

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

**OWNERSHIP CHANGE – PERSON ID #15189 NO LONGER OWNER**

1. File Number: <b>49048</b>	2. Status Change Date: <b>1/13/23</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>02</b>	5. GMD: <b>02</b>
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: <b>12/12/22</b>
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>
				Person ID <b>15189</b> Add Seq# <b>2</b>
		<b>MARK RUPP</b>		<b>&lt;----REMOVE</b>
		<b>2311 CHEYENNE RD</b>		
		<b>MOUNDRIDGE KS 67107</b>		
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID <b>63728</b> Add Seq# <b>1</b>		8d. WUC New to system <input type="checkbox"/>
<b>NEAL W &amp; CLARE E GALLE REV TRUST</b>		<b>8B</b>		
<b>2259 CHEYENNE RD</b>				
<b>MOUNDRIDGE KS 67107</b>				
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/23</b> <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: <b>1/12/23</b> By: <b>TMA</b>				
Date Entered: <b>1/17/2023</b> By: <b>LMoody</b>				

File No. **49048**      11. County: **MP**      Basin: **LITTLE ARKANSAS RIVER**      Stream: **---**      Formation Code: **190**      Special Use: **---**

12. Points of Diversion											Rate and Quantity					
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD	82978			SE NW NW	12	21S	2W	2	3983	4107	<b>GEO CTR</b>	800	115.7	800	115.7	NO
MOD	83766			SE NW NW	12	21S	2W	3	4159	4039	<b>BATT 1 OF 2</b>	800	115.7	800	115.7	NO
MOD	83767			NE SW NW	12	21S	2W	4	3806	4174	<b>BATT 1 OF 2</b>	800	115.7	800	115.7	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										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	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	NE ¼	NW ¼	SW ¼	SE ¼								
DEL	65856			12 21S 2W				2							9												9	8C	Y	NO			
MOD	65854			12 21S 2W				1							24.5	40											64.5	8B	NO	NO			
MOD	65855			11 21S 2W				1																			33	8B	NO	NO			

Base Acres: **89**    Year: **2014**    Minimum Reasonable Quantity: **1.06**

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.

File No. 49048

RECEIVED  
 9:30am  
 DEC 12 2022

Stafford Field Office  
 Division of Water Resources

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: Neal W. Galle

2259 Cheyenne Rd., Moundridge, KS 67107

Phone Number: (620) 245-4180

Email address: neal.galle@gmail.com

Name and address of Water Use Correspondent: Neal W. & Clare E. Galle Rev. Trust

2259 Cheyenne Rd., Moundridge, KS 67107

Phone Number: (620) 245-4180

Email address: neal.galle@gmail.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: A.) Neal W. & Clare E. Galle Rev. Trust                      B.) Mark E. & Patricia Rupp

ADDRESS: A.) 2259 Cheyenne Rd., Moundridge, KS 67107                      B.) 2311 Cheyenne Rd., Moundridge, KS 67107

(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	
A.) 12	21S	2W						28.3	40									68.3	
A.) 11	21S	2W				20												20	
B.) 12	21S	2W					0.7											0.7	

89

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: Neal W. & Clare E. Galle Rev. Trust

ADDRESS: 2259 Cheyenne Rd., Moundridge, KS 67107

(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	
12	21S	2W						24.5	40									64.5	
11	21S	2W	13			20												33	
																	Total = 97.5		

For Office Use Only: Code CPU Fee \$ 200<sup>00</sup> TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 7556

5. **Presently authorized point of diversion: CURRENTLY AUTHORIZED GEO-CENTER (battery of 2 wells)**

One in the SE Quarter of the NW Quarter of the NW Quarter of Section 12, Township 21 South, Range 2W (E/W), in McPherson County, Kansas, 3972 feet North 4073 feet West of Southeast corner of section. Authorized Rate 800 GPM Authorized Quantity 115.7 AF Depth of well(s) 75 (feet) (DWR use only: Computer ID No. 30282 GPS 3983 feet North 4107 feet West) — TMA 12/13/22

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 \_\_\_\_\_.

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 by adding additional drip irrigation areas and removing some acres. Increasing place of use by 8.5 acres (see map).

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

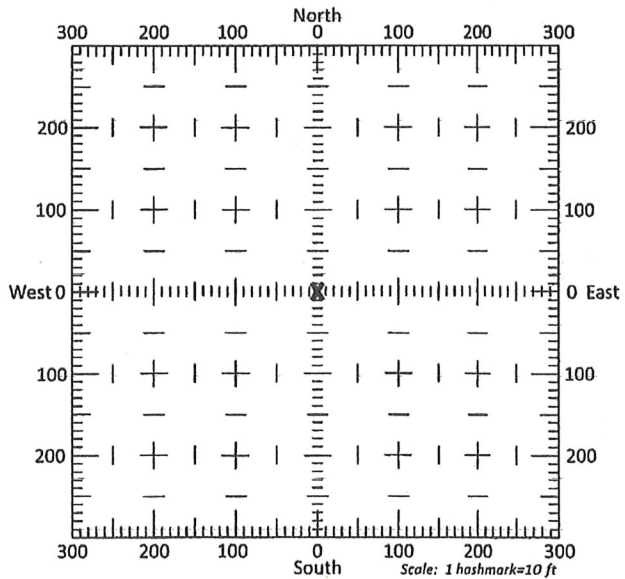
9. The change(s) (was)(will be) completed by? ASAP

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  
1/13/23 GRC

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.)

RECEIVED

DEC 12 2022

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 Goessel, Kansas, this 8<sup>th</sup> day of December, 20 22.

Mark Rupp  
(Owner)

Patricia Rupp  
(Spouse)

Mark E. Rupp  
(Please Print)

Patricia Rupp  
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }  
County of Marion } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8<sup>th</sup> day of December, 20 22.

[Signature]  
Notary Public

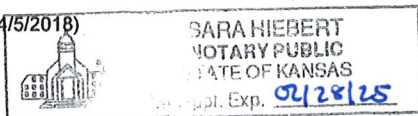
My Commission Expires 04/28/25

**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



RECEIVED

DEC 12 2022

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 12-2-22 McPherson, Kansas, this 2 day of December, 2022.

Neal W. Galle  
 (Owner)  
Neal W. Galle Trustee of Neal W. & Clare E. Galle Rev. Trust  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

State of Kansas }  
 County of McPherson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2<sup>nd</sup> day of December, 2022.

John McComb  
 Notary Public

My Commission Expires 10-30-2024

**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

QUENNTON MCCOMBS  
 NOTARY PUBLIC  
 STATE OF KANSAS  
 My Appt Exp. 10-30-2024

RECEIVED  
 File No. 43048

DEC 12 2022

**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. 49048

1. A change application was received on December 13, 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*

RECEIVED

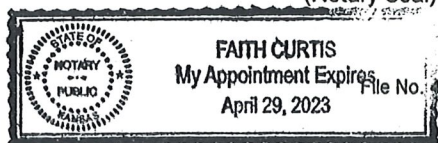
DEC 1 2 2022

Stafford Field Office  
Division of Water Resources

FOR OFFICE USE ONLY

**APPLICATION APPROVED AND SUMMARY ORDER ISSUED**

By: Cameron R. Conant  
Duly Authorized Designee of the Chief Engineer  
(Print Name): Cameron R. Conant  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: January 13<sup>th</sup>, 2023  
State of Kansas )  
County of Stafford ) SS  
Acknowledged before me on 1/13/2023  
by Faith Curtis  
Signature: Faith Curtis  
Notary Public  
My commission expires: \_\_\_\_\_  
(Notary Seal)



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



Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

January 13<sup>th</sup>, 2023

Neal W & Clare E Galle Rev Trust  
2259 Cheyenne Rd  
Moundridge, KS 67107

Re: Water Right, File No(s). 49048

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 as well as the 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/new-applications-and-permits>. 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.

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 **13th** day of **January, 2023**, I hereby certify that the attached DWR Field Office Application for Change in Placec of Use for Water Right, File No. **49048**, dated **January 13th, 2023** was mailed via First Class U.S. mail to the following:

Neal W & Clare E Galle Rev Trust  
2259 Cheyenne Rd  
Moundridge, KS 67107

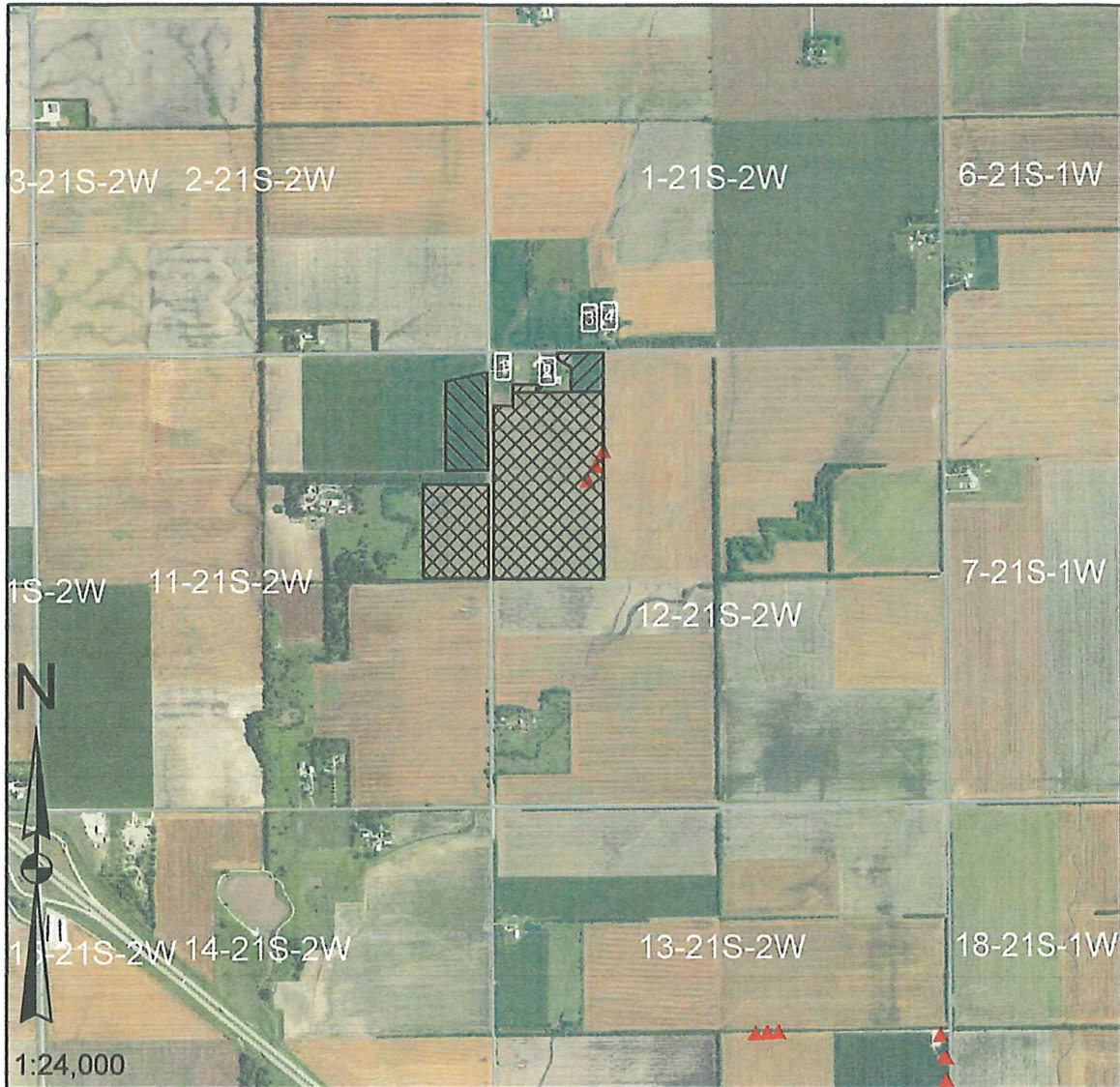
A copy of the letter was sent via First Class U.S. Mail to the following:

PC: Water Rights Section 2

*Faith Curtis*

-----  
Staff

# Application Map - File No. 49048



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.

*David L. Yost*  
Signature

12-3-22  
Date

- New Application
- Application No. 49048 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) Domestic Well  
Mark A. & Kara Classen  
496 23rd Ave.  
Moundridge, KS 67107
- 2) Domestic Well  
Mark E. & Patricia Rupp  
2311 Cheyenne Rd.  
Moundridge, KS 67107
- 3) & 4)  
Domestic Well and Livestock Well  
David L. & Carolyn F. Yost & Wesley J & Abigail L. Johnson  
207 Walnut St.  
Moundridge, KS 67107

RECEIVED

Completed By GMD2 Staff  
B. Barton - 12/1/2022

DEC 12 2022

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** January 11, 2023

**FROM:** Taylor Arrowood

**RE:** Water Right, File No. 49048  
Change in Place of Use

On December 12, 2022, a change application was received that had been assisted by GMD 2 in completing. The applicant on this change is Neal Galle.

The referenced file is 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.

The presently authorized points of diversion and any modifications to the point of diversion are listed below:

A battery of wells with geocenter located at 3,972' N, 4,073' W of the SE corner of 12-21S-2W in McPherson County, authorized 115.7 AF @ 800 GPM on 89 acres in Sections 11 and 12 of the mentioned legal description. We will modify the location of the well using more accurate GPS to the following footages: 3,983' N and 4,107' W of the SE corner of 12-21S-2W.

The place of use will be modified such that the actual irrigated acres changes to 97.5 acres. The change to increase by 8.5 acres is allowable per K.A.R. 5-5-11. The place of use change will accommodate new drip irrigation areas and will remove some of the previous place of use. Additional owners of the previous place of use have signed off on the change to remove their portion of the place of use.

This approval would comply with K.A.R. 5-5-3, *Change in consumptive use*, since there is no proposed change in rate or overall quantity of water. The number of acres being irrigated is changing from 89 to 97.5. The AF/acre will now be 1.19 AF per acre. The minimum reasonable for McPherson County is 1.06 AF/acre. The maximum reasonable at this location is 1.5 AF/acre for pre-1999 irrigation files.

The application was received in the Stafford Field Office on December 12, 2022 with all correct payment and necessary signatures present.

Nearby letters were not sent out on this change because it was a place of use change, as outlined in a previous memo produced during the processing of this change application.

A GMD 2 recommendation request was sent out to Tim Boese on December 20, 2022. The recommendation was received back at the Stafford Field Office on January 10, 2022 with 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 local source of supply will occur, it has been recommended that the application be approved.

Taylor M. Arrowood  
Environmental Scientist  
Stafford Field Office

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

January 10, 2023

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

Re: Place of Use Change Application, File No. 49048 – Neal W. Galle

Dear Mr. Arrowood:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use application on January 10, 2023, 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 89 acres to 97.5 acres. The proposed place of use results in a water to land ratio of approximately 1.19 acre-feet per acre. The change application also removes the approximately 0.7 acre place of use owned by Mark E. & Patricia Rupp.

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

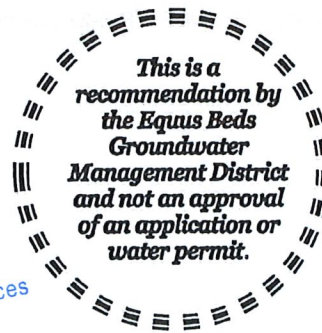
Enclosure

pc: Neal W. & Clare E. Galle Rev. Trust, Applicant & Owner  
Mark E. & Patricia Rupp

RECEIVED

JAN 10 2023

Stafford Field Office  
Division of Water Resources



RECEIVED

JAN 01 2023

Stafford Field Office  
Division of Water Resources

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

1) Application No. 49048 Date filed: December 12, 2022  
 2) Applicant: Neal W. Galle County: McPherson  
 3) Proposed maximum quantity: 115.7 acre-feet/year Rate: 800 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: SE NW NW 12-21S-2W Geo Center: North 3983 ft, West 4107 ft  
 6) Number and type of points of diversion listed on the application Battery of 2 Wells

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 89 Acres  
 12) Base Acres 89 Acres  
 13) Proposed Acres 97.5 Acres

14) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 1.19 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: 14.82 ft on 1/24/2022 bls at observation well: AN 191

17) Date reviewed: 1/10/2023  
 18) Reviewed by: B. Barton Title: Hydrogeologist *Reviewed 1-10-23*  
 19) District recommendation:  Approve  Deny  Other, see comment

### 20) Comments and Calculations:

Change in place of use application submitted by Neal W. Galle to change the place of use from 89 acres to 97.5 acres in McPherson County. PU is proposed to be modified to add drip irrigation in some areas and remove acres in other areas. The app. map shows the areas to be added and removed, including removing PU currently owned by Mark & Patricia Rupp. Water Permit No. 49048 has not been perfected (perfection period expires until 12/31/2025), base acres are 89 acres and currently authorized acres are 89 acres.

Application requests a change in place of use of the currently authorized acres of 89 to 97.5 acres, an increase of 8.5 acres, which is 8.5 acres (9.6%) increase in the base acres of 89 acres (meets the base acres maximum increase of 10% or 10 acres whichever is lower).

Item 14: 115.7 AF / 97.5 acres = 1.19 AF/A. Max for McPherson Co. is 1.3 AF/A

Point of diversion location is also being better described based on GPS.

GMD2 meter inspection on August 4, 2016. Meter and installation was in compliance.

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

## Arrowood, Taylor [KDA]

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**From:** Arrowood, Taylor [KDA]  
**Sent:** Tuesday, December 20, 2022 12:12 PM  
**To:** tboese@GMD2.org  
**Cc:** rwilson@GMD2.org  
**Subject:** Change in Place of Use Application File No. 49048  
**Attachments:** 49048\_PUchange\_Application.pdf; 49048\_GMD2CoverLetter.pdf

Hello Tim,

I have attached an application and cover letter for the referenced file number above for a change application to change the point of diversion. The change proposes to add about 8.5 acres to the presently authorized place of use in Sections 11/12 of Township 21 South, Range 2 West in McPherson County. This is within the allowable limits of K.A.R. 5-5-11 of 10 acres / 10% field office place of use changes. The total acreage will increase from the permit/base acres of 89 by 8.5 acres for total acres of 97.5 acres. The maximum allowable increase in acres is 8.9 acres for this file. See associated change map for exact acreage.

Please provide a recommendation on this change application. Let me know if you have any further questions regarding this change. If you need an extension of the 15 business days, as stated in the cover letter, please let me know. As of now, the deadline for the recommendation will be **January 11, 2023**.

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](mailto: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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

December 20, 2022

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

RE: Place of Use Change Application, File No(s). 49048

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](mailto:taylor.arrowood@ks.gov)

Enclosure





# KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

## MEMORANDUM

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**TO:** File

**DATE:** 12/20/2022

**FROM:** Taylor M. Arrowood

**RE:** File No. 49048

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 12/12/2022 for the above referenced file meets this criteria and surrounding well owners will not be notified.

2  
**EXTENSION REQUEST FOR PERFECTION OF  
APPROPRIATION OF WATER, FILE NO(S). 49048**

**\$100.00 filing fee per File No.  
Make check payable to the Kansas Department of Agriculture.**

**Please see the reverse side for instructions on how to complete this form.**

To: Chief Engineer  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

RECEIVED  
JAN 04 2021  
Stafford Field Office  
Division of Water Resources

WATER RESOURCES  
RECEIVED  
DEC 02 2020  
KS DEPT OF AGRICULTURE

It is requested that the time period allowed for the perfection (development) of Appropriation of Water, **File No(s). 49048** by the actual quantity of water physically and legally diverted and applied for beneficial use of water, be extended to **December 31, 2025**.

1. Describe the progress that has been made to date in perfecting the appropriation.

The authorized well battery and sub-surface drip irrigation system are installed and have been irrigating a portion of the place of use since 2016.

2. Describe the reason(s) why the appropriation has not been perfected.

Due to above average rainfall in some of the years during the perfection period, the water right has not been fully perfected. Additionally, the entire authorized place of use has not been irrigated yet. The place of use may be modified to increase the acres being irrigated and additional sub-surface drip irrigation installed. A change in place of use application will be filed if needed.

3. Specify and justify the requested number of years that will be needed to fully perfect the water

right. Number of Years: 5

Justification:

An additional 5 years is needed to fully perfect the water right by irrigating the entire authorized place of use or modified place of use during normal or below normal rainfall.

4. If for **irrigation use**, indicate the maximum number of acres of land to which water has been applied during any one calendar year of the perfection period: ~79 acres or  N/A

620-245-4180

Phone Number

2259 Cheyenne Road

Address

Moundridge, KS 67107

City

State

Zip

Signature

Date

Neal W. Galle

Print Name

Business Name (if applicable)

For Office Use Only: Code EX2 Fee \$ 100 TR # \_\_\_\_\_ Receipt Date 12-2-2020 Check # 7097

DEC 02 2020

## Explanation and Instructions

- A. Permit Condition No. 6 of the permit identifies the specific period of time the owner has to actually use water in order to develop (perfect) the water right. This period of time is called the "perfection period". The water right which is finally developed will depend on the extent of water use within the "perfection period" in accordance with the terms of the permit.
- B. The extent of the water right will be based on actual use of water during the perfection period. An evaluation will be made to determine the peak year of use reported. If there are good reasons why you think a peak year of use has not occurred, you may ask for additional time in which to develop the water right. K.A.R. 5-3-7 requires that such a request be in writing and received by the Division of Water Resources **before** the time period expires. Please note the following items must be addressed in your request for an extension:
1. The progress that has been made to date in perfecting the appropriation.
  2. The reason why the appropriation has not been perfected.
  3. Specify the number of years that will be needed to fully perfect the water right and explain or justify the number of years requested.
  4. Irrigation Use Only: Provide the maximum number of acres of land to which water has been applied during any one calendar year.

### For non-municipal use:

- More than one year can be requested until a total of 10 years past the year the diversion works were completed.
- After 10 years, if extenuating circumstances exist as described by K.A.R. 5-8-7(b), extensions of time can only be requested in one-year increments.

### For municipal use:

- Can be extended in 5-year increments or less after the original 20-year time period to perfect.
- The total time cannot exceed a total of 40 years past the year the permit was approved.

- C. Evaluate your water use carefully. One of the reasons you may wish to extend the perfection period is that a peak year of use has not yet occurred. If this water right is one of several water rights providing water to a common place of use, the total water provided to the place of use will be limited to the maximum applied by all of the water rights during any one year of the perfection period.
- D. Pursuant to K.S.A. 82a-714(e) you are required to submit **\$100.00 for each file number** for which you request an extension of time to perfect. This filing fee shall be payable to the Kansas Department of Agriculture. To pay via credit card, please call 785-564-6638.
- E. The individual submitting the extension request is not required to be an owner of the water right. If you wish to request more time to perfect your water right(s), you must complete this form and send it, with a \$100.00 filing fee, **before** your perfection period expires, to this address:

Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

**For assistance, please call 785-564-6638 or contact your local field office.**