

JUL 19 2024

11:15

KS Dept. of Agriculture



State of Kansas

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

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

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

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

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

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

File No. 31615

2. Name of applicant: C.G. & Deborah K. McGinn

Address: 6618 S. Ridge Rd.

City, State and Zip: Sedgwick, KS 67135

Phone Number: (316) 772-5437

E-mail address: _____

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

Name of water use correspondent: C.G. & Deborah K. McGinn

Address: 6618 S. Ridge Rd.

City, State and Zip: Sedgwick, KS 67135

Phone Number: (316) 772-5437

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): Converting from two wells to a battery of 4 wells to create identical PD overlap with pending Application No. 50950. Also changing PU to create identical overlap with pending Application Nos. 50950 & 50951.

The change(s) (was) (will be) completed by ASAP and when change application and new applications are approved

8/2/2024
KAnderson

(Date)

For Office Use Only:															
F.O.	<u>2</u>	GMD	<u>2</u>	Meets K.A.R. 5-5-1	(YES / NO)	Use	<u>IRR</u>	Source	<input type="checkbox"/> G / <input checked="" type="checkbox"/> S	County	<u>HV</u>	By	<u>KJN</u>	Date	<u>7/23/24</u>
Code	<u>C-2</u>	Fee \$	<u>400</u>	TR #		Receipt Date	<u>7-19-24</u>	Check #	<u>5228</u>						

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4. The presently authorized place of use is:

Owner of Land — NAME: C.G. & Deborah K. McGinn KS Dept. of Agriculture
ADDRESS: 6618 S. Ridge Rd., Sedgwick, KS 67135

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						
15	24S	1W							35							5								40

List any other water rights that cover this place of use. None

Owner of Land — NAME: _____

ADDRESS: _____

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						

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

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

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

Owner of Land — NAME: C.G. & Deborah K. McGinn
ADDRESS: 6618 S. Ridge Rd., Sedgwick, KS 67135

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						
15	24S	1W						40	40			30	40											150

List any other water rights that cover this place of use. Pending Application Nos. 50950 & 50951

Owner of Land — NAME: _____

ADDRESS: _____

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						

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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6. The presently authorized point(s) of diversion (is) (are) 2 wells KS Dept. of Agriculture
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) A battery of 4 Wells
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NW Quarter of the SW Quarter of the NW Quarter of Section 15, Township 24 South, Range 1W (E/W), in Harvey County, Kansas, 3930 feet North 5160 feet West of Southeast corner of section.
 Authorized Rate 220 GPM Authorized Quantity 31 AF
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: Geo Center
 One in the NW Quarter of the SW Quarter of the NW Quarter of Section 15, Township 24 South, Range 1W (E/W), in Harvey County, Kansas, 3935 feet North 4770 feet West of Southeast corner of section.
 Proposed Rate 220 GPM Proposed Quantity 31 AF
 This point is: Additional Well Geo Center List other water rights that will use this point Application #50950

9. **Presently authorized point of diversion:**
 One in the NW Quarter of the SW Quarter of the NW Quarter of Section 15, Township 24 South, Range 1W (E/W), in Harvey County, Kansas, 3930 feet North 4960 feet West of Southeast corner of section.
 Authorized Rate 210 GPM Authorized Quantity 29 AF
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested) Geo Center
 One in the NW Quarter of the SW Quarter of the NW Quarter of Section 15, Township 24 South, Range 1W (E/W), in Harvey County, Kansas, 3935 feet North 4770 feet West of Southeast corner of section.
 Proposed Rate 210 GPM Proposed Quantity 29 AF
 This point is: Additional Well Geo Center List other water rights that will use this point Application No 50950

10. **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 _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested) WEST WELL
 One in the NW Quarter of the SW Quarter of the NW Quarter of Section 15, Township 24 South, Range 1W (E/W), in Harvey County, Kansas, 3935 feet North 5070 feet West of Southeast corner of section.
 Proposed Rate see Geo Proposed Quantity see Geo
 This point is: Additional Well Geo Center List other water rights that will use this point Application No. 50950

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 31615

KS Dept. of Agriculture

11. **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) Middle West Well
One in the _____ NW Quarter of the _____ SW Quarter of the _____ NW Quarter
of Section _____ 15 _____, Township _____ 24 _____ South, Range _____ 1W _____ (E/W),
in Harvey _____ County, Kansas, _____ 3935 feet North _____ 4870 feet West of Southeast corner of section.
Proposed Rate _____ see Geo _____ Proposed Quantity _____ see Geo _____ Proposed well depth (feet) _____ ~115
This point is: Additional Well Geo Center List other water rights that will use this point **Pending Permit # 50950**
12. **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) Middle East Well
One in the _____ NW Quarter of the _____ SW Quarter of the _____ NW Quarter
of Section _____ 15 _____, Township _____ 24 _____ South, Range _____ 1W _____ (E/W),
in Harvey _____ County, Kansas, _____ 3935 feet North _____ 4670 feet West of Southeast corner of section.
Proposed Rate _____ see Geo _____ Proposed Quantity _____ see Geo _____ Proposed well depth (feet) _____ ~115
This point is: Additional Well Geo Center List other water rights that will use this point **Pending Permit # 50950**
13. **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) East Well
One in the _____ NE Quarter of the _____ SW Quarter of the _____ NW Quarter
of Section _____ 15 _____, Township _____ 24 _____ South, Range _____ 1W _____ (E/W),
in Harvey _____ County, Kansas, _____ 3935 feet North _____ 4470 feet West of Southeast corner of section.
Proposed Rate _____ see Geo _____ Proposed Quantity _____ see Geo _____ Proposed well depth (feet) _____ ~115
This point is: Additional Well Geo Center List other water rights that will use this point **Pending Permit # 50950**

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KS Dept. of Agriculture

File No. 31615

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

Existing wells will be plugged and abandoned upon drilling the new/replacement/additional wells.

12. The presently authorized use of water is for Irrigation _____ purposes.

It is proposed that the use be changed to NO CHANGE _____ purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

Change in place of use is being filed for sole purpose of overlapping the place of use proposed by pending applications

Nos. 50950 & 50951. Therefore, there will not be an increase in consumptive use when combined with the new applications.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NO CHANGE _____ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NO CHANGE _____ gallons per minute (_____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

The change relates to the same local source of supply – Equus Beds Aquifer. The change will not impair existing water rights as minimum well spacing requirements will be met.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

Not Applicable

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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File No. 31615

KS Dept. of Agriculture

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Sedgwick, Kansas, this 28 day of June, 2024.

C.G. McGinn

(Owner)

Deborah K McGinn

(Spouse)

C. G. McGinn
(Please Print)

Deborah McGinn
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

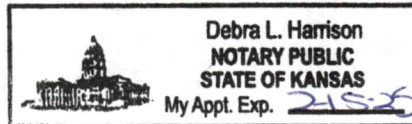
(Spouse)

(Please Print)

(Please Print)

State of Kansas

County of Harvey } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 28th day of June, 2024.

Debra L. Harrison

Notary Public

My Commission Expires 2-15-25

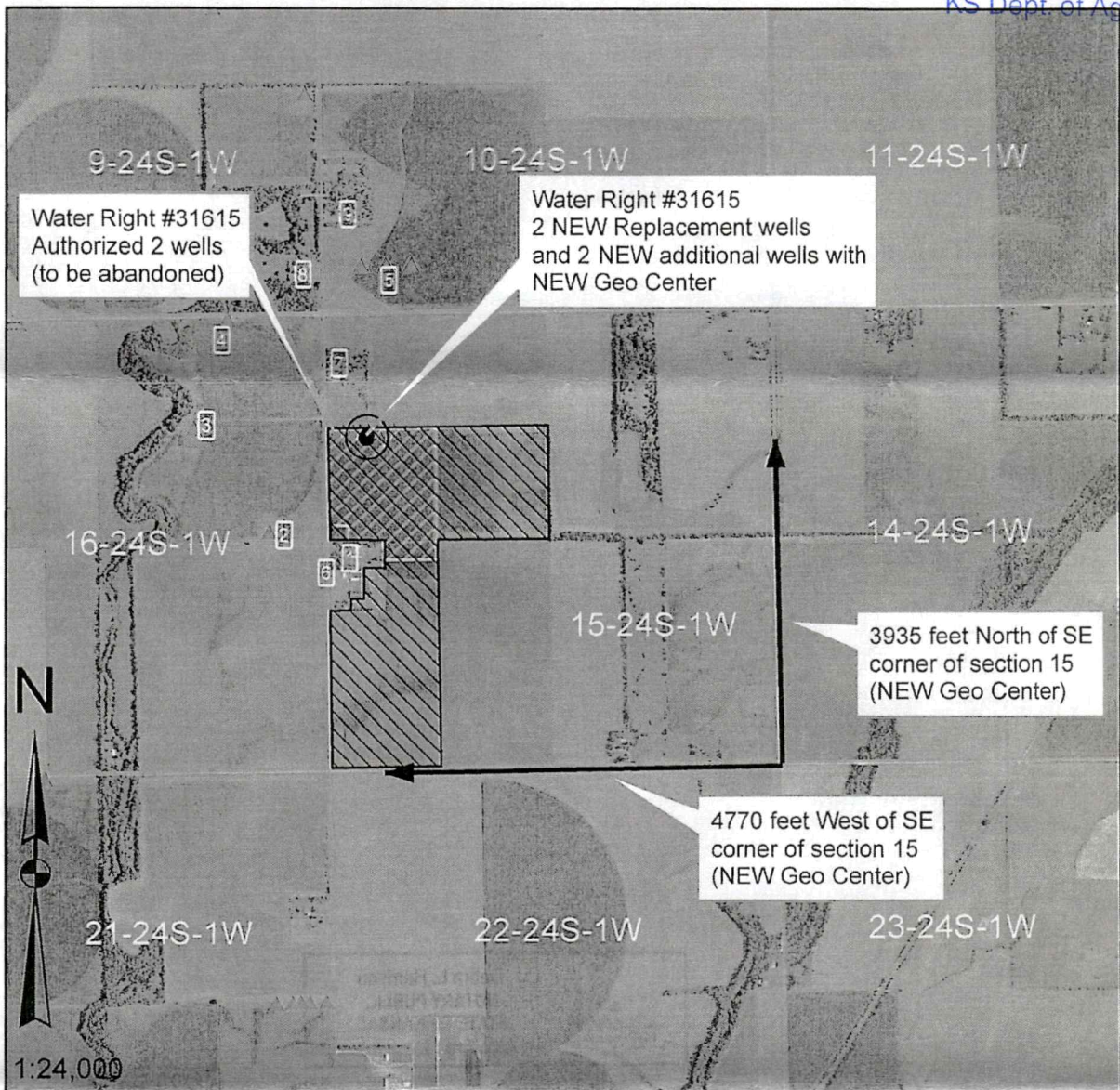
FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

Application Map - File No. 31615



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.

C. J. Medina
Signature

6-28-24
Date

- New Application
- Application No. 31615 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)

JUL 19 2024

KS Dept. of Agriculture

Equus Beds Groundwater Management District No. 2 Abandoned Well Plugging Agreement

I, C.G. McGinn and/or Deborah McGinn, the undersigned and owner of an abandoned water well understand that an abandoned water well is a groundwater contamination threat and a public health and safety hazard.

The abandoned water well is located NW, SW, NW, Section 15, Township 24 South, Range 1W West, Harvey County which is approximately 3930 feet north and 4960 feet west of the apparent Southeast section corner. Total well depth is ~ 105 feet and the diameter of the well is 12 inches. Current depth to static water level in the well is 32 feet below land surface. The well was previously authorized by water permit no. 31615.

I agree to properly plug the abandoned well pursuant to the Equus Beds Groundwater Management District rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207 and the following agreement provisions:

1. Well plugging operations will be supervised by either (a) a water well contractor licensed with the Kansas Department of Health and Environment, (b) a profession engineer or geologist licensed to practice in the State of Kansas, or (c) the abandoned water well owner or land owner of the property on which the water well or borehole is located.
2. The above described well will be plugged: a) by _____, _____, or b) within 30 days after the replacement well, approved by a change in point of diversion, becomes operational.
3. A completed WWC-5P form will be submitted to the Kansas Department of Health and Environment within 30 days after the abandoned well is plugged and a copy of the WWC-5P form will be furnished to the District within the same period of time.
4. The well owner or authorized agent will notify the District 48 hours before plugging operations occur.
5. Failure to comply with the provisions of this agreement shall constitute noncompliance of the groundwater management district rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207.

Dated this 28 day of June, 2024 at Sedgwick

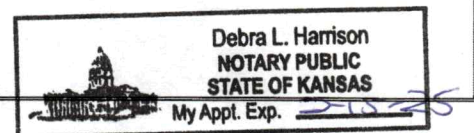
Signature C.G. McGinn

Address 6618 S. Ridge Rd.

City, State, Zip Code Sedgwick, KS 67135-8952

Telephone (316) 772-5437

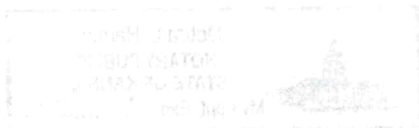
State of Kansas County of Harvey
 Subscribed and affirmed to before me this 28th day of June, 2024
 by Debra L. Harrison
 (Notary Public)
 My Commission Expires 2-15-25



WATER RESOURCES
RECEIVED

JUL 19 2024

KS Dept. of Agriculture



JUL 19 2024

KS Dept. of Agriculture

Equus Beds Groundwater Management District No. 2 Abandoned Well Plugging Agreement

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1. Well plugging operations will be supervised by either (a) a water well contractor licensed with the Kansas Department of Health and Environment, (b) a profession engineer or geologist licensed to practice in the State of Kansas, or (c) the abandoned water well owner or land owner of the property on which the water well or borehole is located.
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3. A completed WWC-5P form will be submitted to the Kansas Department of Health and Environment within 30 days after the abandoned well is plugged and a copy of the WWC-5P form will be furnished to the District within the same period of time.
4. The well owner or authorized agent will notify the District 48 hours before plugging operations occur.
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Dated this 28 day of June, 2024 at Sedgwick

Signature C G McGinn

Address 6618 S. Ridge Rd.

City, State, Zip Code Sedgwick, KS 67135-8952

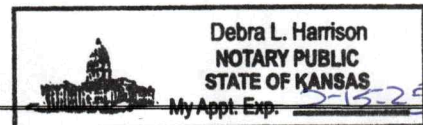
Telephone (316) 772-5437

State of Kansas County of Harvey

Subscribed and affirmed to before me this 28th day of June, 2024,

by Debra L Harrison
(Notary Public)

My Commission Expires 2-15-25



WATER RESOURCES
RECEIVED

JUL 19 2024

KS Dept. of Agriculture

Well owners within ½ mile

- 1) Applicant's Irrigation Pending Water Permit # 50951
C.G. & Deborah K. McGinn - Applicant
6618 S. Ridge Road
Sedgwick, KS 67135-8952
- 2) Municipal Well - Water Permit No. 42128
Public Wholesale Water Supply District No. 17 c/o City of Newton
P.O. Box 426
Newton, KS 67114-0426
- 3) Municipal Well - Water Permit No. 41419
Public Wholesale Water Supply District No. 17 c/o City of Newton
P.O. Box 426
Newton, KS 67114-0426
- 4) Irrigation Water Right No. 49134
McGinn Land Co. LLC
1123 W. 4th St.
Sedgwick, KS 67135-9126
- 5) Irrigation Water Right No. 49875 – Battery of 3 wells
Frank J & Mary M. Harper
8426 S. Ridge Road
Sedgwick, KS 67135
- 6) Applicant's Domestic Well
C.G. & Deborah K. McGinn - Applicant
6618 S. Ridge Road
Sedgwick, KS 67135-8952
- 7) Domestic Well
Randall W. & Cherri L. Engel
6114 S. Ridge Road
Sedgwick, KS 67135-8950
- 8) Domestic Well
Douglas S. & Rhonda K. Little
5827 S. Ridge Road
Sedgwick, KS 67135-8969
- 9) Domestic Well
Dan R. Davis
5634 S. Ridge Road
Sedgwick, KS 67135-8992



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

August 9, 2024

C G & DEBORAH K MCGINN
6618 S RIDGE RD
SEDGWICK KS 67135

RE: File No(s). **31615**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, 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 Baum
New Applications and Changes Supervisor
Water Appropriation Program