

Kansas Department of Agriculture
Division of Water Resources
 APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 13020	2. Status Change Date: 4/1/2025	4. Field Office: 02 - Stafford GMD: 02 - Equus Beds Structures File No.: Filing/Priority Date: 5/24/23 Application Complete Date:
3. Package File No(s):		
5a. <input type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change QUADRANGLE CO LLC ET AL 1437 BRIARWOOD LN MCPHERSON, KS 67460-2101	Person ID: 67252 Add Seq#: 1	5b. <input type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change GREG & TAMMY GOERING 1066 18TH AVE MCPHERSON, KS 67460
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Name Change	Person ID: Add Seq#:	5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change
6. Change No.: C1 <input type="checkbox"/> PD <input checked="" type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: 80 Year: Min Reasonable Q: Previous UMW: MDS Gauge: Active Admin? <input type="checkbox"/> Completion/Start Date: Perfection/Expiration Date:	7. Use of Water: <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: IRR-Irrigation UMW: UMW:	
8. Action Trail:		
9. Special Conditions:		
10. 5YR Allocation: Type: B3 Start Year: 2025 5YR Quantity: 423.529 Base Acres: 80 Comment: GMD 2 MONITORING CONTRACT		
11. Sand & Gravel: Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr		
12. Waiver: Rule ID: <input type="checkbox"/> New Date Requested: Applies: Rule No.: Justification: Rule Type: Rule SubType:		
Comments:	Processed: 3/26/25 ETD	Entered 4/2/2025 KAnderson
	Reviewed: KAK 4/1/2025	

File No. **13020** 13. County: MP Basin: LITTLE ARKANSAS RIVER Stream: **N/A**
 Structures File No: Aquifer Code: **332/533** Special Use Area:

14. Points of Diversion, Rates & Quantities										Qty AF		Rate gpm		Storage Qty		Storage Rate
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps
MOD 9748	SE NE SW	4	20S	1W	1	0	0		121	560	121	560				
	8138															

15. Limitations Type: Quantity: Rate: combined with file no(s):
 Type: Quantity: Rate: combined with file no(s):

16. Metering Metering Required Anti-Reverse Required Seal Required Compliance Date: **12/31/2025**

17. Place of Use																		Total	Owner(s)	Chg?	Overlaps			
PDIV	S	T	R	ID	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄							
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
MOD 9748	4	20S	1W	1									32	27	27	32					118	2A		<input type="checkbox"/>
																								<input type="checkbox"/>
																								<input type="checkbox"/>
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18. Point of Diversion and Place of Use Overlaps

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MEMORANDUM TO FILE

Division of Water Resources, Water Appropriation Program

Date: February 17, 2025

From: Ellie Dulchinos, Environmental Associate

Re: Change Application File No. 13,020 – John Houghton

Summary

An *Application to Change an Existing Water Right* was received in this office on May 24, 2023. John Houghton requested to change the authorized place of use in McPherson County, Kansas.

Currently Authorized Rate, Quantity and Use Made of Water

The currently authorized point of diversion is located in the Southwest Quarter of 4-20S-1W. It authorizes 121 AF at a rate of 560 GPM on 114 acres for irrigation use. This well is sourced in Equus Beds.

Note: There is an incomplete Term Permit: 20209060 that was received on August 17, 2020. A recommendation from GMD2 for this permit was never received. This permit will be approved along with this change as a point of diversion overlap with File No. 13,020

Proposed Changes

There will be a net increase of four (4) acres added to the currently authorized place of use, however it will reallocate the authorized acres to the following:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 20S 1W									32	27	27	32					118

K.A.R 5-5-11(a)(1)

Base acres: 80

- Base acres were determined by Tyler Saryerwinnie of the Stafford Field Office on May 22, 2020

K.A.R 5-5-11 (b)(3)

Since the proposed 118 acres exceeds the allowable increase of 10% of the 80 base acres, a monitoring contract with the Equus Beds Groundwater Management District (GMD2) and limited quantity are required.

- The GMD2 monitoring contract was received to this office on January 2, 2025.
- Per K.A.R 5-5-11(b)(E)(i): The authorized quantity of water under the water right shall be limited to a 5-year fixed allocation with the following formula: (McPherson Co. NIR 50% Rainfall/.85) * base acres * 5
 - McPherson NIR 50% Rainfall = 0.90 feet
 - Base acres = 80
 - $(0.90/0.85) * 80 * 5 = 423.529$ AF total for 5-year allocation (NOTE: this is not a flex allocation)
- Per K.A.R 5-5-11(b)(E)(ii): The approval of the change shall be conditioned so that the use of water in excess of the 5-year allocation shall result in a two-year suspension of all water use under that water right and a subsequent restriction of the authorized place of use to the base acreage at a location specifically set forth in the change approval.
 - Reversion acres are as follows:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 20S 1W									21	19	19	21					80

Nearby Water Rights and Wells

Nearby letters were mailed on September 11, 2024, to Water Right owner Larry Becker of File No. 28,958; and David Skiba and Alex & Melanie Unruh whom of which have domestic wells. No responses were received.

Nearest Active Non-Domestic: File No. 28,958 approximately 1,492 ft from the proposed well.

Nearest Domestic: Alex & Melanie Unruh approximately 1,845 ft from the proposed well.

Recommendations

A letter requesting that GMD2 provide a recommendation as well as a monitoring contract was sent on October 23, 2024. A recommendation to approve the place of use change was received on December 17, 2024, and the GMD2 Monitoring contract was received on January 2, 2025. Per email with Water Commissioner Jeff Lanterman of the Stafford Field Office dated March 25, 2025 there is no objection to the approval of this change application, along with a request to include the expanded meter requirements of “Anti-reverse Gears and sealing to the pipe” conditions on the approval order.

From: "Lanterman, Jeff [KDA]"
Sent: Tue 3/25/2025 9:51 AM
To: "Dulchinos, Ellie [KDA]" <Ellie.Dulchinos@ks.gov>
CC: "Conant, Cameron [KDA]" <Cameron.Conant@ks.gov>
Subject: RE: Request For Recommendation: PU Change File No. 13020

I sorry the one orrin talked to me about is a different one. This is Tim's. Exact same situation though.

Still recommend approval.

From: Lanterman, Jeff [KDA]
Sent: Tuesday, March 25, 2025 9:49 AM
To: Dulchinos, Ellie [KDA] <Ellie.Dulchinos@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: RE: Request For Recommendation: PU Change File No. 13020

Sorry for the delay Ellie.

I am aware of this change. Orrin actually hit me up on it wondering about expanding acres on an already expanded water right. I told him I thought it would be fine as long as the GMD is monitoring them. GMD #5 does a pretty good job of monitoring these 5-5-11 changes.

Anyway I think this can be approved as is. Please include the expanded meter requirements of Anti Reverse Gears and sealing to the pipe conditions on the change approval permit. We add that to all 5-5-11 changes with expanded acres.

I recommend approval.

Thanks
Jeff

From: Dulchinos, Ellie [KDA] <Ellie.Dulchinos@ks.gov>
Sent: Wednesday, February 19, 2025 4:21 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: Request For Recommendation: PU Change File No. 13020

Hi Jeff,

Please see the attached daft memo, GMD monitoring contract and reversion acres for the pending place of use change under File No. 13020.

At your convenience, please provide me with your recommendation or if you require any additional information.

Thank you!

Ellie Dulchinos
Environmental Associate
Kansas Department Of Agriculture
Division Of Water Resources
785.564.6651

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 13,020

After due consideration of the written application from John C. Houghton, and Dennis C. and Betty L. Houghton, on behalf of Quadrangle Company, LLC, received in this office on May 24, 2023, for approval of a change in place of use, under the Certificate of Appropriation for Beneficial Use issued on December 3, 1980, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized place of use shall be:

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 - 20S - 1W									32	27	27	32					118

a total of 118 acres in Section 4, Township 20 South, Range 1 West, McPherson County, Kansas, located substantially as shown on the topographic map accompanying the application to change the authorized place of use.

By this approval, this water right is subject to the following conditions:

1. The quantity of water authorized under Water Right, File No. 13,020 shall not exceed 423.529 acre-feet per five (5) year period; the first period being calendar years 2025 through 2029, ad infinitum.
2. The quantity of water authorized under Water Right, File No. 13,020 shall not exceed 121 acre-feet per calendar year, provided that 423.529 acre-feet per five (5) year period is not exceeded.
3. The use of water in excess of 423.529 acre-feet per five (5) year period shall result in a two (2) year suspension of all water use under this water right, effective the next two (2) calendar years, and a subsequent restriction of the authorized place of use to the following described property:

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 - 20S - 1W									21	19	19	21					80

a total of 80 acres in Section 4, Township 20 South, Range 30 West, McPherson County, Kansas.

- 4. If the Equus Beds Groundwater Management District No. 2 and/or the Division of Water Resources terminate(s) their/its Memorandum of Understanding (MOU) pertaining to K.A.R. 5-5-11(b)(3)(A) by which the District assumes monitoring responsibility, then the place of use authorized by this change approval, which was issued by the Division pursuant to the MOU shall revert to the property described in paragraph No. 2, starting the calendar year following the year of termination.

Prior to the use of water, an acceptable anti-reverse totalizing water flowmeter shall be installed and maintained on the diversion works authorized by this water right in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flowmeter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year). A seal shall be placed on the required water flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the written permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right.

The diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply if any type of chemical or other foreign substance will be injected into the water pumped. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

In all other respects, the Certificate of Appropriation for Beneficial Use issued pursuant to Approval of Application, File No. 13,020, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated December 3, 1980, remains as authorized.

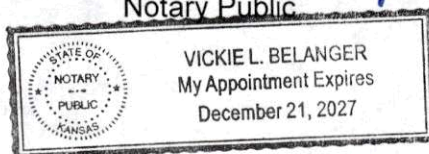
Ordered this 1st day of April, 2025, at Manhattan, Riley County, Kansas.

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

State of Kansas)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 1st day of April, 2025, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Vickie L. Belanger
 Notary Public



1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 4, 2025

JOHN HOUGHTON
QUADRANGLE CO LLC ET AL
1437 BRIARWOOD LN
MCPHERSON, KS 67460-2101

RE: Water Right
File No. 13,020

Dear Water Right Owner,

Enclosed is the order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the referenced application for change. Since the enclosed order modifies the Certificate of Appropriation for the above referenced water right, it should be recorded with the Register of Deeds as other instruments affecting real estate.

Your attention is directed to the terms, conditions, and limitations specified in this approval. A water flowmeter that meets current specifications must be installed on the diversion works. If your meter needs to be repaired or replaced, please complete the form titled *Flowmeter Repair or Replacement Report*, which can be found on our website at agriculture.ks.gov/dwr.

If you have any questions regarding the enclosed document, please contact our office at 785-564-6640. For all other inquiries, including meter questions, please contact your local Stafford Field Office at 620-234-5311.

Sincerely,

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

Kristen A. Baum
New Application and Change Unit Supervisor
Water Appropriation Program

KAB:kak:etd

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX 785-564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

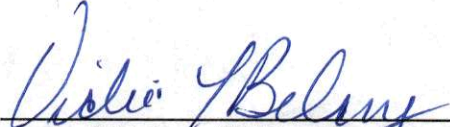
On this 4th day of April, 2025, I hereby certify that the attached Approval of Application for Change in Place of Use, File No. 13,020, dated April 1, 2025, was mailed postage prepaid, first class, US mail to the following:

JOHN HOUGHTON
QUADRANGLE CO LLC ET AL
1437 BRIARWOOD LN
MCPHERSON KS 67460-2101

Photocopy to:

KDA-DWR Stafford Field Office

Groundwater Management District No. 2



Division of Water Resources