

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

Document Signature LPL

1. File Number: <b>48788</b>	2. Status Change Date: <i>6/14/2017</i>	3. Change Num: <b>C1</b>	4. Field Office: <b>02</b>	5. GMD: <b>02</b>
6. Status: <input 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>9/12/16</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>DONALD L BOGNER TRUST DONALD L BOGNER TRUSTEE 19019 S HAVEN RD HAVEN KS 67543 (NAME CHANGE)</b>		Person ID <b>30939</b> Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>  <b>DAVID J. &amp; MARSHA G. BOGNER 13114 E. PRETTY PRAIRIE ROAD MOUNT HOPE, KS 67108 (NAME CHANGE)</b>	
8b. Landowner(s) New to system <input type="checkbox"/>  <b>DUANE J. BOGNER TRUST DUANE J. BOGNER TRUSTEE, 23401 S WORTHINGTON RD MOUNT HOPE, KS 67108 (NAME CHANGE)</b>		Person ID <b>30941</b> Add Seq# _____	8d. WUC New to system <input type="checkbox"/>  <b>8A</b>	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/18</b> <input type="checkbox"/> N & P Date to Comply: _____				
<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>5/10/17</b> By: <b>LI</b> Date Entered: <i>6/20/2017</i> By: <i>LLM</i>				

File No. **48788**      11. County: **SG**      Basin: **ARKANSAS RIVER**      Stream: **NA**      Formation Code: **190**      Special Use:

12. Points of Diversion  
 T  
 MOD  
 DEL PDIV  
 ENT  
 Qualifier      S      T      R      ID      'N      'W      Comment  
 Rate and Quantity  
 Authorized  
 Additional  
 Rate      Quantity      Rate      Quantity  
 gpm/cfs      af/mgy      gpm/cfs      af/mgy      Overlap PD Files

**NO CHANGE**

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) **NO CHANGE**  
 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 T MOD DEL ENT      PUSE      S      T      R      ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
	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				
<b>MOD 65078</b> <b>29</b> <del><b>28</b></del> <b>3W</b> <b>4</b>									<b>33.0</b>	<b>33.0</b>	<b>33.0</b>	<b>33.0</b>					<b>132</b>	<b>8 a. b. &amp; c.</b>	<b>NO</b>	<b>49703</b>

Comments:

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

**TO:** Files

**DATE:** May 26, 2017

**FROM:** Leslie Ireland

**RE:** Appropriation of Water, File No. 48,788  
Application, File No. 49,703

Donald Bogner along with Duane Bogner both as trustees along with David and Marsha Bogner as owners of the above referenced appropriation have filed an application to change the irrigated place of use and Donald Bogner completed a new application to overlap the existing right. Both applications were received in the office of the Chief Engineer on September 12, 2016. The applicant was assisted by Tim Boese, Equus Beds Groundwater Management District No. 2 .

The referenced appropriation had a Notice of Completion submitted on June 29, 2015, and does not appear to be abandoned as per K.S.A. 82a-718. The application for change complies with K.A.R. 5-3-2ab, *Complete change application*. The Sedgwick County property database indicates Donald, Duane and David Bogner as owners.

The currently authorized place of use under the existing appropriation is 99 acres under a pac-man pivot in the Southwest Quarter of Section 29, in Township 25 South, Range 3 West, Sedgwick County. The currently authorized point of diversion is a battery of two(2) wells located along the Southwest side of the section. It would appear that 99 acres are the "base acres" that have been developed.

The proposed change is to add 33 acres to make a full pivot authorizing a total of 132 acres to be authorized by the referenced files. The reasonable quantity for Sedgwick County as specified by K.A.R. 5-3-24, *Reasonable quantity for irrigation use* is 1.3 acre-feet per acre. The new appropriation, File No. 49,703, is proposed to divert a limited quantity and rate of 171.5 acre-feet at 800 gallons per minute from the existing battery. The quantity will provide an additional 42.9 acre-feet, with zero additional rate, resulting in the quantity and rate limited when combined with File No. 48,788. The Safe Yield determination completed for File No. 48,788 in 2014 indicated 45 acre-feet remaining, further review found no other permits had been issued in the area. It appears there is quantity available for the new permit that will be authorized from the geographic center of the battery of two wells located 550 feet North and 5,230 feet West of the Southeast corner of Section 29, located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 29, Township 25 South, Range 3 West, Sedgwick County. As the new appropriation will be approved it appears the change in place of use meets part No. 6 of the regulation, *No increase in historic net consumptive use* of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*. The additional quantity will assure that the historical consumptive use under File No. 48,788 will not increase and the proposal complies with K.A.R. 5-5-3, *Change in consumptive use*.

A water conservation plan meeting the guidelines of the Kansas Water Office will not be required as there appears to be sufficient quantity authorized for irrigation use.

File Nos. 48,788 & 49,703

The applicant identified two(2) domestic wells within one-half (½) mile of the proposed geographic center of the battery wells. The required notification letters were sent out on March 1, 2017. A phone call was received from domestic well owner Robert Dick who said he was against the approval of the application, but did not submit a written comment. His domestic is located approximately 970 feet to the South. According to the WRIS database, the nearest non-domestic point of diversion under File No. 6,244, is authorized for irrigation use, is approximately 3,103 feet away. The previous review for File No. 48,788, found the proposed point of diversion meets the well to well spacing of 1,620 feet to all other non-domestic wells and 960 feet to domestic wells as specified in Part (b) of K.A.R. 5-22-2, *Well spacing requirements*.

A test hole log was submitted with File No. 48,788, and will not be a condition of the new approval. The source of supply will remain Equus Beds, (Code 190).

Tim Boese, Manager, of Equus Beds Groundwater Management District No. 2 recommendation as detailed in his letter of May 3, 2017 that the District Board of Directors had recommended approval of File No. 49,703 and the change under File No. 48,788. The District further required the application of the Rules and Regulations K.A.R 5-22-1 through 5-22-17, be applicable to the change approval, and informed the application of their review and conditions in a letter dated May 5, 2017.

In an email dated May 25, 2017, Jeff Lanterman, Water Commissioner of the Stafford Field Office recommended approval of the new appropriation and application for change.

If the applicant is proposing to chemigate, an approved check valve will be required on the diversion works. An approved flow meter will be required on the diversion works in accordance K.S.A 82a-706c, and will be required to meet the GMDs meter regulations. Water level measurement tubes and WWC-5s will not be conditions of the change, but a water level measurement tube will be a condition of the permit.

Based on the above discussion, that water is available for the new appropriation, that consumptive use will not substantially increase, impairment to existing water appropriation is unlikely, the applications have been recommended for approval.



Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

June 21, 2017

DONALD L BOGNER  
19019 S. HAVEN ROAD  
HAVEN, KS 67543

**FILE COPY**

RE: Appropriation of Water, File No. 48,788

Dear Mr. Bogner:

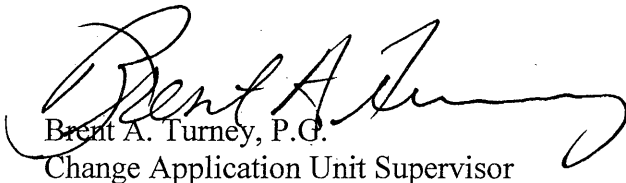
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file. Please return the required and enclosed form, *Notification of Completion of the Diversion Works and Report of Flowmeter Installation* of the required meter as soon as this action is completed.

Reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. Failure to file an accurate water use report is a violation of law which makes you subject to civil penalties.

If you have any questions please contact Leslie Ireland, (785) 564-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A. Turney, P.C.  
Change Application Unit Supervisor

BAT:LI:li

Enclosures

pc: Stafford Field Office  
Groundwater Management District No. 2  
Duane J. Bogner  
David J. & Marsha G. Bogner



**KANSAS DEPARTMENT OF AGRICULTURE**  
Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
FOR  
CHANGE IN PLACE OF USE  
APPROPRIATION OF WATER, FILE NO. 48,788**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of, Donald L. Bogner on behalf of the Donald L. Bogner Trust, 19019 S. Haven Road, Haven, Kansas 67543, and Duane J. Bogner on behalf of the Duane J. Bogner Trust, 23401 S. Worthington Road, Mount Hope, Kansas 67108, along with David J. & Marsha G. Bogner, 13114 E. Pretty Prairie Road, Mount Hope, Kansas 67108, received in this office on September 12, 2016, for approval of a change in the location of the place of use under the Approval of Application, File No. 48,788, for permit to appropriate water for beneficial use, 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 location of the place of use shall be:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
29 25S 3W									33.0	33.0	33.0	33.0					132.0

a total of 132 acres in Section 29, in Township 25 South, Range 3 West, Sedgwick County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

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.

In all other respects, the Approval of Application, File No. 48,788, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated July 17, 2014.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Summary Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Dated at Manhattan, Kansas, this 14<sup>th</sup> day of June, 2017.

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

State of Kansas        )  
                                  )        SS  
County of Riley        )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of June, 2017, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson  
Notary Public

**CERTIFICATE OF SERVICE**

On this 21<sup>st</sup> day of June, 2017, I hereby certify that the attached Approval of Application for Change in Place of Use under the Appropriation of Water, File No. 48,788, dated June 14, 2017 was mailed postage prepaid, first class, US mail to the following:

Donald L. Bogner Trust  
Donald L. Bogner, Trustee  
19019 S. Haven Road  
Haven, KS 67543

With photocopies to:

Duane J. Bogner Trust  
Duane J. Bogner Trustee,  
23401 S Worthington Rd  
Mount Hope, KS 67108

David J. & Marsha G. Bogner  
13114 E. Pretty Prairie Road  
Mount Hope, KS 67108

Stafford Field Office  
Groundwater Management District No. 2

  
\_\_\_\_\_  
Division of Water Resources



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**



State of Kansas

**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.

**WATER RESOURCES  
RECEIVED**

SEP 12 2016

12:32

**KS DEPT OF AGRICULTURE**

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. 48788

2. Name of applicant: Donald L. Bogner

Address: 19019 S. Haven Road

City, State and Zip: Haven, KS 67543

Phone Number: (620) 465-7764 E-mail address: \_\_\_\_\_

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

Name of water use correspondent: Donald L. Bogner

Address: 19019 S. Haven Road

City, State and Zip: Haven, KS 67543

Phone Number: (620) 465-7764 E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): Changing place of use from 99 acres to 132 to

create identical place of use overlap and point of diversion overlap with new application being filed.

The change(s) (was) (will be) completed by 6/1/2017 (Date)

<b>For Office Use Only:</b>	
F.O. <u>2</u> GMD <u>2</u> Meets K.A.R. 5-5-1 (YES/NO) <u>(YES)</u> Use <u>IRR</u> Source <u>G/S</u> County <u>SG</u> By <u>AW</u> Date <u>9/12/16</u>	
Code <u>CPU</u> Fee \$ <u>200</u> TR # _____ Receipt Date <u>9/12/16</u> Check # <u>296</u>	

APPLICATION COMPLETE  
APPROVED FOR COMPLETE  
58 17  
Reviewer LE

Assisted by: T. Boese

SCANNED

9/13/2016 UM

4. The presently authorized place of use is: *Trust Trust MARSHA G.* File No. 48788

Owner of Land — NAME: Donald L. Bogner, Duane J. Bogner, David J. Bogner

ADDRESS: 19019 S. Haven Road, Haven, KS 67543

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		
		<b>29-25S-3W</b>										<b>33</b>		<b>33</b>	<b>33</b>					<b>99</b>

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

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: *Trust Trust MARSHA G.*

Owner of Land — NAME: Donald L. Bogner, Duane J. Bogner, David J. Bogner

ADDRESS: 19019 S. Haven Road, Haven, KS 67543

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		
		<b>29-25S-3W</b>										<b>33</b>	<b>33</b>	<b>33</b>	<b>33</b>					<b>132</b>

List any other water rights that cover this place of use. New application being filed

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**

- 6. The presently authorized point(s) of diversion (is) (are) One battery of 2 wells  
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) NO CHANGE  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:** Geo-Center

One in the SW Quarter of the SW Quarter of the SW Quarter of Section 29, Township 25 South, Range 3W (E/W), in Sedgwick County, Kansas, 550 feet North 5230 feet West of Southeast corner of section. Authorized Rate 800 GPM Authorized Quantity 128.70 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)**

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 \_\_\_\_\_

This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:** South well

One in the SW Quarter of the SW Quarter of the SW Quarter of Section 29, Township 25 South, Range 3W (E/W), in Sedgwick County, Kansas, 260 feet North 5230 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)**

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 \_\_\_\_\_

This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. **Presently authorized point of diversion:** North well

One in the NW Quarter of the SW Quarter of the SW Quarter of Section 29, Township 25 South, Range 3W (E/W), in Sedgwick County, Kansas, 840 feet North 5230 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)**

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 \_\_\_\_\_

This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

SCANNED

SEP 12 2016

KS DEPT OF AGRICULTURE

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.  
Changing place of use from 99 acres to 132 acres. New application also being filed for additional water.  
Therefore, consumptive use of this water permit will not increase as new permit will authorize additional quantity,  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(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](http://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.  
Change will not impair existing rights - changing place of use only.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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.  
NA  
\_\_\_\_\_  
\_\_\_\_\_

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

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 Andale, Kansas, this 8<sup>th</sup> day of September, 20 16.

Donald L Bogner Trustee  
(Owner)

\_\_\_\_\_  
(Spouse)

Donald L. Bogner Trust  
(Please Print)

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

Duane J Bogner Trustee  
(Owner)

\_\_\_\_\_  
(Spouse)

Duane J. Bogner Trust  
(Please Print)

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

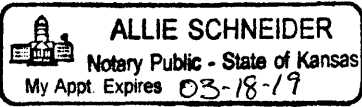
David J Bogner  
(Owner)

Marsha G. Bogner  
(Spouse)

David J. Bogner  
(Please Print)

Marsha G. Bogner  
(Please Print)

State of Kansas }  
County of Sedgwick } 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 September, 20 16.

Allie Schneider  
Notary Public

My Commission Expires 03-18-19

**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.

WATER RESOURCES RECEIVED

SEP 12 2016

SCANNED

KS DEPT OF AGRICULTURE

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



DIRECTORS:  
DAVID BOGNER  
ALAN BURGHART  
JOE PAJOR  
BOB SEILER  
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

May 3, 2017

Chief Engineer, Division of Water Resources  
Attn: Leslie Ireland  
1320 Research Park Dr.  
Manhattan, KS 66502

Re: Water Permit No. 48788 Change in Place of Use Application - Donald L. Bogner

Dear Ms. Ireland:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use application on May 3, 2017, 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 99 acres to 132 acres and forms an identical place of use and point of diversion overlap with pending Appropriation Application No. 49703.

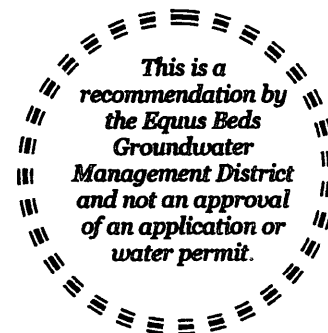
The District's review found that the change application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

Based upon the review, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2, subject to Appropriation Application No. 49703 being approved.

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/db



pc: Donald L. Bogner, Applicant  
Jeff Lanterman, Division of Water Resources, Stafford

WATER RESOURCES  
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MAY 08 2017

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

- 1) Application No. 48788 Date filed: 9/12/16  
 2) Applicant: Donald L. Bogner County: SG  
 3) Proposed maximum quantity: 128.7 acre-feet/year Rate: 800 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: SW SW SW 29-25S-3W Geo Center: North 550 ft, West 5230 ft  
 6) Number and type of points of diversion listed on the application 2 Well Battery

- 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. 49703  
 10) Overlapping PD File No. 49703  
 11) Authorized Acres 99 Acres  
 12) Base Acres 99 Acres

- 13) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 1.3 acre-feet / acre  
 (b) Stockwater max quantity: \_\_\_\_\_ GPD \_\_\_\_\_ unit  
 (c) Industry max quantity: \_\_\_\_\_ Acre \_\_\_\_\_  
 Industry standard: \_\_\_\_\_  
 14) Reasonable rate for intended use?  Yes  No  N/A  
 15) Depth to water: 32 ft bls at observation well: EB 212 C

- 16) Date reviewed: 5/3/2017  
 17) Reviewed by: S Flaherty Title: Hydrogeologist  
 18) District recommendation:  Approve  Deny  Other, see comment

19) Comments and Calculations:

*Revised 5-3-2017*

Review for a new application submitted by Donald L. Bogner for a change in place of use application  
 Applicant proposes to expand acres from 99 acres to 132 acres and is combining with new application #49703 for an identical PD and PU/Use overlap.  
 The acre feet per acre ratio of this application will be 128.7 acre feet / 132 acres = .975 af/ac. After the new application (49703) is approved, the ratio will be 171.6 acre feet / 132 acres = 1.3 af/ac.  
 Proposed place of use is a full circle in the Southwest Quarter of Section 29-25S-3W  
 Recommend Approval, complies with K.A.R. 5-22-1 through 5-22-17 subject to approval of Application no. 49703

## Ireland, Leslie

---

**From:** Lanterman, Jeff  
**Sent:** Thursday, May 25, 2017 2:03 PM  
**To:** Conant, Cameron; Ireland, Leslie  
**Subject:** RE: Recommendation for File No. 49703 and Change, File No. 48788\_Bogner

Leslie. I recommend the change and new app be approved.

Thanks  
Jeff

---

**From:** Conant, Cameron  
**Sent:** Thursday, May 25, 2017 11:53 AM  
**To:** Lanterman, Jeff <Jeff.Lanterman@ks.gov>  
**Subject:** FW: Recommendation for File No. 49703 and Change, File No. 48788\_Bogner

---

**From:** Conant, Cameron  
**Sent:** Tuesday, May 23, 2017 2:42 PM  
**To:** Lanterman, Jeff <Jeff.Lanterman@ks.gov>  
**Subject:** FW: Recommendation for File No. 49703 and Change, File No. 48788\_Bogner

Jeff, this is a change on a newly approved in 2014, senior file to cover additional acres and will be completely overlapped in p/d and p/u with a new app to cover the full pivot and allow additional quantity. The senior file has only been in use for 2 years and authorized this same pivot, but the owners only had access to  $\frac{3}{4}$  of the pivot so that is what the senior file covered. They apparently now own the last quarter of the pivot and have filed for additional water from the existing wells to cover the full pivot.

This went through GMD#2 already, SY and spacing are ok and the junior file allows for the entire quantity, limited to the max reasonable. There was a call from the nearby owner to the south stating he was against the application, but he never provided any written comments. The completed irrigation well logs at a depth of 70' show just over 26' of saturated thickness with shale @ 67' and SWL of about 44'. I have no idea about the 2 nearby domestic well logs, there is nothing in the WWC-5's.

Here are the nearest hydrographs. What I would guess is the most representative of the irrigation wells in the area is #3 and it is fairly steady/rising in recent years and appears to fluctuate a few feet during an irrigation season: (based on this hydrograph, if the domestics are drilled properly, they should be fine even during irrigation season)

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=375031097394902](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375031097394902) (#1 on map, unknown depth)

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=375020097391401](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375020097391401) (#2 on map, 48'-measured since 1938...)

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=375115097403303](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375115097403303) (#3 on map, 55' deep) I think this is the most representative graph as it similar depth as the irrigation wells and shows a similar water level as shown on the completed irrigation logs when they were drilled in 2014. Bear in mind, the lows on this hydrograph are quarterly measurements.

**I think the p/u change on the senior file can be recommended for approval and I think the new application can be recommended for approval, please pass on to Leslie if you agree. That said, these are the two most junior water rights in the entire 2 mile circle. There is really no reason for the junior file at this point, other than 2 years of priority, which in the immediate area is not beneficial. I wonder if they'd be willing to voluntarily dismiss the senior application? A**



voluntary dismissal would tidy up the water rights, and looking to the future they wouldn't be paying double for inspection fees, changes, ect forever. I know we can't require it of them, but in this case and in this area, I don't think it would ever hurt them.

Cameron

---

**From:** Ireland, Leslie  
**Sent:** Tuesday, May 9, 2017 3:27 PM  
**To:** Lanterman, Jeff <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>; Conant, Cameron <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** Recommendation for File No. 49703 and Change, File No. 48788\_Bogner

Jeff & Cameron,

Attached is the summary memo for the proposed new application and change in place of use for the Bogners.

Please let me know if you would recommend the approval of this package of applications.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 4, 2017

GROUNDWATER MANAGEMENT DISTRICT NO 2  
ATTN TIM BOESE MANAGER  
313 SPRUCE  
HALSTEAD KS 67056

Re: Application for Change, Appropriation of Water, File No. 48,788  
New Permit, File No. 49,703

Dear Mr. Boese:

In response to the April 3, 2017, E-mail, of your Administrative Assistant, Rebecca Wilson, the Chief Engineer has extended the time in which to submit a recommendation concerning the September 12, 2016, applications for the files referenced above.

At her request the Chief Engineer has delayed any further action until May 3, 2017.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li

Enclosure

pc: Stafford Field Office  
Donald L. Bogner

**FILE COPY**

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 17, 2017

**FILE COPY**

GROUNDWATER MANAGEMENT DISTRICT NO 2  
ATTN TIM BOESE MANAGER  
313 SPRUCE  
HALSTEAD KS 67056

Re: Application for Change, Appropriation of Water, File No. 48,788  
New Permit, File No. 49,703

Dear Mr. Boese:

We are enclosing a copy of the application for change and new permit referred to above which appear to be in proper form. No comments of any kind were received from the required notice to nearby water right owners.

We will delay and further action on the application for a period of 15 days from the date of this letter to allow you time to submit your recommendation.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li

Enclosure

pc: Stafford Field Office  
Donald L. Bogner

SCANNED

Water Wells Within ½ Mile

1. Domestic Well  
Robert & Kathleen Dick  
29311 W. 85<sup>th</sup> Street North  
Mount Hope, KS 67108
  
2. Domestic Well  
Winterland LLC  
25930 W. 77<sup>th</sup> Street North  
Mount Hope, KS 67108

WATER RESOURCES  
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SEP 12 2016

KS DEPT OF AGRICULTURE

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 48788 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 48788 00 IRR

Water Right and Points of Diversion Within 1.50 miles of point defined as:

550 Feet North and 5230 Feet West of the Southeast Corner of Section 29 T 25S R 3W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 6244	00	IRR	NK	G	3103	--	SW	NW	SE	-----	29	25	3W	1		216.00	216.00	AF
A__ 13319	00	IRR	NK	G	6463	--	NW	NW	SW	2600	4920	33	25	3W	1	58.00	58.00	AF
A__ 19682	00	IRR	NK	G	6689	--	--	NC	SW	1300	3880	28	25	3W	5	114.00	114.00	AF
A__ 26508	00	IRR	NK	G	3939	--	SW	NE	NE	4295	985	30	25	3W	5	106.00	106.00	AF
A__ 27726	00	IRR	NK	G	4610	--	SE	NE	NW	4130	2750	30	25	3W	2	95.00	95.00	AF
Same					4293	--	SW	SE	NW	2750	3550	30	25	3W	3	25.00	25.00	AF
A__ 29037	00	IRR	NK	G	5189	--	--	NC	NE	3960	1320	29	25	3W	2	216.00	216.00	AF
A__ 29662	00	IRR	NK	G	7399	--	--	NC	NW	3960	3970	28	25	3W	3	185.00	185.00	AF
A__ 30638	00	IRR	NK	G	6207	--	--	NC	SW	1320	3980	20	25	3W	4	194.00	194.00	AF
A__ 35377	00	IRR	NK	G	6689	--	--	NC	SW	1300	3880	28	25	3W	5	102.00	102.00	AF
A__ 48788	00	IRR	KE	G*	0	--	SW	SW	SW	550	5230	29	25	3W	3 G 2	128.70	128.70	AF
Same					290	--	SW	SW	SW	260	5230	29	25	3W	4 B 2			
Same					290	--	NW	SW	SW	840	5230	29	25	3W	5 B 2			
A__ 49703	00	IRR	AY	G	0	--	SW	SW	SW	550	5230	29	25	3W	3 G 2	171.60	.00	AF
Same					290	--	SW	SW	SW	260	5230	29	25	3W	4 B 2			
Same					290	--	NW	SW	SW	840	5230	29	25	3W	5 B 2			

*- PU CMB -  
w/ NEW APP*

Total Net Quantities Authorized:	Direct	Storage	- COMPUTED -
Total Requested Amount (AF) =	.00	.00	
Total Permitted Amount (AF) =	128.70	.00	
Total Inspected Amount (AF) =	.00	.00	
Total Pro_Cert Amount (AF) =	.00	.00	
Total Certified Amount (AF) =	1311.00	.00	
Total Vested Amount (AF) =	.00	.00	
TOTAL AMOUNT (AF) =	1439.70	.00	

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.50 miles of point defined as:  
 550 Feet North and 5230 Feet West of the Southeast Corner of Section 29 T 25S R 3W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 6244	00	IRR	NK G
> VERNON BONTRAGER			
>			
> 8705 S SANDCREEK RD			
> HUTCHINSON KS 67501			
-----			
A__ 13319	00	IRR	NK G
> MARK A BAALMANN LIVING TRUST			

ADDRESS LISTING NEARBY NOTIFICATION LETTER DATED MARCH 1, 2017  
Water Right, File No. 48,788  
Permit, File No. 49,703

Domestic well NW Section 32  
ROBERT & KATHLEEN DICK  
29311 W 85TH STREET NORTH  
MOUNT HOPE KS 67108

Domestic well NE SEC 31, TWN 25 RNG 3W WELL LOG APPROX 70 FEET TO SHALE  
SWL IN 1985 WAS AT 55FT

WINTERLAND LLC  
ORAN WINTER  
25930 W 77TH STREET NORTH  
MOUNT HOPE KS 67108

**FILE COPY**

SCANNED



Sedgwick County...  
working for you

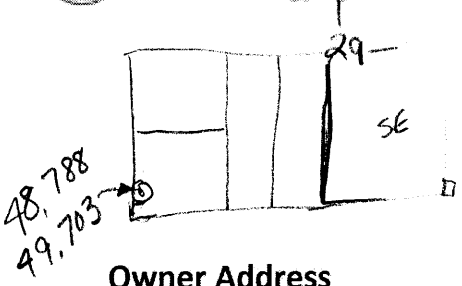
# Property Information Report

**Owner Name:** BOGNER DONALD L REV TR  
**PIN Number:** 00262272  
**AIN:** 087059290330000100  
**Geocode:** GRE 001830001

WATER RESOURCES  
RECEIVED

MAR 01 2017

KS DEPT OF AGRICULTURE



## Owner Address

**Owner Name:** BOGNER DONALD L REV TR  
**Owner Address:** 19019 S HAVEN RD  
**Owner City:** HAVEN  
**Owner State:** KS  
**Owner ZIP:** 67543-8541

## Property Address

**Property Address:** null  
**Property City:** null  
**Property State:** KS  
**Property ZIP:** null

## Appraised Values

**Appraised Land Value:** \$10,080  
**Appraised Improvement Value:** \$0  
**Appraised Total Value:** \$10,080

## Assessed Values

**Assessed Land Value:** \$3,024  
**Assessed Improvement Value:** \$0  
**Assessed Total Value:** \$3,024

## Land Information

**Total Acres:** 38.90579  
**Total Square Feet:** 1,694,736  
**Zoning:** RURAL RESIDENTIAL  
**Sec-Twp-Range:** 29-T25S-R3W  
**Township:** Greeley

**Abbreviated Legal Description:** SW1/4 SW1/4 SEC 29-25-3W

## Improvement Information

**Year Built:** null  
**Year Last Sold:** 2000  
**Style:** null  
**Basement Type:** null  
**Arch Style Desc:** null  
**Neighborhood Code:** 720.1

**Living Unit:** null  
**Bedrooms:** null  
**Bathrooms:** null  
**Half Bath:** null

**Total Sq Ft:** null  
**Ground Floor Sq Ft:** null

## Election Information

**Precinct:** GR  
**Polling Place:** Larsen Community Center  
105 S OHIO ST  
MOUNT HOPE, KS 67108

**County Commissioner:** David Dennis  
**City Council:** null  
**Board of Education:** Kenneth R. Willard  
**State Senate:** Carolyn McGinn  
**State Rep:** Steve Huebert

## Other Information

**Tax Unit:** 09-14



Sedgwick County...  
working for you

# Property Information Report

**Owner Name:** BOGNER DONALD L REV TR  
**PIN Number:** 00262274  
**AIN:** 087059290310000100A  
**Geocode:** GRE 001830003

WATER RESOURCES  
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MAR 01 2017

KS DEPT OF AGRICULTURE

## Owner Address

**Owner Name:** BOGNER DONALD L REV TR  
**Owner Address:** 19019 S HAVEN RD  
**Owner City:** HAVEN  
**Owner State:** KS  
**Owner ZIP:** 67543-8541

## Property Address

**Property Address:** null  
**Property City:** null  
**Property State:** KS  
**Property ZIP:** null

## Appraised Values

**Appraised Land Value:** \$11,340  
**Appraised Improvement Value:** \$0  
**Appraised Total Value:** \$11,340

## Assessed Values

**Assessed Land Value:** \$3,402  
**Assessed Improvement Value:** \$0  
**Assessed Total Value:** \$3,402

## Land Information

**Total Acres:** 40.25006  
**Total Square Feet:** 1,753,293  
**Zoning:** RURAL RESIDENTIAL  
**Sec-Twp-Range:** 29-T25S-R3W  
**Township:** Greeley

**Abbreviated Legal Description:** E1/2 E1/2 SW1/4 SEC 29-25-3W

## Improvement Information

**Year Built:** null  
**Year Last Sold:** 2002  
**Style:** null  
**Basement Type:** null  
**Arch Style Desc:** null  
**Neighborhood Code:** 720.1

**Living Unit:** null  
**Bedrooms:** null  
**Bathrooms:** null  
**Half Bath:** null

**Total Sq Ft:** null  
**Ground Floor Sq Ft:** null

## Election Information

**Precinct:** GR  
**Polling Place:** Larsen Community Center  
105 S OHIO ST  
MOUNT HOPE, KS 67108

**County Commissioner:** David Dennis  
**City Council:** null  
**Board of Education:** Kenneth R. Willard  
**State Senate:** Carolyn McGinn  
**State Rep:** Steve Huebert

## Other Information

**Tax Unit:** 09-14





Sedgwick County...  
working for you

# Property Information Report

**Owner Name:** BOGNER DONALD L REV TR  
**PIN Number:** 00262273  
**AIN:** 087059290310000100B  
**Geocode:** GRE 001830002

WATER RESOURCES  
RECEIVED

**MAR 01 2017**

KS DEPT OF AGRICULTURE

## Owner Address

**Owner Name:** BOGNER DONALD L REV TR  
**Owner Address:** 19019 S HAVEN RD  
**Owner City:** HAVEN  
**Owner State:** KS  
**Owner ZIP:** 67543-8541

## Property Address

**Property Address:** null  
**Property City:** null  
**Property State:** KS  
**Property ZIP:** null

## Appraised Values

**Appraised Land Value:** \$11,590  
**Appraised Improvement Value:** \$0  
**Appraised Total Value:** \$11,590

## Assessed Values

**Assessed Land Value:** \$3,477  
**Assessed Improvement Value:** \$0  
**Assessed Total Value:** \$3,477

## Land Information

**Total Acres:** 40.1588  
**Total Square Feet:** 1,749,317  
**Zoning:** RURAL RESIDENTIAL  
**Sec-Twp-Range:** 29-T25S-R3W  
**Township:** Greeley

**Abbreviated Legal Description:** W1/2 E1/2 SW1/4 SEC 29-25-3W

## Improvement Information

**Year Built:** null  
**Year Last Sold:** 2002  
**Style:** null  
**Basement Type:** null  
**Arch Style Desc:** null  
**Neighborhood Code:** 720.1

**Living Unit:** null  
**Bedrooms:** null  
**Bathrooms:** null  
**Half Bath:** null

**Total Sq Ft:** null  
**Ground Floor Sq Ft:** null

## Election Information

**Precinct:** GR  
**Polling Place:** Larsen Community Center  
 105 S OHIO ST  
 MOUNT HOPE, KS 67108

**County Commissioner:** David Dennis  
**City Council:** null  
**Board of Education:** Kenneth R. Willard  
**State Senate:** Carolyn McGinn  
**State Rep:** Steve Huebert

## Other Information

**Tax Unit:** 09-14



Sedgwick County...  
working for you

# Property Information Report

**Owner Name:** BOGNER DAVID J & MARSHA G  
**PIN Number:** 00262271  
**AIN:** 087059290320000100  
**Geocode:** GRE 00183

WATER RESOURCES  
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MAR 01 2017

KS DEPT OF AGRICULTURE

## Owner Address

**Owner Name:** BOGNER DAVID J & MARSHA G  
**Owner Address:** 19019 S HAVEN RD  
**Owner City:** HAVEN  
**Owner State:** KS  
**Owner ZIP:** 67543-8541

## Property Address

**Property Address:** null  
**Property City:** null  
**Property State:** KS  
**Property ZIP:** null

## Appraised Values

**Appraised Land Value:** \$10,050  
**Appraised Improvement Value:** \$0  
**Appraised Total Value:** \$10,050

## Assessed Values

**Assessed Land Value:** \$3,015  
**Assessed Improvement Value:** \$0  
**Assessed Total Value:** \$3,015

## Land Information

**Total Acres:** 39.47141  
**Total Square Feet:** 1,719,375  
**Zoning:** RURAL RESIDENTIAL  
**Sec-Twp-Range:** 29-T25S-R3W  
**Township:** Greeley

**Abbreviated Legal Description:** NW1/4 SW1/4 SEC 29-25-3W

## Improvement Information

**Year Built:** null  
**Year Last Sold:** 2016  
**Style:** null  
**Basement Type:** null  
**Arch Style Desc:** null  
**Neighborhood Code:** 720.1

**Living Unit:** null  
**Bedrooms:** null  
**Bathrooms:** null  
**Half Bath:** null

**Total Sq Ft:** null  
**Ground Floor Sq Ft:** null

## Election Information

**Precinct:** GR  
**Polling Place:** Larsen Community Center  
 105 S OHIO ST  
 MOUNT HOPE, KS 67108

**County Commissioner:** David Dennis  
**City Council:** null  
**Board of Education:** Kenneth R. Willard  
**State Senate:** Carolyn McGinn  
**State Rep:** Steve Huebert

## Other Information

**Tax Unit:** 09-14

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 1, 2017

ROBERT & KATHLEEN DICK  
29311 W 85TH STREET NORTH  
MOUNT HOPE KS 67108

RE: Water Right, File No. 48,788  
Permit, File No. 49,703

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

The owner of the referenced appropriation of water has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. The application proposes to change the existing place of use from a partial to a full pivot system for the irrigation of 132 acres under File No. 48,788, along with a new appropriation under File No. 49,703. The new application, File No. 49,703, proposes the diversion of a limited 171.6 acre-feet of groundwater per calendar year, with the rate also limited to 800 gallons per minute, of which 128.7 acre-feet at 800 gallons per minute is currently authorized by File No. 48,788. The proposed diversion that will be authorized by the referenced files is described as:

a battery of two (2) wells, with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 29, more particularly described as being near a point 550 feet North and 5,230 feet West of the Southeast corner of said section, in Township 25 South, Range 3 West, Sedgwick County.

Information supplied by the applicant indicates that you as a nearby landowner may have a well or wells in this vicinity, therefore you are being notified. Should you want to comment or provide other information which you desire to submit, please do so within 15 days for the date of this letter.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have a file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office  
Groundwater Management District No. 2

**FILE COPY**

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 1, 2017

WINTERLAND LLC  
ORAN WINTER  
25930 W 77TH STREET NORTH  
MOUNT HOPE KS 67108

RE: Water Right, File No. 48,788  
Permit, File No. 49,703

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Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office  
Groundwater Management District No. 2

**FILE COPY**  
SCANNEL

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 12, 2016

DONALD L BOGNER  
19019 S HAVEN ROAD  
HAVEN, KS 67543

**FILE COPY**

RE: File No. 48788

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use            PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Brent A. Turney".

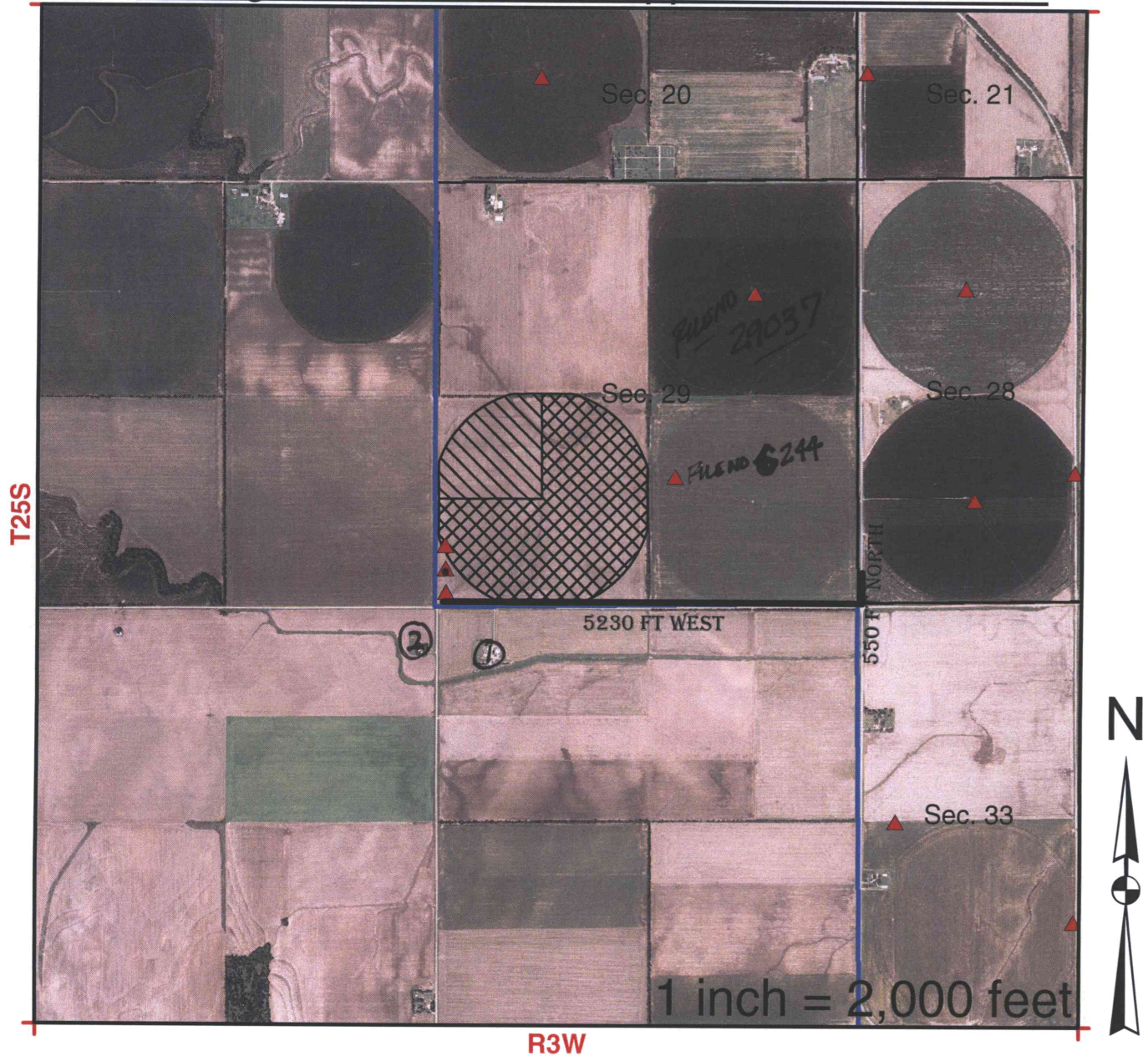
Brent A Turney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office    GMD 2 2

**SCANNED**



# Change in Place of Use Application No. 48788



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.

Donald L. Bogner  
Signature

9-8-16  
Date

New Application

Application No. 48788 To Change:

- Point of Diversion \*
- Place of Use  AUTHORIZED PU
- Use Made of Water  +  PROMISED PU - WATER RESOURCES RECEIVED

- Proposed Point of Diversion
- Existing Points of Diversion  \* GORCONA BATTERY OF TUB WELLS
- Proposed Place of Use -
- Authorized Place of Use -

SEP 12 2016

\* L. DEANNO

See attached list for surrounding well owners

KS DEPT OF AGRICULTURE

SCANNED