

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

1. File No.: <b>41,665</b>	2. Status Change Date: <b>1/24/2025</b>	4. Field Office: <b>02 - Stafford</b> GMD: <b>05 - Big Bend</b> Structures File No.: Filing/Priority Date: <b>4/26/23</b>
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3. Associated File No(s): <b>New 51,027</b>	
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<p>5a. <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change      Person ID <b>40016</b> Add Seq#</p> <p><b>ROBERT O SEIDEL 30370 NE 30TH ST PRATT, KS 67124</b></p>	<p>5b. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change      Person ID Add Seq#</p>
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<p>5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change      Person ID Add Seq#</p>	<p>5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change      Person ID Add Seq#</p>
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<p>6. Change No.: <b>C-1</b>    <input checked="" type="checkbox"/> PD   <input type="checkbox"/> PU   <input type="checkbox"/> UMW Base Acres:          Year:          Min Reasonable Q: Previous UMW: MDS Gauge: <b>SF NINNESCAH R NR MUDROCK KS</b> Active Admin? <input type="checkbox"/> Completion/Start Date: <b>12/31/2026</b> Perfection/Expiration Date:</p>	<p>7. Use of Water <input checked="" type="checkbox"/> Groundwater   <input type="checkbox"/> Surface Water UMW: <b>IRR-Irrigation</b> UMW: UMW:</p>
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8. Action Trail
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9. Special Conditions
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10. 5YR Allocation	Type:	Start Year:	5YR Quantity:	Base Acres:	Comment:
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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
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12. Waiver   Rule ID: <b>139</b> <input type="checkbox"/> New   Date Requested: <del>11/4/2024</del> <b>4/26/2023</b> Applies: <b>GMD 5</b> Rule No.: <b>K.A.R. 5-25-2(a)(2)</b> Rule Type: <b>Well Spacing</b> Rule SubType: <b>Well to domestic well spacing</b>	Justification: <b>Proposed point of diversion fails to meet spacing requirement of 660 feet to one (1) existing domestic well. GMD 5 recommended approval.</b>
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Comments	Processed <b>CLA 11/4/24</b>	Entered <b>1/27/2025</b> <b>KAnderson</b>
	Reviewed <b>KAK</b> <b>1/21/2025</b>	

<b>2/4/2025</b>
<b>LMoody</b>

File No. **41,665** 13. County: **PR-Pratt** Basin: **54 - SF Ninnescah River** Stream:  
 Structures File No: Aquifer Code: **112 Tributary Alluvium** Special Use Area:

14. Points of Diversion, Rates & Quantities										Qty AF		Rate gpm		Storage Qty AF		Storage Rate	
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps	
ENT	<b>91496</b> SW SW SE	18	27S	12W	452	2216	GEO CENTER BATT ID <del>266</del> <b>2430</b>	36	36	500	500						
ENT	<b>91497</b> NW SW SE	18	27S	12W	670	2208	BAT WELL 1 OF 2										
ENT	<b>91498</b> SW SW SE	18	27S	12W	234	2223	BAT WELL 2 OF 2										
DEL	<b>686</b> NW NW SE	18	27S	12W	5	2133	2135										
DEL	<b>35122</b> NW NW SE	18	27S	12W	3	2005	2096										
DEL	<b>49578</b> NW NW SE	18	27S	12W	4	2244	2320										
DEL	<b>53891</b> SE NW SE	18	27S	12W	6	1638	1833										

15. Limitations **NEW** Type: Quantity: **AF** Rate: **gpm** combined with file no(s):  
**NEW** Type: Quantity: **AF** Rate: **gpm** combined with file no(s):

16. Metering  Metering Required  Anti-Reverse Required  Seal Required Compliance Date: **12/31/2026**

17. Place of Use										NE 1/4		NW 1/4		SW 1/4		SE 1/4		Total	Owner(s)	Chg?	Overlaps
PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
																	0.00			<input type="checkbox"/>	
																	0.00			<input type="checkbox"/>	
																	0.00			<input type="checkbox"/>	
																	0.00			<input type="checkbox"/>	
<b>NO CHANGE</b>																			<input type="checkbox"/>		
																			<input type="checkbox"/>		

18. Point of Diversion and Place of Use Overlaps  
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# MEMORANDUM TO FILE

Division of Water Resources, Water Appropriation Program

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Date: November 4, 2024

From: Christa Anhold, Environmental Scientist

Re: New Application File No. 51,027 and Change File No. 41,665 – Robert Seidel

## Summary

Robert Seidel filed the above referenced change application proposing change the point of diversion under WR File No. 41,665 from three (3) groundwater pits to a battery of two (2) wells. Additionally, the applicant filed a new application to permit two (2) of the groundwater pits currently covered under WR File No. 41,665. The new application proposes to appropriate 1.5 AF of groundwater per year to offset natural evaporation from two (2) groundwater pits for recreational use at a golf course in Pratt County. These applications fall under GMD No. 5, which is closed to new water right appropriations, the new application will fall under K.A.R. 5-25-15 which allows for an exemption for the use of 15 AF of groundwater per year. The applicant owns the place of use and points of diversion, there will be no overlapping files for the point of diversion or place of use.

## Change Application

WR File No. 41,665 was certified on November 21, 2003, for three (3) groundwater pits which are authorized to divert 36 AF at 500 GPM to irrigate 29 acres in Pratt County. The change application proposes to change the point of diversion from a battery of three (3) groundwater pits to a battery of two (2) wells, with no change in the place of use or use made of water. The change application, submitted on April 26, 2023, has been signed and notarized by all the landowners.

Specific regulations for changes in the point of diversion per K.A.R. 5-25-2a, have been met.

The applicant provided the names and address of four (4) domestic water users within one half mile around the proposed new point of diversion. Nearby notifications were mailed on August 27, 2024. No responses of any kind have been received to date.

The distance from the proposed geographic center of the battery of wells the nearest nondomestic well (WR File No. 42,709) is 3,418 feet away and to the nearest domestic well is 600 feet away. The proposed battery of wells does not meet well spacing regulations per K.A.R. 5-25-2, which stipulates well spacing for nondomestic to domestic wells must be no less than 660 feet. **The change application will require a waiver of K.A.R 5-25-2(a)(2) for spacing to one domestic well. The owner of the domestic well that doesn't meet well spacing was notified via a nearby notification letter mailed on August 27, 2024. No comments of any kind were received. The applicants well log estimates a rate of 50 GPM, making it unlikely that the battery of wells will support the 500 GPM sustained under WR File No. 41,665.**

## Reasonable Rate and Quantity

The above referenced new applicant requests 1.5 AF of groundwater per year to offset loss from evaporation for two (2) groundwater pits with a combined surface area of 0.6 acres. The requested quantity can be considered reasonable since it is less than the maximum reasonable quantity of evaporation loss from the proposed pits, calculated below:

$$\text{Evaporation: } (0.6 \text{ acres} \times 31 \text{ in/acre}) / (12 \text{ in/ft}) = 1.55 \text{ AF}$$

## Source of Supply and Safe Yield

The two (2) existing groundwater pits proposed in the new application, were originally permitted under WR File No. 41,665 and are supplied by Tributary Alluvium. The new referenced application is exempt from safe yield per K.A.R. 5-25-4(b).

## Nearby Water Rights

The distance between the two (2) proposed groundwater pits geographic center is 214 feet measured. The distance to the proposed battery of wells under WR File No. 41,665 is 1,748 and 1,666 feet from each pit. The applicant provided names and address of four (4) domestic well owners within a one-half mile radius around the proposed points of diversion. Nearby notifications were mailed on August 27, 2024. No responses have been received to date.

## Recommendations

In two (2) letters, both dated September 27, 2024, Big Bend GMD No. 5 Manager, Orrin Feril, recommended approval of both applications. GMD No. 5 waived water flowmeter requirements per K.A.R 5-25-5 for new application File No. 51,027.

The applications were sent for consideration to Jeff Lanterman, Water Commissioner, and Cameron Conant, Assistant Water Commissioner, of the Stafford Field Office on October 16, 2024, and recommended for approval in an email dated November 1, 2024. Approval of the change application is contingent on an approved waiver for domestic well spacing.

The applications comply with all regulations concerning reasonable quantity and safe yield. It does not appear that approval of these applications will impair senior water rights nor prejudicially or unreasonably affect the public interest. Therefore, it is recommended that the referenced applications be approved.



Christa Anhold  
Environmental Scientist  
Water Appropriation Program

**From:** Lanterman, Jeff [KDA]  
**Sent:** Fri 11/1/2024 1:53 PM  
**To:** Conant, Cameron [KDA]; Anhold, Christa [KDA]  
**Subject:** RE: 51027 and 41665 recommendation request

I recommend approval of this package new app/change package.

Thanks!

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**From:** Conant, Cameron [KDA] <Cameron.Conant@ks.gov>  
**Sent:** Friday, November 1, 2024 10:36 AM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>  
**Subject:** FW: 51027 and 41665 recommendation request

Jeff, this is a change and new app package for Seidels golf course. They have been working on this idea for a while it looks like as we filled out similar apps in 2016 that were not filed.

The change app is requesting to convert from a battery of 3 GW pits to a battery of 2 wells. This is a geo-center move from the pits to the wells of about ~1560'. I think they are currently using just one of the GW pits to pump water to the golf course, I'm sure the wells will be far more efficient and easier to upkeep. The pits and wells will be the same source of tributary alluvium and I don't think we are impacting a blue line stream at all.

All three of the existing pits are very small. The three existing pits are all very small, but one of the owners wants to cover two of the old GW pits with a 15 AF exemption. The exemption is for 1.55 AF to cover evaporative losses from the 0.6 acres of exposed GW. The third pit is not being covered and honestly I'm not very concerned about it as I think it is about 0.15 acres in size and if you get right down to it, looks to me like it is within 300' of a home and we can probably consider it domestic and move on with no issues.

We notified all nearby wells with no comments received. The battery does not meet spacing to a domestic well that is about 600' away. The domestic is a family member and provided no comments or concern.

GMD recommended approval with no waiver noted. I think they should have done a waiver per 5-25-2. That said, I think we can recommend approval of this change to a battery of wells with the spacing waiver to nearby domestic and also recommend approval of the new application to cover evaporative losses. Please pass on to Christa if you agree.

*Cameron*

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**From:** Anhold, Christa <Christa.Anhold@ks.gov>  
**Sent:** Wednesday, October 16, 2024 11:29 AM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>  
**Subject:** 51027 and 41665 recommendation request

Good morning,

Attached is a draft memo for 51,027 and change app 41,665 for your review and recommendation. Nearby notifications were mailed on August 27, 2024. No responses have been received to date. Big Bend GMD 5 recommended approval of both applications on September 27, 2024.

Here are the links to hydrographs within a 2-mile radius as well as their distance from the proposed point of diversion.

[https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=3741260984115010.92](https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=3741260984115010.92)

[https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=374223098394401](https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=374223098394401)

0.97

If you need anything else let me know.

Christa Anhold  
Environmental Scientist  
Department of Water Resources  
(785)-564-6644  
[Christa.anhold@ks.gov](mailto:Christa.anhold@ks.gov)

# THE STATE OF KANSAS



**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
Christopher W. Beightel, Acting Chief Engineer

## WAIVER OF REGULATION K.A.R. 5-25-2(a)(2) Well Spacing

Date: January 24, 2025

RE: Change Application, File No. 41,665

1. That K.A.R. 5-25-2(a)(2) requires a minimum well spacing of 660 feet from any proposed appropriated well to all other existing domestic wells.
2. That the geographic center for a battery of two (2) wells under the above-referenced application is located less than the required spacing distance of 660 feet from one (1) domestic well.
3. That the domestic well owner was sent a nearby notification dated August 27, 2024, with no comment received.
4. That the proposed rate (500 g.p.m.) and quantity (36 acre-feet) is currently authorized by existing Water Right, File No. 41,665, and the application is proposing no additional rate or quantity of water.
5. That the rate (500 g.p.m.) and quantity (36 acre-feet) proposed by this application is unlikely to impair any existing wells.
6. That Big Bend Groundwater Management District #5 has recommended approval of the application.
7. That a waiver of K.A.R. 5-25-2(a)(2) will not prejudicially or unreasonably affect public interest and will not impair any existing water rights.

Comments:



  
Earl D. Lewis, Jr., P.E.

Chief Engineer

Division of Water Resources  
Kansas Department of Agriculture

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 POINT OF DIVERSION  
WATER RIGHT, FILE NO. 41,665**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Robert O. Siedel, 30370 Northeast 30th Street, Pratt, Kansas 67124, received in this office on April 26, 2023, for approval of an application to change the location of the point of diversion, authorized under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, finds that the changes are 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 point of diversion shall be:

a battery of two (2) wells with a geographical center located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 18, more particularly described as being near a point 452 feet North and 2,216 feet West of the Southeast corner of said section, in Township 27 South, Range 12 West, Pratt County, Kansas, located substantially as shown on the topographic map accompanying the application to change the place of use.

That this approval is further limited such that the wells which comprise the battery of wells shall be located within a three hundred (300) foot radius circle and in the same local source of supply.

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

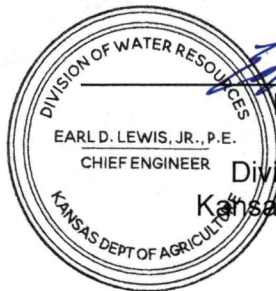
The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.



Installation of the works for diversion of water shall be completed on or before December 31, 2026, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application File No. 41,665 for permit to appropriate for beneficial use, is as stated and set forth in the Certificate of Appropriation dated November 21, 2003.

It is so ordered this 24<sup>th</sup> day of January, 2025, in Manhattan, Riley County, Kansas.



*Earl D. Lewis Jr.*  
\_\_\_\_\_  
Earl D. Lewis Jr., P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of January, 2025, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

*Shawna Novak*  
\_\_\_\_\_  
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

January 28, 2025

ROBERT O SEIDEL  
30370 NE 30TH ST  
PRATT KS 67124

RE: Appropriation of Water  
File No. 51,027

Water Right  
File No. 41,665

Dear Mr. Seidel:

Enclosed is a new permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in the new permit. Also enclosed is an order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change in the point of diversion under the above referenced water right.

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

Since the change 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.

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

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

ROBERT O SEIDEL  
File Nos. 41,665 and 51,027  
Page No. 2 of 2

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

Sincerely,



Kristen A. Baum  
New Applications and Changes Supervisor  
Division of Water Resources

KAB:kak:cla  
Enclosure(s)  
pc: Stafford Field Office  
GMD No. 5

## 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 Division, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review 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 28 day of January, 2025, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 41,665, and the Approval of Application and Permit to Proceed, File No. 51,027, dated January 24, 2025, were mailed postage prepaid, first class, US mail to the following:

Original to:

ROBERT O SEIDEL  
30370 NE 30TH ST  
PRATT KS 67124

With photocopies to:

KDA-DWR Stafford Field Office

Big Bend GMD No. 5



Division of Water Resources