

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

+ OWNERSHIP CHANGE, WUC CHANGE, SEE DEED IN CHANGE PACKET

1. File Number: 49817	2. Status Change Date: 9/19/22	3. Change Num: 1	4. Field Office: 02	5. GMD: 02	
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 8/22/22	
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID 68126 Add Seq# 1		8d. WUC New to system <input type="checkbox"/>	
KEGB LLC 1651 N 215TH W GODDARD KS 67052		JACOB J & EMILY A MARTIN 5847 N 231ST ST W ANDALE KS 67001-9527			
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/22 <input type="checkbox"/> N & P Date to Comply: _____					
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter					
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____					
10. Use Made of Water From: _____ To: _____					
				Date Prepared: 9/8/22 By: TMA	
				Date Entered: _____ By: _____	

File No. **49817** 11. County: **RN** Basin: **ARKANSAS RIVER** Stream: --- Formation Code: **190** Special Use: ---

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

MOD 86018 NE SW SE 2 25S 4W 4 1237 1367 1000 212.8 1000 212.8 NO

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				
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼								
MOD	68304	2	25S	4W	5																	38	38	40	38	154	8B	Y	NO

Base Acres: **152** Year: **ON PERMIT** Minimum Reasonable Quantity: **1.12**

Comments:

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.

RECEIVED
 3:45pm
 AUG 28 2022

Stafford Field Office
 Division of Water Resources

File No. 49817

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: KEGB, LLC, Attn: Brian E. Eck

1651 N. 215th St. W., Goddard, KS 67052

Phone Number: (316) 641-7041

Email address: brianeck@cemachine.com

Name and address of Water Use Correspondent: Please change to: Jacob J. & Emily A. Martin

5847 N. 231st St. W., Andale, KS 67001

Phone Number: (316) 641-4868

Email address: jakemartin2205@gmail.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: KEGB, LLC

ADDRESS: 1651 N. 215th St. W., Goddard, KS 67052

(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					
2	25S	4W																	38	36	40	38	152

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: KEGB, LLC

ADDRESS: 1651 N. 215th St. W., Goddard, KS 67052

(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					
2	25S	4W																	38	38	40	38	154

For Office Use Only: Code CPU Fee \$ 200⁰⁰ TR # _____ Receipt Date _____ Check # 1072

5. **Presently authorized point of diversion: CURRENTLY AUTHORIZED WELL**

One in the _____ Quarter of the _____ NC Quarter of the _____ SE Quarter of the _____ Quarter of Section _____ 2 _____, Township _____ 25 _____ South, Range _____ 4W _____ (E/W), in Sedwick Reno County, Kansas, _____ 1320 feet North _____ 1320 feet West of Southeast corner of section. Authorized Rate 1000 GPM Authorized Quantity 212.80 AF Depth of well 44 (feet)

(DWR use only: Computer ID No. 4 GPS 1237 feet North 1367 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 NE Quarter of the SW Quarter of the SE Quarter of Section 2, Township 25 South, Range 4W (E/W), in Sedwick Reno County, Kansas, 1237 feet North 1367 feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) no change. This point is: Additional Well Geo Center List other water rights that will use this point None.

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) Changing place of use and adding the center area where a house use to be that has since been removed.

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

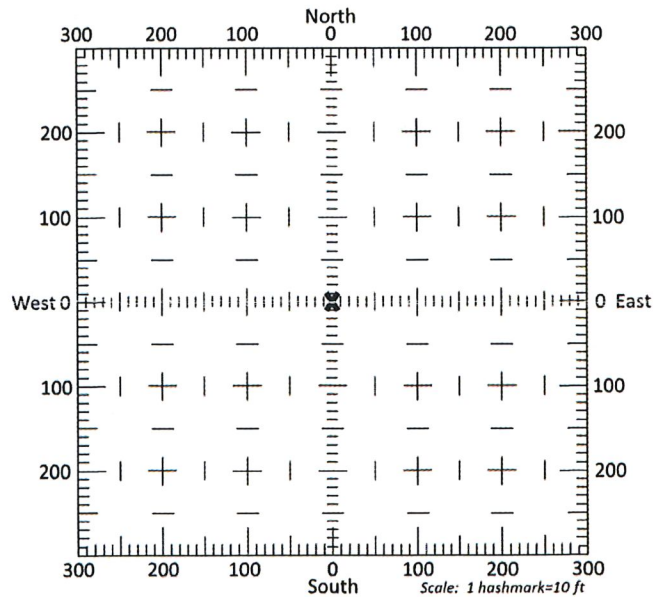
9. The change(s) (was)(will be) completed by?
ASAP

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

11. Groundwater Management District recommendation attached?
 Yes No
CRC 9/19/22

12. Assisted by B. Barton, GMD2

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



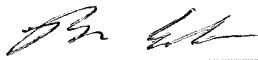
13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of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

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

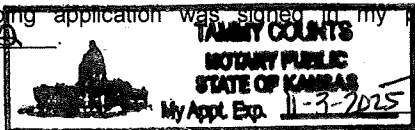
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at 8-17-22, Kansas, this 17 day of August, 2022.

 (Owner)	(Spouse)
Brian E. Eck, KEGB, LLC (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas
 County of Reno } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17th day of August, 2022.



Tammy Counts
 Notary Public

My Commission Expires 11-3-2025

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

FEE SCHEDULE

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

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

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. 49817.

1. A change application was received on August 22, 2022 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, 2022**, 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

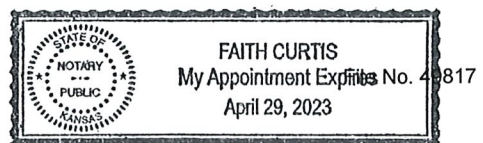
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and 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

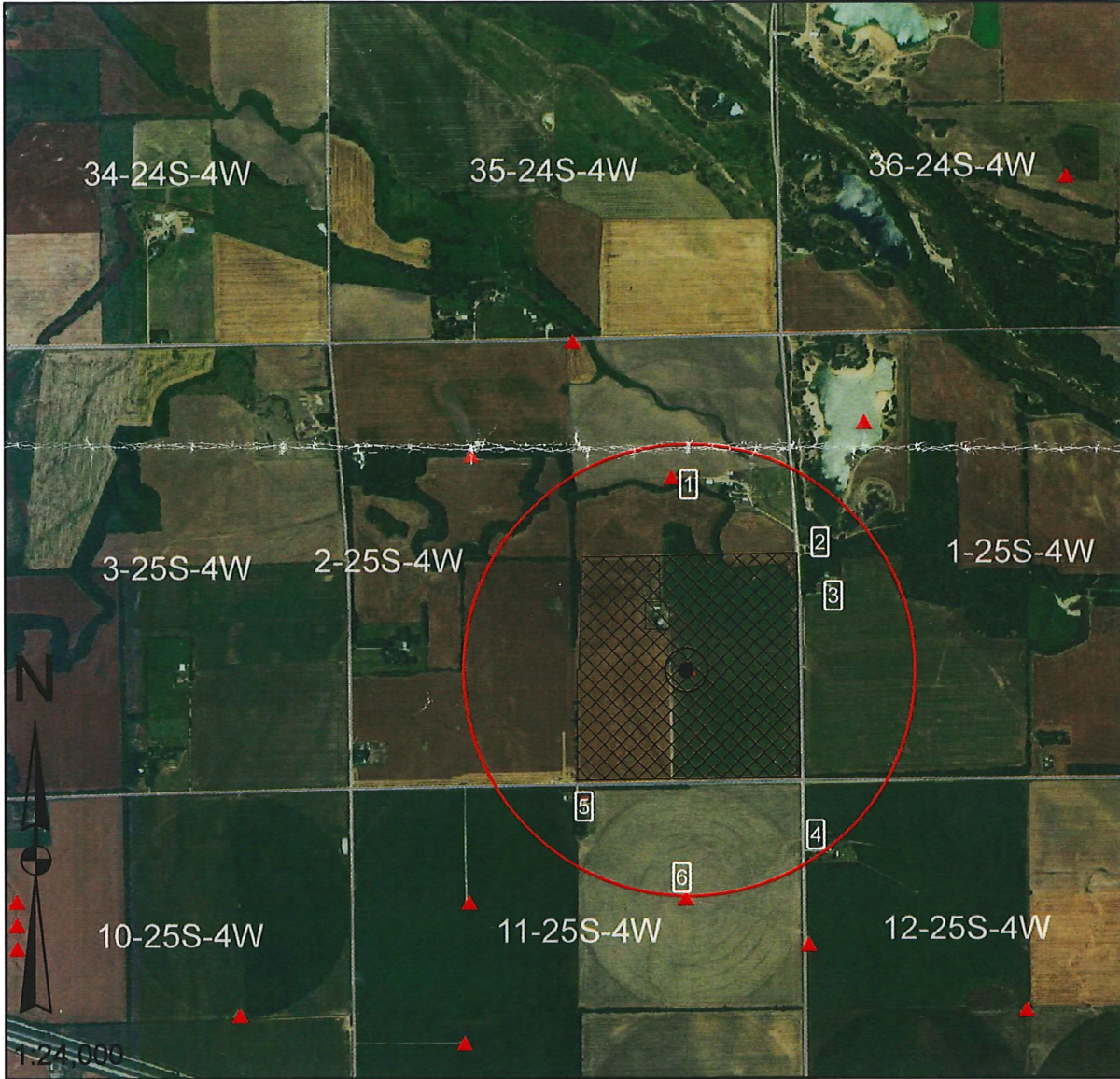
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

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 19, 2022
 State of Kansas)
) SS
 County of Stafford)
 Acknowledged before me on 9-19-2022
 by Faith Curtis
 Signature: Faith Curtis
 Notary Public

My commission expires: _____
 (Notary Seal)



Application Map - File No. 49817



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

[Signature]
Signature

8-17-22
Date

- New Application
- Application No. 49817 To Change:

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

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

- 1) See attached sheet for details
- 2)
- 3)

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



Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

September 19, 2022

KEGB LLC
Attn: Brian Eck
1651 N 215th St
Goddard, KS 67052

Re: Water Right, File No(s). 49817

Dear Water Right Owner:

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

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters can be found at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters. Regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation>. 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 www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/change-applications. 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.

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 **19 September 2022**, I hereby certify that the attached Change in Place of Use, File No. 49817 dated 9/19/2022 was mailed to the following:

KEGB LLC
Attn: Brian Eck
1651 N 215th St
Goddard, KS 67052

pc: Water Rights Section
GMD #2

Faith Curtis

Staff

Well owners within ½ mile

- 1) Irrigation Well – Water Right No. 45784
Applicant and owner: KEGB, LLC. (Attn: Brian E. Eck)
1651 N. 215th St. W.
Goddard, KS 67502

- 2) Domestic Well
Sand Pit, LLC
6 Hampton
Eastborough, KS 67206

- 3) Domestic Well
Daniel Forker
13116 S. Worthington Rd.
Haven, KS 67543-8058

- 4) Domestic Well
Applicant and owner: KEGB, LLC. (Attn: Brian E. Eck)
1651 N. 215th St. W.
Goddard, KS 67502

- 5) Domestic Well
Timmy G. & Jane M. Carmichael
13205 E. Arlington Rd.
Haven, KS 67543-8218

- 6) Irrigation Well – Water Right No. A.) 42568 & B.) 41159
A.) Timmy G. & Jane M. Carmichael B.) Richard M. Orth
13205 E. Arlington Rd. 7151 SE 32nd Rd.
Haven, KS 67543-8218 Saint Joseph, MO 64507-7410

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: September 8, 2022

FROM: Taylor Arrowood

RE: Water Right File No. 49817
Place of Use Change Application

GMD 2 completed application assistance on a Place Of Use change application that proposes to modify the place of use to cover an old farmstead that is no longer present and this would allow the irrigation of the entire circle. The new owner is KEGB LLC.

The referenced files are in compliance with 82a-732. A review of the application finds that it complies with K.A.R. 5-5-1, *Filing an application for change*. The referenced file does not appear abandoned as per K.S.A 82a-718.

This change was desired so that the pivot would now cover the unauthorized acres that were previously an old home/farmstead. This change will be from 152 acres to 154 acres to cover the 2 acres previously unauthorized. This is an allowable change per K.A.R. 5-5-11, as anything up to 162 acres (10-acre increase) is allowed here. This pivot is currently irrigating in the SE ¼ of Section 2, Township 25 South, Range 4 West, in Reno County, Kansas.

These approvals will comply with K.A.R. 5-5-3, *Change in consumptive use*. The acreage will be increasing from 152 to 154 acres, however the quantity is still reasonable after this change. The file will be authorized 212.80 AF on 154 acres (~1.38 AF/acre). This is acceptable since the maximum reasonable quantity for Reno Co. is 1.4 AF/acre for post-1999 irrigation files and the minimum reasonable quantity is 1.12 AF/acre.

This application was received at the Stafford Field Office on August 22, 2022 along with payment and the change application was in proper form.

Because this was a field office place of use change, nearby well owners were not notified. A GMD 2 recommendation request was sent out on August 24, 2022. The GMD 2 recommendation was received at the Stafford Field Office on September 7, 2022 with a recommendation for approval.

A water flow meter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

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 has been recommended that the applications be approved.

Taylor Arrowood
Environmental Scientist - SFFO

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



DIRECTORS:
MICHAEL BAALMANN
JOE BERGKAMP
ALAN BURGHART
RODNEY EGGLESTON
ETHAN REIMER
DALE SCHMIDT
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 6, 2022

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

Re: Place of Use Change Application, File No. 49817 – KEGB, LLC.

Dear Mr. Arrowood:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use application on September 6, 2022, 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 place of use from 152 acres to 154 acres. The proposed place of use results in a water to land ratio of approximately 1.38 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.

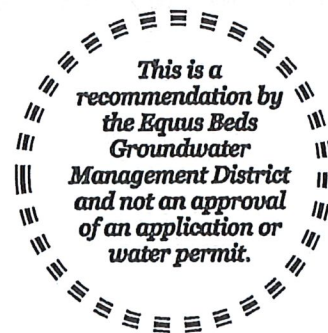
A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12. Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/BLB

Enclosure

pc: KEGB, LLC, Attn: Brian E. Eck, Applicant & Owner
Jake Martin, Tenant



RECEIVED

SEP 07 2022

Stafford Field Office
Division of Water Resources

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

1) Application No. 49817 Date filed: August 22, 2022
 2) Applicant: KEGB, LLC, Attn: Brian E. Eck County: Reno
 3) Proposed maximum quantity: 212.8 acre-feet/year Rate: 1000 GPM
 4) Proposed Use: Irrigation
 5) P/D location: NE SW SE 2-25S-4W Geo Center: North 1237 ft, West 1367 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. None
 10) Overlapping PD File No. None
 11) Authorized Acres 152 Acres
 12) Base Acres 152 Acres
 13) Proposed Acres 154 Acres

14) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 (a) Irrigation max quantity: 1.38 acre-feet / acre
 (b) Stockwater max quantity: _____ GPD _____ unit
 (c) Industry max quantity: _____ Acre _____
 Industry standard: _____
 15) Reasonable rate for intended use? Yes No N/A
 16) Depth to water: 5.67' on 7/14/22 blsat observation well: EB 241AA

17) Date reviewed: 8/30/2022
 18) Reviewed by: B. Barton Title: Hydrogeologist *Reviewed 9-6-22*
 19) District recommendation: Approve Deny Other, see comment *T. B. Barton*

20) Comments and Calculations:

Change in place of use application submitted by KEGB, LLC. to change the place of use from 152 acres to 154 acres in Reno County to modify the PU to fill in an area where a house used to be that was removed. The app. map shows the areas to be added.

Water Permit No. 49817 has not been perfected, base acres are 152 acres and currently authorized acres are 152 acres. Application requests a change in place of use of the currently authorized acres of 152 to 154 acres, an increase of 2 acres, which is 2 acres (1.3%) increase in the base acres of 152 acres (meets the base acres maximum increase of 10% or 10 acres whichever is lower).

Item 14: 212.8 AF / 154 acres = 1.38 AF/A. Max for Reno Co. is 1.4 AF/A

Authorized PD is also being better described by the application based on GPS determined footage measurements as 1237' N & 1367' W.

Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17.

Arrowood, Taylor [KDA]

From: Arrowood, Taylor [KDA]
Sent: Wednesday, August 24, 2022 1:39 PM
To: tboese@GMD2.org
Cc: rwilson@GMD2.org
Subject: Change in Place of Use Application File No. 49817
Attachments: 49817_GMD2CoverLetter.pdf; 49817_PUchange_Application.pdf

Hello Tim,

I have attached a change application for place of use filled out by your office under the referenced file number. The change proposes to increase the place of use by 2 acres to cover a homestead that is no longer present so that 154 acres can be irrigated. Base acres is 152 (acres on the permit) and the change is permissible per K.A.R. 5-5-11. The Place of Use on file is in the SE ¼ of 2-25S-4W in Reno County.

Please provide your recommendation on this change application. Let me know if you need any other information or have any questions regarding this change. **The deadline for the recommendation is September 14, 2022**, but if an extension will be needed just let me know.

Thank you,

Taylor M. Arrowood
Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311
taylor.arrowood@ks.gov

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



Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

August 24, 2022

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

RE: Place of Use Change Application, File No(s). 49817

Dear Mr. Boese,

We are enclosing a copy of the application, as referenced above, for your review and recommendation. At this time the application appears to be in proper form.

This office will delay any further action on this file for a period of 15 business days from the date of this letter to allow you time to submit your recommendation concerning the application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please feel free to contact the office.

Sincerely,

Taylor Arrowood
Environmental Scientist
Stafford Field Office
taylor.arrowood@ks.gov

Enclosure



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File

DATE: 8/24/2022

FROM: Taylor M Arrowood

RE: File No. 49817

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 filed on 8/22/2022 for the above referenced file meets this criteria and surrounding well owners will not be notified.



State of Kansas, Reno County

Michelle Updegrave

Book: 688 Page: 153

Receipt #: 120406

Recording Fee: \$38.00

Pages Recorded: 2

Authorized By: *Michelle Updegrave*

Date Recorded: 2/16/2022 1:27:29 PM

[ELECTRONICALLY FILED]

ENTERED IN TRANSFER RECORD IN MY

OFFICE, COUNTY CLERK

Doma Patton

TRUSTEE'S DEED

RN0000488

The GRANTOR(S), The Cokeley Trust, dated May 13, 2006, and any amendments thereto - an undivided 1/4 interest convey to KEGB, LLC, Grantee.

The Grantor(s), by virtue of the terms and provisions of said trust agreement, in consideration of the sum of one dollar and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, sell, and convey to Grantee, the following described real estate in RENO County, Kansas, to wit:

The Southeast Quarter of Section Two (2), Township Twenty-Five (25) South,
Range Four (4) West of the Sixth Principal Meridian, Reno County, Kansas.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

The Grantor(s) covenant(s) that the aforesaid trust remains in full force and effect and has not been revoked, that the undersigned is/are the trustees of said trust and have full right and authority to convey the above-described real estate and to make, execute and deliver this deed pursuant to the power set forth in the said trust instrument.

RECEIVED

AUG 24 2022

Stafford Field Office
Division of Water Resources

RECEIVED

MAY 13 2022

EQUUS BEDS GMD #2

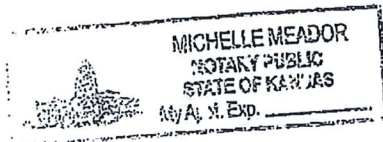
Dated this 11 day of Feb, 2022.
February

The Cokeley Trust, dated May 13, 2006, and any amendments thereto


By: Nancy J. Cokeley, Trustee

State of Kansas, County of RENO §

The foregoing instrument was acknowledged before me this 11 day of February, 2022 by Nancy J. Cokeley, Trustee of The Cokeley Trust, dated May 13, 2006, and any amendments thereto.




Notary Public

My appointment expires: 6-2-2025

RECEIVED

AUG 24 2022

Stafford Field Office
Division of Water Resources

RECEIVED

MAY 13 2022

EQUUS BEDS GMD #2

2



State of Kansas, Reno County
Michelle Updegrave
Book: 688 Page: 154

Receipt #: 120406
Pages Recorded: 2

Recording Fee: \$38.00
Authorized By *Michelle Updegrave*

Date Recorded: 2/16/2022 1:27:35 PM

[ELECTRONICALLY FILED]

ENTERED IN TRANSFER RECORD IN MY
OFFICE, COUNTY CLERK

Doma Patton

RN0000488

Kansas Secured Title, Inc. - Hutchinson

GENERAL WARRANTY DEED
(Statutory)

Norma Jean Hale, A Single Person - an undivided 1/4 interest

convey and warrant to

KEGB, LLC,

all the following REAL ESTATE in the County of RENO, and the State of Kansas, to-wit:

**The Southeast Quarter of Section Two (2), Township Twenty-Five (25) South,
Range Four (4) West of the Sixth Principal Meridian, Reno County, Kansas.**

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

RECEIVED

AUG 24 2022

Stafford Field Office
Division of Water Resources

RECEIVED

MAY 13 2022

EQUUS BEDS GMD #2

Dated this 11 day of ~~12~~ February, 2022.

Norma Jean Hale
Norma Jean Hale

State of Kansas, County of RENO §

The foregoing instrument executed was acknowledged before me this 11 day of February, 2022, by Norma Jean Hale, A Single Person.

Michelle Meador
Notary Public
My appointment expires: 6-3-2025



RECEIVED

AUG 24 2022

Stafford Field Office
Division of Water Resources

RECEIVED

MAY 13 2022

EQUUS BEDS GMD #2



State of Kansas, Reno County
Michelle Updegrave
Book: 688 Page: 155

Receipt #: 120406
Pages Recorded: 2

Recording Fee: \$38.00

Authorized By: *Michelle Updegrave*

Date Recorded: 2/16/2022 1:27:41 PM

[ELECTRONICALLY FILED]

ENTERED IN TRANSFER RECORD IN MY
OFFICE, COUNTY CLERK

Dona Patton

TRUSTEE'S DEED

RN0000488

The GRANTOR(S), Irene G. Gilmore Revocable Trust, dated November 22, 1994, as amended - an undivided 1/2 interest, convey to KEGB, LLC, Grantee.

The Grantor(s), by virtue of the terms and provisions of said trust agreement, in consideration of the sum of one dollar and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, sell, and convey to Grantee, the following described real estate in RENO County, Kansas, to wit:

**The Southeast Quarter of Section Two (2), Township Twenty-Five (25) South,
Range Four (4) West of the Sixth Principal Meridian, Reno County, Kansas.**

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

The Grantor(s) covenant(s) that the aforesaid trust remains in full force and effect and has not been revoked, that the undersigned is/are the trustees of said trust and have full right and authority to convey the above-described real estate and to make, execute and deliver this deed pursuant to the power set forth in the said trust instrument.

RECEIVED

AUG 24 2022

Stafford Field Office
Division of Water Resources

RECEIVED

MAY 13 2022

EQUUS BEDS GMD #2

Dated this 11 day of February, 2022.

Irene G. Gilmore Revocable Trust, dated November 22, 1994, as amended

Nancy J. Cokeley
By: Nancy J. Cokeley, Trustee

State of Kansas, County of RENO §

The foregoing instrument was acknowledged before me this 11 day of February, 2022 by Nancy J. Cokeley, Trustee of the Irene G. Gilmore Revocable Trust, dated November 22, 1994, as amended



Michelle Meador
Notary Public

My appointment expires: 6-23-2025

RECEIVED

AUG 24 2022

Stafford Field Office
Division of Water Resources

RECEIVED

MAY 13 2022

EQUUS BEDS GMD #2