

2171 120th Avenue
Kinsley, Kansas 67547
April 5, 2019

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LEGAL SECTION
KS DEPT. OF AGRICULTURE

The Honorable Mike Beam
~~Acting~~ Secretary
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

Dear Secretary Beam:

RE: Petition for Administrative Review of the Master Order Contingently Approving Change Applications Regarding R9 Water Rights, issued on March 27, 2019 by David W. Barfield, P.E., Chief Engineer, Division of Water Resources.

My name is Jane Wenstrom, and I am a joint owner of an irrigated farm in Edwards County, Kansas with my spouse, Richard. I was raised on this farm and have lived there during my adult life for more than 40 years. Part of our farm has existed over 100 years in Edwards County and my Dad, Clarence Michaelis, served over 50 years on the local Edwards County Conservation District Board of Directorssince its inception.

One of the quarters we own and farm is adjacent to the SE Corner of the R9 Ranch. From our records and those of previous owners of this land, we note that in 1972, the static water level for the irrigation well located in the center of this quarter.....was 41 feet below the ground surface datum. At the time we purchased the land in 1989.....the static level had dropped to 51.75 feet below the ground surface datum. The lowest static level we recorded was 60 feet below the land surface datum in 2015. Since that time, due to excessive rain fall.....it has recovered to 58.5 feet below the land surface datum by the end of 2017.

In summary the static water level for this well has dropped 19 feet in 45 years. I should also mention is passing that there have been three periods of high rainfall affecting our property, the Arkansas River and the R9 Ranch. The

periods are: once in the 1980's, once in the 1990's and in 2016-18. This high rainfall caused large amounts of recharge to all the wells in this area.

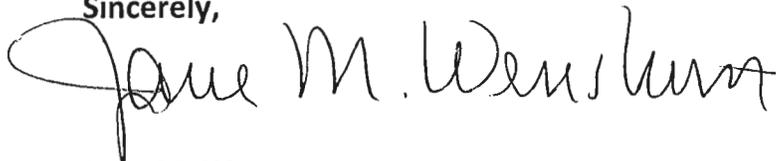
The other years were either normally dry or drought, where we did not receive normal amounts of recharge. Compounding the problem is the fact that base flow from the upper reaches of the Arkansas River has become, for many years, ineffective for recharging our wells. In addition, less than seven miles to the west in GMD 3, irrigators are allowed up to 24 inches of water per year, where we are only allowed to pump 18 inches of water per year.

These factors combine to make it highly unlikely that we will receive any recharge to the ground water to base flowrelying entirely on high precipitation events.

So it is with great concern for our farm and others when we note that the owners of the R9 Ranch are predicting a rosy future for the water levels in the area, especially if they are allowed to pump a maximum 6,756.8 acre feet per year in the future under this Master Order. This means that they are mining and not recharging at all!

Thank you for the opportunity to submit this Petition.

Sincerely,

A handwritten signature in black ink that reads "Jane M. Wenstrom". The signature is written in a cursive style with a large, looping initial "J".

Jane M. Wenstrom