

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

**COPY**

August 18, 2018  
20

BIG BEND GROUNDWATER  
MANAGEMENT DISTRICT NO 5  
ATTN ORRIN FERIL  
125 S MAIN ST  
STAFFORD KS 67578-0007

Re: GMD5 recommendation  
concerning Hays/Russell  
R9 Ranch change applications

Dear Mr. Feril:

In a letter dated August 3, 2018, I submitted a request for recommendation on the Hays/Russell R9 Ranch change applications. On August 20, 2018, David Traster on behalf of the Cities, submitted additional information to the Chief Engineer to better define the locations of the proposed points of diversion. We are forwarding you a copy of this information so that you may have the most accurate data available for your review and recommendation.

As previously indicated, we are delaying any further action regarding the change applications and the draft proposed master order until August 31, 2018, to allow GMD5 time to submit, pursuant to K.A.R. 5-25-20, its findings and recommendations concerning this matter. As you know, this matter is unique in that DWR has worked with the Cities to be more efficient in the long-run and come up with a potential final product, i.e., the draft proposed master order. Accordingly, the Chief Engineer wishes to know GMD5's findings and recommendations regarding that proposed document. GMD5 may assume that before any such order is issued by the Chief Engineer, the Cities will be required to amend their change applications to fully conform to such order.

Please submit GMD5's findings and recommendations within the allotted time. We will promptly forward to you any additional public comments that we may receive in the interim. If you have any questions, please contact me at (785) 564-6645.

Sincerely,

Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT  
Enclosures

pc: David Barfield, P.E., Chief Engineer  
Jeff Lanterman, Water Commissioner, Stafford Field Office

SCANNED

# FOULSTON SIEFKIN LLP

ATTORNEYS AT LAW

1551 N. Waterfront Parkway, Suite 100  
Wichita, Kansas 67206-4466  
316.267.6371  
www.foulston.com

32 Corporate Woods, Suite 600  
9225 Indian Creek Parkway  
Overland Park, Kansas 66210-2000  
913.498.2100  
Fax 913.498.2101



Topeka Tower, Suite 1400  
534 South Kansas Ave.  
Topeka, Kansas 66603-3436  
785.233.3600  
Fax 785.233.1610

Member  
**LexMundi**  
Worldwide

David M. Traster  
316.291.9725  
866.347.3138 Fax  
dtraster@foulston.com

August 20, 2018

Sent Via Email: [David.Barfield@ks.gov](mailto:David.Barfield@ks.gov)

David Barfield, PE  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502-5000

Re: Hays/Russell/R9 Ranch Proposed Municipal Well Locations

Dear David,

This letter describes minor corrections to the distances North and West of the Southeast corners of the Sections on the R9 Ranch that are needed for each of the 14 municipal wells proposed by the Change Applications filed by Hays and Russell. The corrections are to the descriptions of the well locations; the well locations themselves do not change.

As we have discussed, the Transfer Application filed in January of 2016 needs to be amended to conform to the terms of the final Master Order and to address a few additional issues. In addition, some or all of the Change Applications will need to be amended. While we cannot amend the Change Applications or the Transfer Application until the terms of the Master Order are finalized, we have been working on a draft of the Amended Transfer Application.

The following table shows the proposed locations of the 14 municipal wells as set out in the Change Applications and the Change Approvals.

Table 3	
A	A well in the SE/4 of the NE/4 of the NE/4 of the SW/4 of Section 29 T25S-19W, 2,259 Feet North and 2,705 Feet West of the SE Corner of the Section.
B	A well in the SW/4 of the SE/4 of the SW/4 of the NE/4 of Section 32 T25S-19W, 2,724 Feet North and 1,916 Feet West of the SE Corner of the Section.
C	A well in the SE/4 of the NE/4 of the SE/4 of the SW/4 of Section 33 T25S-19W, 824 Feet North and 3,036 Feet West of the SE Corner of the Section.
D	A well in the NW/4 of the NE/4 of the SE/4 of the NW/4 of Section 5 T26S-19W, 4,867 Feet North and 3,107 Feet West of the SE Corner of the Section.
E	A well in the NE/4 of the NW/4 of the SE/4 of the SE/4 of Section 5 T26S-19W, 1,577 Feet North and 901 Feet West of the SE Corner of the Section.
F	A well in the SW/4 of the NW/4 of the SE/4 of the NE/4 of Section 4 T26S-19W, 4,545 Feet North and 1,311 Feet West of the SE Corner of the Section.
G	A well in the SW/4 of the NW/4 of the NE/4 of the SW/4 of Section 30 T25S-19W, 2,282 Feet North and 3,870 Feet West of the SE Corner of the Section.
H	A well in the NE/4 of the SW/4 of the SW/4 of the NE/4 of Section 31 T25S-19W, 3,142 Feet North and 2,099 Feet West of the SE Corner of the Section.
I	A well in the SE/4 of the SE/4 of the NE/4 of the NW/4 of Section 1 T26S-20W, 5,034 Feet North and 2,790 Feet West of the SE Corner of the Section.
J	A well in the NE/4 of the NE/4 of the SW/4 of the SW/4 of Section 1 T26S-20W, 1,341 Feet North and 4,056 Feet West of the SE Corner of the Section.
K	A well in the SE/4 of the NW/4 of the SW/4 of the NE/4 of Section 11 T26S-20W, 3,646 Feet North and 2,143 Feet West of the SE Corner of the Section.
L	A well in the NE/4 of the SW/4 of the NE/4 of the SE/4 of Section 10 T26S-20W, 1,863 Feet North and 883 Feet West of the SE Corner of the Section.

M	A well in the NW/4 of the SW/4 of the NE/4 of the NE/4 of Section 15 T26S-20W, 4,367 Feet North and 1,228 Feet West of the SE Corner of the Section.
N	A well in the NW/4 of the SW/4 of the NW/4 of the SE/4 of Section 15 T26S-20W, 1,714 Feet North and 2,450 Feet West of the SE Corner of the Section.

Because some of the well locations may have been adjusted during the process, we asked Burns and McDonnell to confirm the accuracy of the well locations in the table. Daniel Clement compared these locations with the KGS PLSS Sections layer and confirmed that the quarter calls are accurate.

However, the distances North and West of the Southeast Corner of each Section are not accurate. The distances in Table 3 are the distances from the Section lines rather than from the Southeast Section Corners.

The distances are different because, as shown in the attached images, the Sections are not perfectly square and North/South (T25S/T26S) and East/West (R19W/R20W) corrections lines intersect in the middle of the Ranch.

Assuming the accuracy of the KGS PLSS Sections layer, which was also assumed for the previous descriptions, Mr. Clement calculated the distances North and West of the Southeast Section Corners and the UTM NAD83 coordinates for each well. The distances of each proposed well location from the Section Lines, from the Southeast Section corners, and the differences are shown in the attached table.

Since DWR's standard practice is to describe well locations with distances from the Southeast corner of the Section we believe that everyone would be best served to amend the descriptions to conform to that practice.

The Revised Municipal Well Locations table below has the corrected descriptions for the 14 proposed Municipal Wells. These locations will be included in the Amended Transfer Application and in each of the Amended Change Applications when filed.

The draft Master Order does not include the specific well locations. Instead, the following text is included in paragraph 136, "Specific well locations are more particularly described in the Change Applications and the Change Approvals." Similar text is included in paragraph 174. No changes are needed in the text of the Master Order but the table could be added as an appendix to the Master Order if it would serve a useful purpose.

The distances North and West of the Southeast corner of the Section in each of the Change Approvals will need to be amended but the descriptions are otherwise

accurate. For example, the draft Change Approval for File 21,729 D-1 will need to be changed as follows:

[A]nd the location of the point of diversion for the Water Right shall be authorized from one (1) well located as follows:

one (1) well (Well A) located in the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 29, more particularly described as being near a point ~~2,264 2,259~~-feet North and ~~2,568 2,705~~-feet West of the Southeast corner of said section, Township 25 South, Range 19 West, Edwards County, Kansas, in a quantity not to exceed 122.520 million gallons (376 acre-feet) of groundwater per calendar year at a diversion rate not in excess of 945 gallons per minute (2.11 c.f.s.),

to be completed within the mapped boundaries as shown on the maps marked Exhibits M and N accompanying the Change Application, and as provided in the Master Order.

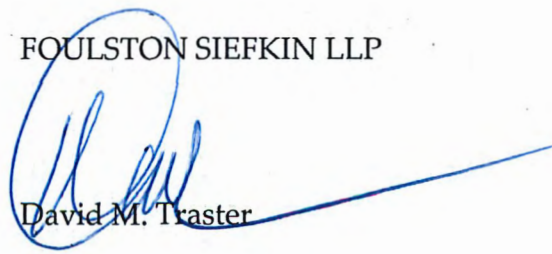
The proposed locations themselves are not moving so the buffers around each proposed well location within which municipal wells may be drilled without having to file an application to change the point of diversion remain accurate. Thus the maps attached to the Change Applications do not need to change.

Revised Municipal Well Locations	
A	A well in the SE/4 of the NE/4 of the NE/4 of the SW/4 of Section 29 T25S-19W, 2,264 Feet North and 2,568 Feet West of the SE Corner of the Section.
B	A well in the SW/4 of the SE/4 of the SW/4 of the NE/4 of Section 32 T25S-19W, 2,748 Feet North and 1,714 Feet West of the SE Corner of the Section.
C	A well in the SE/4 of the NE/4 of the SE/4 of the SW/4 of Section 33 T25S-19W, 830 Feet North and 3,019 Feet West of the SE Corner of the Section.
D	A well in the NW/4 of the NE/4 of the SE/4 of the NW/4 of Section 5 T26S-19W, 4,806 Feet North and 3,036 Feet West of the SE Corner of the Section.
E	A well in the NE/4 of the NW/4 of the SE/4 of the SE/4 of Section 5 T26S-19W, 1,549 Feet North and 880 Feet West of the SE Corner of the Section.
F	A well in the SW/4 of the NW/4 of the SE/4 of the NE/4 of Section 4 T26S-19W, 4,553 Feet North and 1,260 Feet West of the SE Corner of the Section.

G	A well in the SW/4 of the NW/4 of the NE/4 of the SW/4 of Section 30 T25S-19W, 2,278 Feet North and 3,779 Feet West of the SE Corner of the Section.
H	A well in the NE/4 of the SW/4 of the SW/4 of the NE/4 of Section 31 T25S-19W, 3,144 Feet North and 1,882 Feet West of the SE Corner of the Section.
I	A well in the SE/4 of the SE/4 of the NE/4 of the NW/4 of Section 1 T26S-20W, 5,132 Feet North and 2,908 Feet West of the SE Corner of the Section.
J	A well in the NE/4 of the NE/4 of the SW/4 of the SW/4 of Section 1 T26S-20W, 1,634 Feet North and 4,078 Feet West of the SE Corner of the Section.
K	A well in the SE/4 of the NW/4 of the SW/4 of the NE/4 of Section 11 T26S-20W, 3,630 Feet North and 2,141 Feet West of the SE Corner of the Section.
L	A well in the NE/4 of the SW/4 of the NE/4 of the SE/4 of Section 10 T26S-20W, 1,862 Feet North and 882 Feet West of the SE Corner of the Section.
M	A well in the NW/4 of the SW/4 of the NE/4 of the NE/4 of Section 15 T26S-20W, 4,370 Feet North and 1,167 Feet West of the SE Corner of the Section.
N	A well in the NW/4 of the SW/4 of the NW/4 of the SE/4 of Section 15 T26S-20W, 1,725 Feet North and 2,421 Feet West of the SE Corner of the Section.

Very truly yours,

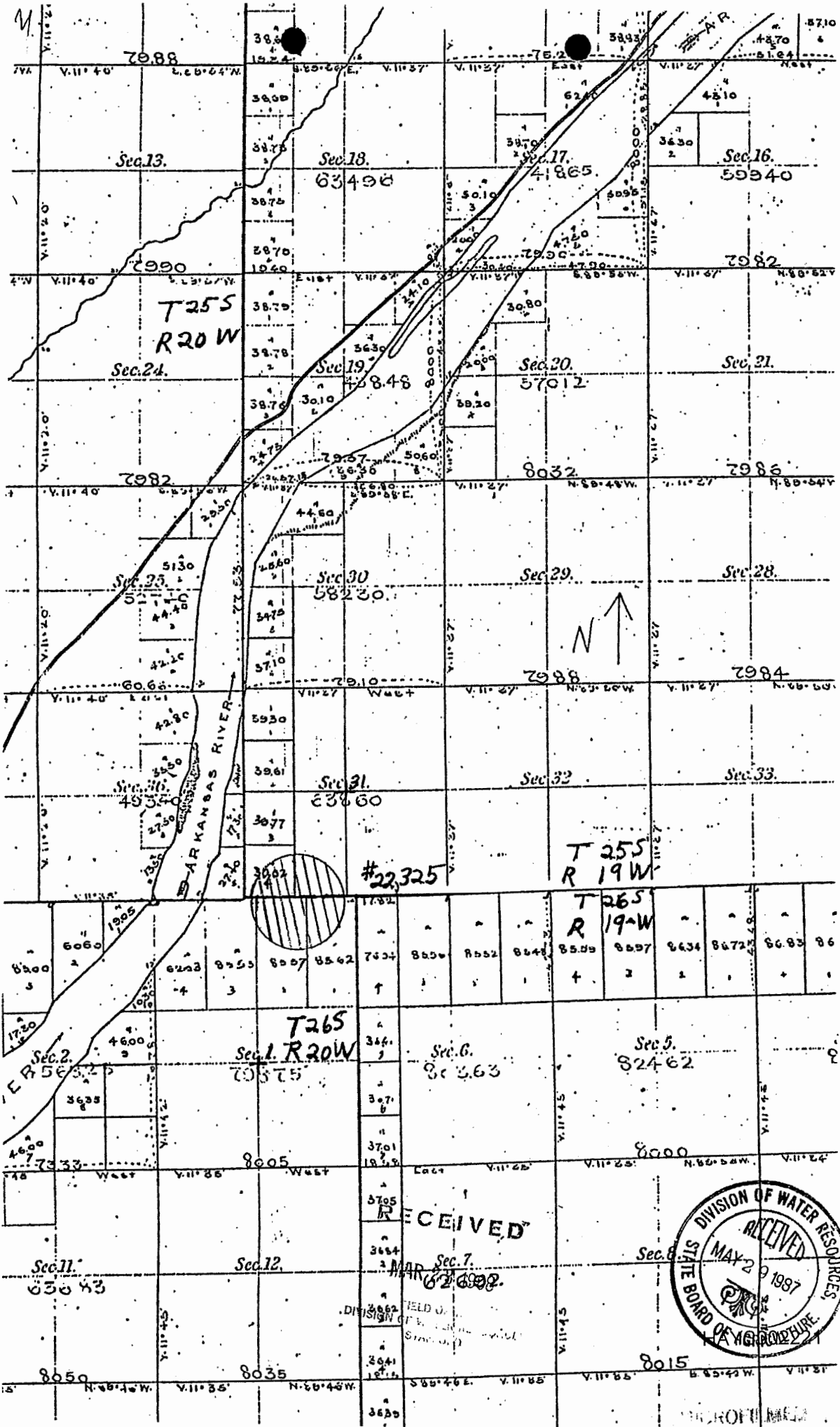
FOULSTON SIEFKIN LLP



David M. Traster

- C: Aaron Oleen (Aaron.Oleen@ks.gov)  
 Brent Turney (Brent.Turney@ks.gov)  
 Toby Dougherty (tdougherty@haysusa.com)  
 Jon Quinday (quinday@russellcity.org)

Well	S-T-R	Q1	Q2	Q3	Q4	Feet North Section Line	Feet West Section Line	Feet North SE Section Corner	Feet West SE Section Corner	Difference in Feet North	Difference in Feet West	UTM NAD83 Zone 14 Easting	UTM NAD83 Zone 14 Northing
A	29-25S-19W	SE	NE	NE	SW	2259	2705	2264	2568	-5	137	461875	4188879
B	32-25S-19W	SW	SE	SW	NE	2724	1916	2748	1714	-24	202	462020	4187410
C	33-25S-19W	SE	NE	SE	SW	824	3036	830	3019	-6	17	463337	4186824
D	5-26S-19W	NW	NE	SE	NW	4867	3107	4806	3036	61	71	462635	4185953
E	5-26S-19W	NE	NW	SE	SE	1577	901	1549	880	28	21	463292	4184960
F	4-26S-19W	SW	NW	SE	NE	4545	1311	4553	1260	-8	51	464785	4185861
G	30-25S-19W	SW	NW	NE	SW	2282	3870	2278	3779	4	91	459934	4188890
H	31-25S-19W	NE	SW	SW	NE	3142	2099	3144	1882	-2	217	460406	4187550
I	1-26S-20W	SE	SE	NE	NW	5034	2790	5132	2908	-98	-118	459473	4186087
J	1-26S-20W	NE	NE	SW	SW	1341	4056	1634	4078	-293	-22	459116	4185021
K	11-26S-20W	SE	NW	SW	NE	3646	2143	3630	2141	16	2	458120	4184039
L	10-26S-20W	NE	SW	NE	SE	1863	883	1862	882	1	1	456908	4183492
M	15-26S-20W	NW	SW	NE	NE	4367	1228	4370	1167	-3	61	456804	4182650
N	15-26S-20W	NW	SW	NW	SE	1714	2450	1725	2421	-11	29	456422	4181844



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