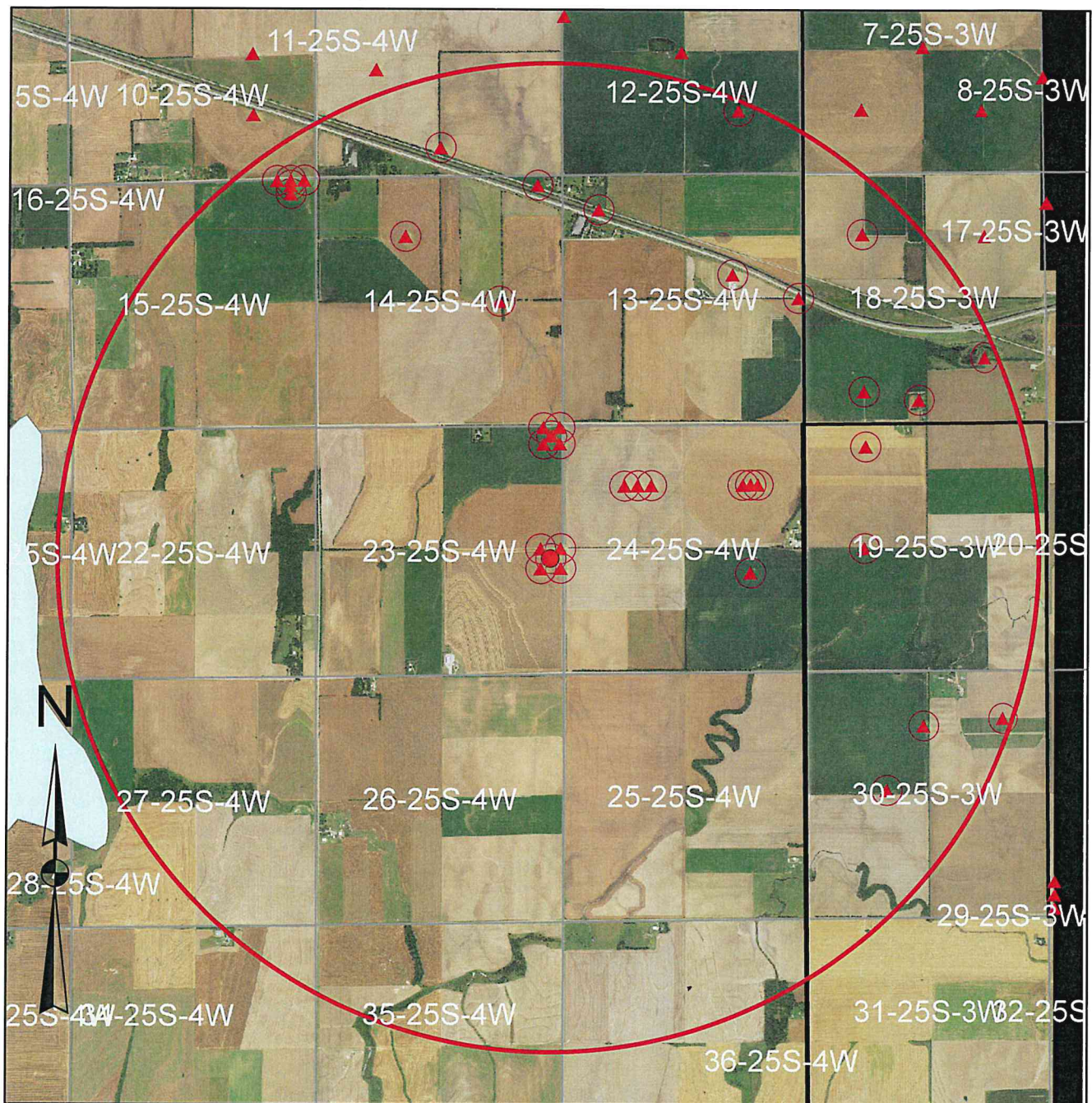
EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2 FINAL APPLICATION REVIEW CHECKLIST

- 1) Application No. 49948 Date filed: 12/01/17
 2) Applicant: John Blocker County: Reno
 3) Proposed maximum quantity: 222.6 acre-feet/year Rate: 800 GPM
 4) Proposed Use: Irrigation
 5) P/D location: NE NE SE 23-25S-4W Geo Center: North 2442 ft, West 271 ft
 6) Number and type of points of diversion listed on the application Battery of 4 Wells
-
- 7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8? Yes No, Why _____
-
- 8) Meets Safe Yield K.A.R. 5-22-7? Yes No N/A
 (a) Total allowable appropriations: 4021.00 af/yr
 (b) Total existing appropriations: 2782.52 af/yr
 (c) Total small user exemptions: 20.30 af/yr
 (d) Total non-consumptive use: 0.00 af/yr
 (e) Total consumptive use: 2782.52 af/yr
 (Total existing appropriations) - (Total non-consumptive use)
 (f) exempt from regulation? Yes No,
 Cite exemption: _____
-
- 9) Meets Well Spacing K.A.R. 5-22-2? Yes No N/A
 (a) POD in enhanced well spacing area? Yes No
 (b) Domestic well spacing interval: >960 ft
 (c) Non-Domestic well spacing interval: >1620 ft
-
- 10) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 (a) Irrigation max quantity: 1.4 acre-feet / acre
 application paragraph 3 value (acre-feet) / proposed acres = Q
 (b) Stockwater max quantity: _____ GPD _____ unit
 (c) Industry max quantity: _____ Acre
 Industry standard: _____
 (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)
 (e) Pond max quantity is _____
 (Net evap + seepage)/12 x pond area + any initial fill
 (f) Groundwater pit max Q: _____
 Net evap * pit area/12
-
- 11) Reasonable rate for intended use? Yes No N/A
 12) Depth to water: 33.15 ft blsat observation well: AN182
-
- 13) Date reviewed: April 10, 2020
 14) Reviewed by: T. Boese Title: Manager
 15) District recommendation: Approve Deny Other, see comment

16) Comments and Calculations:

Review completed for a new application submitted by John Blocker for irrigation use in Reno County
 Nearby water-level data indicates groundwater levels in the area are stable. Monitoring well AN182 located about one mile east-northeast shows January 2020 as the highest recorded since measurement begin in February, 1989, and 2020 measurement is about 6.5 feet higher than February 1989 water-level measurement.
 Item 8: Part of the area of consideration intersects expansion area of District boundaries approved in 2017. Used 6" recharge rate for expansion area for safe yield calculation. Meets safe yield including or not including expansion area.
 Item 10: $222.6 \text{ AF} / 159 \text{ acres} = 1.4 \text{ AF/A}$
 Proposed battery of 4 wells. All 4 wells are located 300 feet from geo-center.
 Test log indicates thin saturated thickness with only ~16-18 feet of sand. Driller estimated yield of 100 GPM. Proposed battery of 4 wells may not yield sufficient rate for center pivot.
 Recommend Approval. Complies with K.A.R. 5-22-1 through 5-22-17

Equus Beds Groundwater Management District No. 2 Safe Yield Evaluation #49948 - John Blocker NENESE (2442'N & 271'W) 23-25S-04W, Reno County Prepared By: T. Boese Date:4/10/2020



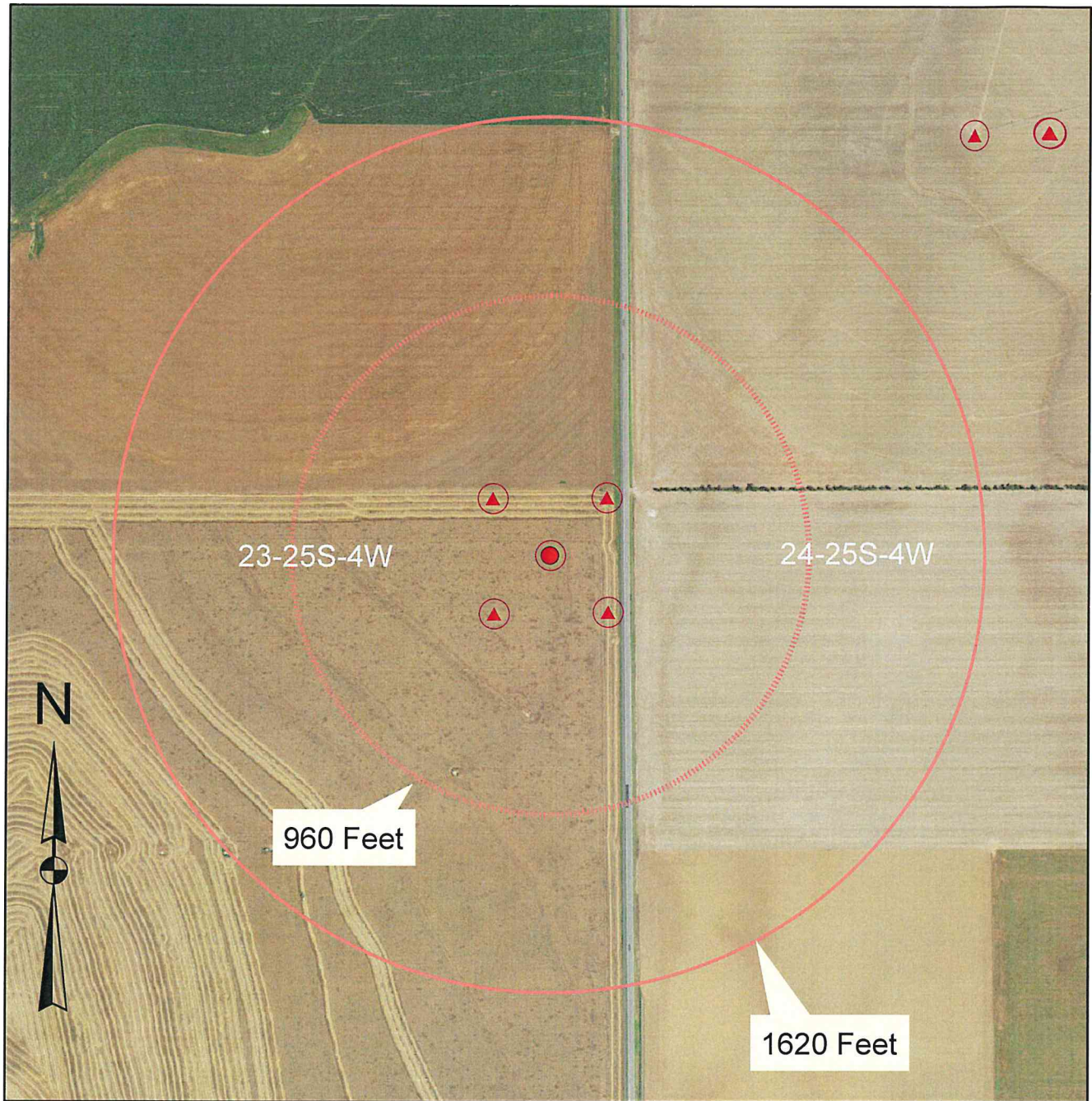
<ul style="list-style-type: none"> ● Proposed Point of Diversion ⤴ Area of Consideration Boundary ● Monitoring Wells ▲ Points of Diversion District Boundary 	<p style="text-align: center;">Map Legend</p> <ul style="list-style-type: none"> Major Highway Other Roadway Major Stream Other Water Feature County Boundary City Boundary
<p>0.45 0.225 0 0.45 Miles</p>	<p>Equus Beds Groundwater Management District No. 2 313 Spruce Street, Halstead, KS 67056 316-835-2224, equusbeds@gmd2.org</p>

SAFEYIELD EVALUATION - NO. 49948 - JOHN BLOCKER
LOCATION: NENESE (2442'N & 271'W) 23-25S-04W, Reno County
SPECIAL USE AREA: None
EVALUATION DATE:- 4/10/2020

Total Areas: 8,042 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 8,042 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A00647100	837	25S	03W	18	CESWSW	IRR	115
A01217200	1655	25S	04W	14	40163365	IRR	120
A01340000	162	25S	03W	18	NCNW	IRR	224
A01414900	844	25S	04W	14	40163365	IRR	60
A02235800	1262	25S	03W	18	5122805	IRR	0
A02650800N	5108	25S	03W	30	42950985	IRR	106
A02772600N	5063	25S	03W	30	41302750	IRR	95
A02772600N	5064	25S	03W	30	27503550	IRR	25
A02772700	1332	25S	04W	14	26271353	IRR	140
A02865200	66	25S	04W	12	13201305	IRR	165
A02989400	1013	25S	04W	13	26640057	IRR	97
A03123300	659	25S	04W	24	40201110	IRR	88
A03123300	4180	25S	04W	24	40201270	IRR	0
A03123300	4181	25S	04W	24	40200950	IRR	0
A03260400N	5116	25S	03W	19	48143961	IRR	130
A03898700N	5115	25S	03W	19	48143961	IRR	94
A03906000	940	25S	04W	24	21301130	IRR	150
A03996800	1474	25S	04W	11	6302600	IRR	141
A04225300	2269	25S	04W	13	26640057	IRR	72
A04227500	2273	25S	03W	18	13951345	REC	43.2
A04745900	4019	25S	04W	15	51220523	IRR	175
A04745900	4020	25S	04W	15	52300810	IRR	0
A04745900	4021	25S	04W	15	52300520	IRR	0
A04745900	4022	25S	04W	15	52300230	IRR	0
A04745900	4023	25S	04W	15	49500520	IRR	0
A04758300	3674	25S	04W	24	40333534	IRR	175
A04758300	3675	25S	04W	24	40323823	IRR	0
A04758300	3676	25S	04W	24	40323240	IRR	0
A04758300	5262	25S	04W	24	40363538	IRR	0
A04765600	3729	25S	04W	14	51000520	IRR	6.02
A04776800	3781	25S	04W	13	46104320	IRR	13.3
A04808800	4005	25S	04W	23	50650225	IRR	204.4
A04808800	4006	25S	04W	23	52400050	IRR	0
A04808800	4007	25S	04W	23	52400400	IRR	0
A04808800	4008	25S	04W	23	48900050	IRR	0
A04808800	4009	25S	04W	23	48900400	IRR	0
A04848700	4099	25S	04W	24	40201110	IRR	73
A04848700	4178	25S	04W	24	40201270	IRR	0
A04848700	4179	25S	04W	24	40200950	IRR	0
A04857900	4113	25S	04W	11	6302600	IRR	41
A04897500	4231	25S	04W	13	31841448	IRR	7
A04994800P	5130	25S	04W	23	24420271	IRR	222.6
A04994800P	5131	25S	04W	23	26540483	IRR	0
A04994800P	5132	25S	04W	23	26540059	IRR	0
A04994800P	5133	25S	04W	23	22300059	IRR	0
A04994800P	5134	25S	04W	23	22300483	IRR	0
MF20177016N	0	25S	03W	19	48143961	IRR	0
MF20177017N	0	25S	03W	19	48143961	IRR	0
Allowable Appropriations	4,021.00				Total Existing Appropriation		2,782.52
Small User Quantity	20.3				Non Consumptive Appropriations		0
Remaining SUQ	24.7				Consumptive Appropriations		2,782.52
Note- Values are in acre-feet					Available Appropriations		1,238.48

Equus Beds Groundwater Management District No. 2
 Spacing Evaluation #49948 - John Blocker
 NENESE (2442'N & 271'W) 23-25S-04W, Reno County
 Prepared By: T. Boese Date:4/10/2020



<ul style="list-style-type: none"> ● Proposed Point of Diversion — Area of Consideration Boundary ● Monitoring Wells ▲ Points of Diversion District Boundary 	<p>Map Legend</p> <ul style="list-style-type: none"> Major Highway Other Roadway Major Stream Other Water Feature County Boundary City Boundary
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0.075 0.0375 0 0.075 Miles

Equus Beds Groundwater Management District No. 2
 313 Spruce Street, Halstead, KS 67056
 316-835-2224, equusbeds@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
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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

April 10, 2020

John M. & Susan K. Blocker
13310 E. Pleasant Valley Road
Haven, KS 67543

Re: Appropriation Application File No. 49948

Dear Mr. & Mrs. Blocker:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that new application No. 49948 be approved. Pursuant to K.A.R. 5-22-4a, the well battery described in the application must be equipped with a District approved water flowmeter. The well battery is located in the Northeast quarter of the Northeast quarter of the Southeast quarter of Section 23, Township 25 South, Range 4 West, Reno County.

The well battery must be properly equipped with an approved meter within 30 days after the approved well is operational and prior to its operation. If more time is needed to install the meter or modify an existing meter installation, you may request an extension of time. The request must be made to the District before the end of the 30-day period.

Enclosed is a Flow Meter Installation form to be completed and returned to this office after completion of the meter installation or modifications. A copy of the Division of Water Resources' meter installation notification form (Notice and Proof of Completion of Works) may be substituted for the District form. Upon receiving the completed form, the District will inspect the installation.

Also enclosed is a copy of water meter and installation specifications. The water meter must meet these specifications and the list of certified water meters provided under K.A.R. 5-1-12, for District approval. The list of certified water meters can be obtained by contacting the District or at the following link: <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you have any questions about the District's metering program or the enclosed material, please contact the District for assistance.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/tb

Enclosures

Pc: Jeff Lanterman, Division of Water Resources, Stafford

From: Lanterman, Jeff [KDA]
Sent: Mon 3/8/2021 10:28 AM
To: Neuhauser, Kris [KDA];Conant, Cameron [KDA];Letourneau, Lane [KDA]
Subject: RE: 49948 Update

Kris;

We went through and looked at this. We don't think he ran the Safe Yield the way they agreed to do it. Which would be to use our lower recharge rate in the portion of the circle that covered the expansion area. He used 6" for the entire circle.

But in looking at this since it would have met SY using his prior method of figuring SY and cutting out the expansion area .

Therefore I think I'm OK moving forward with this one. It's a little yucky with 16' of saturated thickness.

Copied Lane on this one... Think Tim was concerned about saturated thickness. Or practical saturated thickness lol. What a double standard!

Jeff

From: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>
Sent: Monday, March 8, 2021 9:44 AM
To: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>; Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: RE: 49948 Update

Just forwarded an email string on 49830, Jeff mentioned 49948 being similar in his fist email to Tim. Not sure if I know of any other emails I'm included on.

Kris

From: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Sent: Monday, March 8, 2021 9:36 AM
To: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>; Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: RE: 49948 Update

No-I've not spoken with him. Jeff, have you? Look over this string of emails and do a search to see if you have anything else that was sent to Tim about it.

I am not sure where we are at on these by the border SY's in general or specifically this one.

Cameron

From: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>
Sent: Monday, March 8, 2021 9:31 AM
To: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: RE: 49948 Update

Morning Cameron,

John Blocker called in to HQ a bit ago, haven't called him back yet. I had forgot about 49948 until I saw his name, then it all came flooding back! Are you guys still needing to talk to Tim about the safe yield on this one?

I wondered if John has talked to you guys at the FO? I know he's called in to GMD 2 for an update, and maybe HQ once or twice.

Kris

From: Neuhauser, Kris [KDA]
Sent: Monday, November 30, 2020 8:43 AM
To: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>; Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: RE: 49948 Update

I got to thinking and wondered if you meant John Danler! No worries!

But I believe Jeff and Tim had some emails back and forth about the SY, I don't believe we sent a formal letter or anything to Tim though..

Kris

From: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Sent: Monday, November 30, 2020 8:39 AM
To: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>; Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: RE: 49948 Update

I'm sorry!!!! That was John Danler I called a while ago...I never talked to John Blocker about this.

After a quick email review I see this application seems to have a jacked safe-yield by Timothy and doesn't seem to have went anywhere since then. Here was a review on it a long time ago back in April of 2020. Did we get anything done on it or formally sent to Tim about it questioning this full 2 mile SY he seemed to give on an area they recently pulled into the district??

Jeff and Kris, sadly this is not straightforward. I tied Matt in, he will appreciate that. I was wondering why this took so long at GMD2. After some more review, it is on the boundary where they included new area. Tim gave 6" recharge to the area they recently pulled in to the district. This isn't ok. This was in the DUA's and we were allowing a fraction of 6". He allowed a full circle at 6" recharge.

Also, Tim notes that test logs show only 16-18' of sand and the driller only estimated 100gpm per well. He further noted water level in the area is high/stable...I didn't check into this at this time.

I don't know what we want to do here but we need to get on the same page with how we review and recommend on these. Matt is also currently working one similar to this. On that one Tim provided two SY's but on this one I just see the one using 6" through the whole circle...why did he do this one differently than the one Matt had. I attached the SY map, nothing at all in the SW 1/2 of the circle...no way it's ok to allow 6" there.

Jeff, have you sent that email to Tim yet that we worked on last week about using 6" recharge in the new area?

Cameron

Cameron

From: Conant, Cameron [KDA]
Sent: Monday, November 30, 2020 8:32 AM
To: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>; Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: RE: 49948 Update

I called Blocker quite some time ago and left a message for him to call the office to talk about getting wells in addition to his SW permit back when we were emailing about that. He never called back.

Cam

From: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>
Sent: Monday, November 30, 2020 8:29 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: FW: 49948 Update

Looks like John Blocker called GMD 2 as well.

Kris Neuhauser

Environmental Scientist
Water Appropriations Program – Kansas Dept of Agriculture
(785) 564-6643

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Wednesday, November 25, 2020 2:39 PM
To: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>
Subject: 49948 Update

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!

John Blocker called today to check on the status of his new app #49948. It appears that Tim recommended it for approval back in April 2020. Could you please provide an update to me and/or Mr. Blocker? His number is 620-694-7535.

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

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 PERMIT TO PROCEED

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,948** of the applicant

JOHN BLOCKER
13310 E PLEASANT VALLEY RD
HAVEN, KS 67543

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **December 1, 2017**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL
			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	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
23	25S	4W													40	40	40	39	159

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells, with a geographical center located in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE¹/₄ NE¹/₄ SE¹/₄) of Section 23, more particularly described as being near a point 2,442 feet North and 271 feet West of the Southeast corner of said section, in Township 25 South, Range 4 West, Reno County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **222.6 acre feet** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2022** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before December 31, 2026 or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the 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.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That the battery of wells authorized herein shall be located within a three hundred (300) foot radius circle and be in the same local source of supply.

14. That acceptable water flow meters shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. These water flow meters shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

15. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

16. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

17. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

18. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

Ordered this 28 day of March, 2021, in Manhattan, Riley County, Kansas.

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 28 day of March, 2021, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



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

March 24, 2021

JOHN BLOCKER
13310 E PLEASANT VALLEY RD
HAVEN, KS 67543

RE: Appropriation of Water, File No. 49,948

Dear Mr. Blocker:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

KAB: kjn; li
Enclosure(s)

pc: Stafford Field Office
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: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, 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 hearing 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: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, 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

CERTIFICATE OF SERVICE

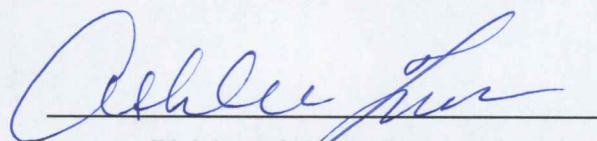
On this 24 day of March, 2021, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,948, dated 22 March 2021, 2021, was mailed postage prepaid, first class, US mail to the following:

JOHN BLOCKER
13310 E PLEASANT VALLEY RD
HAVEN, KS 67543

With photocopies to:

Stafford Field Office

Groundwater Management District No. 2


Division of Water Resources