

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: 49,099	2. Status Change Date: <u>6/14/2017</u>	3. Field Office: 02	4. GMD: 02
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

<p>7a. Applicant(s) <input type="checkbox"/> New to system Person ID <u>63813</u> Add Seq# _____</p> <p>CIRCLE S FARM 14030 NW 96TH MOUNDRIDGE KS 67107</p>	<p>7c. Landowner(s) <input type="checkbox"/> New to system Person ID <u>63815</u> Add Seq# _____</p> <p>ERNIE & EVELYNN GOERING TRUST 2017 COMMANCHE RD GALVA KS 67443</p>
<p>7b. Landowner(s) <input type="checkbox"/> New to system Person ID <u>63816</u> Add Seq# _____</p> <p>SHIRLEY SCHRAG 2 FAIRWAY DRIVE HESSTON KS 67062</p>	<p>7d. Landowner(s) <input type="checkbox"/> New to system Person ID <u>62607</u> Add Seq# _____</p> <p>JUSTIN B & ERICA R SCHRAG 14030 NW 96TH MOUNDRIDGE KS 67107 <i>Name</i> <i>eng</i></p>

<p>8. WUR Correspondent <input type="checkbox"/> New to system Person ID <u>63813</u> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/></p> <p>Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: **12/31/2018** 11. Perfection Date: **12/31/2022** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **6/6/2017** By: **AM**
Date Entered: 6/15/2017 By: LCM

File No. 49,099	15. Formation Code: 190	Drainage Basin: Little Arkansas River	County: HV	Special Use:	Stream:																
16. Points of Diversion			17. Rate and Quantity																		
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized	Additional	Overlap PD Files										
									Rate gpm	Quantity af	Rate gpm	Quantity af									
MOD	83253	NWSWSE	4	22S	2W	5	934	2237 (Geo)	800	140.4	800	140.4	NONE								
ENT	86178	NWSWSE	4	22S	2W		1052	2478 (1 of 2)													
ENT	86179	NWSWSE	4	22S	2W		815	1995 (1 of 2)													
<i>Battery ID# 2030</i>																					
18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																					
19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____ Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																					
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2018 Date Acceptable Meter Installed _____																					
21. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T MOD DEL ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
MOD	66036	4	22S	2W	9					15	2				3			20	7c.	NO	NONE
MOD	66038	4	22S	2W	10					17	6							23	7b.	NO	NONE
ENT	4	22S	2W							5	1	7	32		10	10		65	7d.	<i>yes</i>	NONE
MOD	66034	4	22S	2W	?																
					?																
Comments: DEL PUSE ID NOS. 66034; 66035; 66037; 66039.													WELL MONITORING PLAN REQUIRED								

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files
FROM: Austin McColloch

DATE: June 6, 2017
RE: New Application,
File No. 49,099

Circle S Farm has filed an application to appropriate groundwater for irrigation use, requesting a battery of two (2) wells. The original quantity and place of use have been modified after discussion with the GMD to comply with safe yield and reasonable quantity. A final proposed quantity of 140.4 acre-feet of water per calendar year, and a diversion rate of 800 gallons per minute. The proposed point of diversion consists of a battery of two (2) wells with a geographical center located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW¼ SW¼ SE¼) of Section 4, more particularly described as being near a point 934 feet North and 2,237 feet West of the Southeast corner of said section, in Township 22 South, Range 2 West, Harvey County, Kansas, within the Little Arkansas River drainage basin.

There are no other water rights overlapping the point of diversion or place of use. The applicant has signed the application form stating that they have legal access to the point of diversion. There are three separate landowners for the place of use and the applicant is a tenant to all owners. The place of use is 108 acres proposed for irrigation purposes. The proposed quantity of 140.4 acre-feet per calendar year provides 1.3 acre-feet per acre, making it the maximum reasonable quantity for Harvey County (1.3).

The applicant identified three (3) domestic wells and two (2) irrigation well within one-half mile of the proposed point of diversion. Notification letters were sent out on February 3, 2015. One nearby well owner responded with concerns about the proposed application during the 15 day comment period. The proposed point of diversion meets minimum spacing distance from all non-domestic wells and minimum spacing to all domestic wells per K.A.R. 5-22-2(a) & (b).

Well logs obtained from the applicant indicates that depth to bedrock near the proposed point of diversion is approximately 121 feet and the aquifer has only 36 feet of saturated thickness yielding material consisting of fine sand. The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and submitted the required form to our office.

The point of diversion is located within the boundaries of Equus Beds Groundwater Management District No. 2. K.A.R. 5-22-7 applies to safe yield evaluation in GMD 2. GMD 2 safe yield was determined to be 3,524.5 acre-feet, existing appropriations have appropriated 3,318.86 acre-feet, leaving 205.64 acre-feet available. Thus the application meets safe yield.

Other GMD 2 conditions of approval include the implementation of a groundwater-monitoring schedule which includes monitoring for water level fluctuations and water quality to be taken at the proposed point of diversion and dedicated monitoring well for a minimum period of ten (10) years. Installation of monitoring well and implementation of the groundwater monitoring plan at the applicant's expense, and construction of the monitoring well pursuant to District specifications to allow for inorganic water quality analysis. The observation well is to be located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW¼ SW¼ SE¼) of Section 4, more particularly described as being near a point 50 feet North and 2,237 feet West of the Southeast corner of said section, in Township 22 South, range 2 West, Harvey County, Kansas.

In a letter dated March 3, 2017, Tim Boese, Manager, GMD No. 2, stated that the application complies with all rules and regulations of the GMD and recommended that the application be approved with the conditions outlined above.

In a June 6, 2017 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the application.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Based on the above discussion, the application complies with safe yield and well spacing criteria, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. It is recommended that the referenced application be approved.



Austin McColloch
Environmental Scientist

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 15, 2017

FILE COPY

CIRCLE S FARM
14030 NW 96TH
MOUNDRIDGE KS 67107

Re: Appropriation of Water
File No. 49,099

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents as well as the documents titled "Groundwater Monitoring Plan for Water Appropriation, File No. 49,102" and "Observation Well Specifications for Groundwater Level or Water Quality (Inorganic) Monitoring" submitted by GMD No. 2. A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter must be used to provide the information required on the annual water use report.

The enclosed form must be used to notify the Chief Engineer that the proposed diversion works have been completed. Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works and pay the field inspection fee within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the enclosed permit. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right.

If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

BAT:am
Enclosures

pc: Shirley Schrag
Ernie & Evlynn Goering Trust
Stafford Field Office
Groundwater Management District No. 2



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**
(This is not a Certificate of Appropriation)

This is to certify that I have examined Application File No. **49,099** of the applicant

**CIRCLE S FARM
14030 NW 96TH
MOUNDRIDGE KS 67107**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **June 9, 2014**.

2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4	22S	2W								15	2					3			20
4	22S	2W								5	1	7	32			10	10		65
4	22S	2W								17	6								23

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW¼ SW¼ SE¼), of Section 4, more particularly described as being near a point 934 feet North and 2,237 feet West of the Southeast corner of said section, in Township 22 South, Range 2 West, Harvey County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **140.4 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit 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.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

18. That the well drilled and constructed under the authority of this permit shall comply with the required minimum well spacing to any senior domestic and non domestic well pursuant to K.A.R. 5-22-2(a) & (b).

20. That the water right owner shall install and maintain a groundwater monitoring well at a location specified and approved by the Chief Engineer. Such observation well shall be installed and equipped to allow monitoring of water levels or water quality. Installation of the groundwater monitoring well and the associated equipment shall be at the expense of the water right owner.

That the groundwater monitoring well shall be located at the following point:

one (1) observation well 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 4, more particularly described as being near a point 50 feet North and 2,237 feet West of the Southeast corner of said section, in Township 22 South, Range 2 West, Harvey County, Kansas.

21. That in addition to the specifications and conditions adopted by the Chief Engineer and set forth in K.A.R. 5-6-13 Section IV for the construction of observation wells; the observation well shall be constructed with PVC SCHED-40 casing having a minimum nominal diameter of 2 inches, that is protected by a steel 6 X 6 inch square well protector that is of 5 feet minimum length and has a lockable lid. The monitoring well and square well protector shall be seated in a standard concrete well pad. The top of the 2 inch observation well shall be approximately 9 inches below the top of the square well protector.

22. That the monitoring well shall be constructed and developed to ensure that it is hydraulically connected to the same aquifer as the well authorized by this water right and the well must be advanced to the bedrock surface. The observation well required herein shall be maintained, by the water right owner, in a condition that is satisfactory to the Chief Engineer.

23. That the requirements imposed by Equus Beds Groundwater Management District (GMD) No. 2, attached as "Groundwater Monitoring Plan for Water Appropriation, File No. 49,099" and "Observation Well Specifications for Groundwater Level or Water Quality (Inorganic) Monitoring" be implemented, at the applicant's expense.

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. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) 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.

Ordered this 14th day of June, 2017, in Topeka, Shawnee County, Kansas.

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 14th day of June, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

CERTIFICATE OF SERVICE

On this 15th day of June, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,099, dated June 14, 2017 was mailed postage prepaid, first class, US mail to the following:

CIRCLE S FARM
14030 NW 96TH
MOUNDRIDGE KS 67107

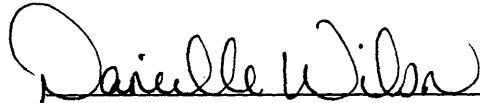
With photocopies to:

ERNIE & EVELYNN GOERING TRUST
2017 COMMANCHE RD
GALVA KS 67443

SHIRLEY SCHRAG
2 FAIRWAY DRIVE
HESSTON KS 67062

Stafford Field Office

Groundwater Management District No. 2



Division of Water Resources

McColloch, Austin

From: Lanterman, Jeff
Sent: Tuesday, June 6, 2017 1:42 PM
To: McColloch, Austin
Cc: Conant, Cameron
Subject: FW: Circle S Farms 49,099
Attachments: 49099_Memo.doc

Austin.

While I have some concerns about sustainability of pumping in this area in the future I think we can approve this one now. At least now we are working on coming up with the right safe yield numbers for this area and that work should be done soon.

The monitoring plan will allow us to keep an eye on it and investigate if impairment occurs.

Approve it.

Thanks
Jeff

From: Conant, Cameron
Sent: Tuesday, June 6, 2017 1:31 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Circle S Farms 49,099

Jeff, this was reviewed at the GMD#2 meeting in February 2017. This is a Harvey county application that was filed in 2014 and held by GMD for around 24 months. This was originally denied for not complying with the Districts Aquifer Management Program (based on nearby hydrographs, the area was showing a declining trend and the recent KGS sustainability study indicated this area may be out of balance). The applicant revised the quantity and place of use to be much less than originally requested. The proposal is now for a 108 acre pivot and a reasonable quantity of 140.4AF.

The board recommended approval of this application because it meets all spacing, SY, ect, at this time they were not ready to deny based on the KGS study or the aquifer management plan.

The board included additional conditions for a GMD monitoring plan and OBS well. This will be conditioned very similar to 49023 Josh Regier and 49178, which were all held for similar reasons. This has been through the wringer at GMD#2 and we are fully aware of the potential for issues in this area and that GMD#2 is be working on the recharge numbers to help our with the long term situation.

I think this can be recommended for approval with the additional conditions related to the GMD#2 monitoring plan and OBS well. Please pass on to Austin if you agree.

Cameron

From: McColloch, Austin
Sent: Wednesday, May 31, 2017 2:36 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>

Cc: Conant, Cameron <Cameron.Conant@ks.gov>

Subject: Circle S Farms 49,099

Jeff and Cameron,

Attached is my draft memo for Circle S Farms. The permit conditions will follow closely to those of 49023.

Thanks,

Austin McColloch
Environmental Scientist
Ph: (785) 564-6643

WATER RESOURCES RECEIVED

JAN 23 2015

KS DEPT OF AGRICULTURE

THE STATE



OF KANSAS

WATER RESOURCES RECEIVED

JUN 09 2014

7:38am
KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

NOV 10 2014

KS DEPT OF AGRICULTURE

APPLICATION COMPLETE
6/6/17
Reviewer DM

File Number 49099
This item to be completed by the Division of Water Resources.

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
109 SW 9th Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): Circle S Farm
Address: 14030 NW 96th
City: Moundridge State KS Zip Code 67107
Telephone Number: (620) 386-4060

2. The source of water is: surface water in _____ (stream)
OR groundwater in Little Arkansas River Basin (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 298.5 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 1600⁸⁰⁰ gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):

- (a) Artificial Recharge
- (b) Irrigation
- (c) Recreational
- (d) Water Power
- (e) Industrial
- (f) Municipal
- (g) Stockwatering
- (h) Sediment Control
- (i) Domestic
- (j) Dewatering
- (k) Hydraulic Dredging
- (l) Fire Protection
- (m) Thermal Exchange
- (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:		F.O. <u>2</u> GMD <u>2</u> Meets K.A.R. 5-3-1 (YES/NO) Use <u>1H</u> Source <u>G/S</u> County <u>HV</u> By <u>AGL</u> Date <u>5-9-14</u>	
Code	<u>RE 2</u>	Fee \$	<u>30</u> TR # _____ Receipt Date <u>6-10-14</u> Check # <u>1749</u>

DWR 1-100 (Revised 02/12/2014)

* KAH/DWR 7-9-14 per revised irrigation sheet JS
** KAG/DWR 1-6-15 per revised irrigation sheet JS

SCANNED

Request 60 days to locate File No. _____

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

* KAG/DWR
geo-center

- (A) One in the NW quarter of the SW quarter of the SE quarter of Section 4, more particularly described as being near a point 974⁹³⁴ feet North and 2285²²³⁷ feet West of the Southeast corner of said section, in Township 22 South, Range 2 East/West (circle one), Harvey County, Kansas.
- (B) One in the NW quarter of the SW quarter of the SE quarter of Section 4, more particularly described as being near a point 1052 feet North and 2478 feet West of the Southeast corner of said section, in Township 22 South, Range 2 East/West (circle one), Harvey County, Kansas.
- (C) One in the NW quarter of the SW quarter of the SE quarter of Section 4, more particularly described as being near a point 815 feet North and 1995 feet West of the Southeast corner of said section, in Township 22 South, Range 2 East/West (circle one), Harvey County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

620-345-8175

Neva M Schrag Revocable Trust dated 8/23/11, 200 17th VLG Apt. 13 ^{Mo. no. 13}
(name, address and telephone number) ^{KS, 67067}

Shirley Schrag, 2 Fairway Dr. Hoston KS 67062, 620-327-4172
(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 4th, 2014. [Signature]
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 2 wells - 55
~~one or more wells~~
and (was)(will be) completed (by) June 1, 2015
(number of wells, pumps or dams, etc.)
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be June 1, 2015.

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____
Ground water

- 11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

None

WATER RESOURCES RECEIVED

NOV 10 2014

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

JUN 09 2014

KS DEPT OF AGRICULTURE

SCANNED

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of

tenant
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Ernie Goering, Jr., Evelyn Goering, Jr.
(name, address and telephone number)

620-386-4206

2017 Corn machine Rd, Galva, KS 67443
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at _____, Kansas, this ____ day of _____ (month) (year)

AS
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ (office/title) Date: _____

WATER RESOURCES RECEIVED

NOV 10 2014

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

JUN 09 2014

KS DEPT OF AGRICULTURE

SCANNED

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of

Tenant
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Shirley Schrag - 2 Fairway Dr, Hecston, KS 67062
(name, address and telephone number)
620-327-4172
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at _____, Kansas, this _____ day of _____ (month), _____ (year)

[Signature]
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ (office/title) Date: _____

WATER RESOURCES RECEIVED
NOV 10 2014
KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED
JUN 09 2014
KS DEPT OF AGRICULTURE
SCANNED

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached


Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>10-27</u>	_____	_____	_____
Total depth of well	<u>130'</u>	_____	_____	_____
Depth to water bearing formation	<u>79'</u>	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of tenant
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):
Neva M Schrag Revocable Trust dated 8/23/2011
(name, address and telephone number)
200 17th VLG APT 13, Moundridge, KS 67107 620-345-8175
(name, address and telephone number)
see attached

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Moundridge, Kansas, this 4th day of June, 2014.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

WATER RESOURCES
RECEIVED
NOV 10 2014
KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED
JUN 09 2014
KS DEPT OF AGRICULTURE

SCANNED

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

**IRRIGATION USE
SUPPLEMENTAL SHEET**

MAY 25 2017

File No. 49099

KS DEPT OF AGRICULTURE

Name of Applicant (Please Print): Circle S. Farm

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Ernie Goering

ADDRESS: 2017 Comanche Rd Galva, KS 67443

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
4	22S	02W										15	2					3				20

Landowner of Record NAME: Justin B. & Erica R. Schrag

ADDRESS: 14030 NW 96th St. Moundridge, KS 67107

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
4	22S	02W										5	1	7	32			10	10			65

Landowner of Record NAME: Shirley Schrag TR

ADDRESS: 2 Fairway Dr. Hesston, KS 67062

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
4	22S	02W										17	6									23

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Crete Silt Loam</u>	<u>95</u>	<u>.06 to .2</u>	<u>3</u>
<u>Smolan Silty Clay Loam</u>	<u>5</u>	<u>.06 to .2</u>	<u>3</u>
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): 2 %

Estimate the maximum land slope in the field(s): 3 %

c. Type of irrigation system you propose to use (check one):

Center pivot _____ Center pivot - LEPA _____ "Big gun" sprinkler

_____ Gravity system (furrows) _____ Gravity system (borders) _____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater: Crop Consultant

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 40 psi

(2) What is the sprinkler package design rate? 800 gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? Not Available feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn, Wheat, Soy, Milo

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation). Crop Consultant

You may attach any additional information you believe will assist in informing the Division of the need for your request.

New Application Place of Use Map #49099



R2W

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.

See previous map

Signature

Date

- New Application**
- Application No. To Change:**
 - Point of Diversion
 - Place of Use
 - Use Made of Water

- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Estimated Authorized Place of Use

WATER RESOURCES
RECEIVED

MAY 25 2017

KS DEPT OF AGRICULTURE **See attached list for surrounding well owners**



SCANNED

MAY 31 2017

KS DEPT OF AGRICULTURE

Joint Tenancy Warranty Deed

Kansas Statutory Form

Carol S. Zerger and Danny J. Zerger, wife and husband

Conveys and Warrants to

Justin B. Schrag and Erica R. Schrag, husband and wife

as JOINT TENANTS and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, all the following described REAL ESTATE in the County of Harvey, and the State of Kansas, to-wit:

Tract 1: The East Half (E/2) of the West Half (W/2) of the West Half (W/2) of the Southeast Quarter (SE/4) of Section Four (4), Township Twenty-two (22) South, Range Two (2) West of the 6th P.M., Harvey County, Kansas.

Tract 2: The South Three Quarters (S3/4) of the West Half (W/2) of the West Half (W/2) of the West Half (W/2) of the Southeast Quarter (SE/4) of Section Four (4), Township Twenty-two (22) South, Range Two (2) West of the 6th P.M., Harvey County, Kansas.

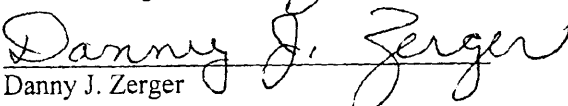
Tract 3: The South Half (S/2) of the South Half (S/2) of the South Half (S/2) of the Southwest Quarter (SW/4) AND the South Half (S/2) of the North 140 acres of the Southwest Quarter (SW/4) all in Section Four (4), Township Twenty-two (22) South, Range Two (2) West of the 6th P.M., Harvey County, Kansas; EXCEPT Beginning at a point on the South line of the Southwest Quarter (SW/4) of said Section Four (4), 1008.00 feet East of the Southwest corner of said Southwest Quarter (SW/4); thence with assumed bearings, North 90°00' East along the South line of said Southwest Quarter (SW/4), 545.00 feet; North 00°00' East, 426.00 feet; thence North 90°00' West, 545.00 feet; thence South 00°00' West, 426.00 feet to the point of beginning.

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter. **/

Dated this 31 day of March, 2017.


Carol S. Zerger

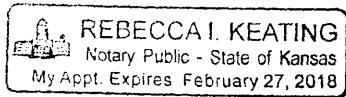

Danny J. Zerger

**/ and Grantors hereby reserve unto themselves, their successors and/or assigns, all oil, gas and other minerals in and under, and that may be produced from subject property for a period of 15 years or as long as oil or gas are produced.

STATE OF KANSAS, COUNTY OF Harvey ss:

The foregoing instrument was acknowledged before me this 31 day of March, 2017 by Carol S. Zerger and Danny J. Zerger, wife and husband.

Notary Public



MAY 31 2017

KS DEPT OF AGRICULTURE

Joint Tenancy Warranty Deed

Kansas Statutory Form

Patricia A. Reimer and Gordon Reimer, wife and husband

Conveys and Warrants to

Justin B. Schrag and Erica R. Schrag, husband and wife

as JOINT TENANTS and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, all the following described REAL ESTATE in the County of Harvey, and the State of Kansas, to-wit:

Tract 1: The East Half (E/2) of the West Half (W/2) of the West Half (W/2) of the Southeast Quarter (SE/4) of Section Four (4), Township Twenty-two (22) South, Range Two (2) West of the 6th P.M., Harvey County, Kansas.

Tract 2: The South Three Quarters (S3/4) of the West Half (W/2) of the West Half (W/2) of the West Half (W/2) of the Southeast Quarter (SE/4) of Section Four (4), Township Twenty-two (22) South, Range Two (2) West of the 6th P.M., Harvey County, Kansas.

Tract 3: The South Half (S/2) of the South Half (S/2) of the South Half (S/2) of the Southwest Quarter (SW/4) AND the South Half (S/2) of the North 140 acres of the Southwest Quarter (SW/4) all in Section Four (4), Township Twenty-two (22) South, Range Two (2) West of the 6th P.M., Harvey County, Kansas; EXCEPT Beginning at a point on the South line of the Southwest Quarter (SW/4) of said Section Four (4), 1008.00 feet East of the Southwest corner of said Southwest Quarter (SW/4); thence with assumed bearings, North 90°00' East along the South line of said Southwest Quarter (SW/4), 545.00 feet; North 00°00' East, 426.00 feet; thence North 90°00' West, 545.00 feet; thence South 00°00' West, 426.00 feet to the point of beginning.

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter. **/

Dated this 29 day of March, 2017.

**/ and Grantors hereby reserve unto themselves, their successors and/or assigns, all oil, gas and other minerals in and under, and that may be produced from subject property for a period of 15 years or as long thereafter as oil or gas is produced.

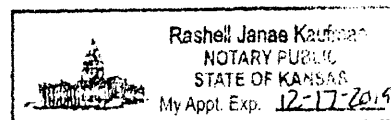
Patricia A. Reimer
Patricia A. Reimer

Gordon Reimer
Gordon Reimer

STATE OF KANSAS, COUNTY OF McPherson ss:

The foregoing instrument was acknowledged before me this 29 day of March, 2017 by Patricia A. Reimer and Gordon Reimer, wife and husband.

Rashell Janae Kaufman
Notary Public



Entered in Transfer Record in my office
this 24 day of Feb A.D., 2017
Rick Pope
County Clerk

2017 FEB 215

HARVEY COUNTY, STATE KANSAS 78307
This instrument was filed for record on
02/24/2017 at 04:46 PM and duly recorded
in DEED Book book 242 page 215-216
Fee: \$18.00
Margaret A. Hermetin
Margaret A. Hermetin, Register of Deeds
By _____ Deputy



QUIT CLAIM DEED
Kansas Statutory Form

VS4-T22-2W



Ernie Goering, Jr. and Florene Goering, husband and wife

Quit Claims to

Carol S. Zerger and Patricia A. Reimer

all the following described REAL ESTATE in the County of Harvey, and the State of Kansas, to-wit:

Undivided one-fourth (1/4) interest in the South Three Quarters (S 3/4) of the West Half (W/2) of the West Half (W/2) of the West Half (W/2) of the Southeast Quarter (SE/4) of Section Four (4), Township Twenty-two (22) South, Range Two (2) West of the Sixth PM, Harvey County, Kansas.

for the sum of one dollar and other good and valuable consideration.

Except minerals in and under said real estate which are not conveyed by this deed.

Dated this 22 day of February, 2017.

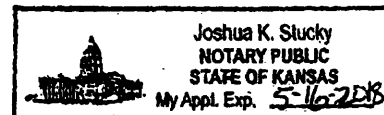
Ernie Goering, Jr.
Ernie Goering, Jr.

Florene Goering
Florene Goering

STATE OF KANSAS, COUNTY OF McPherson ss:

The foregoing instrument was acknowledged before me this 22 day of February, 2017 by Ernie Goering, Jr. and Florence Goering, husband and wife.

Joshua K. Stucky
Notary Public



JK Stucky

WATER RESOURCES
RECEIVED

MAY 31 2017

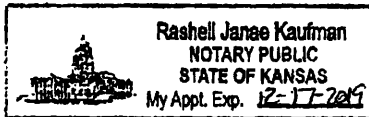
KS DEPT OF AGRICULTURE

SCANNED

STATE OF KANSAS, COUNTY OF McPherson ss:

The foregoing instrument was acknowledged before me this 23rd day of February, 2017 by Patricia A. Reimer and Gordon Reimer, wife and husband.

Rashell Janee Kaufman
Notary Public



WATER RESOURCES
RECEIVED

MAY 31 2017

KS DEPT OF AGRICULTURE

Entered in Transfer Record in my office
this 24 day of Feb A.D., 2017
Rick Rupp
County Clerk

213

HARVEY COUNTY, STATE KANSAS 79308
This instrument was filed for record on
02/24/2017 at 04:45 PM and duly recorded
in DEED Book book 242 page 213-214
Fee: \$32.00
Margaret A. Hermstein
Margaret Hermstein, Register of Deeds
By _____ Deputy



QUIT CLAIM DEED

Kansas Statutory Form

✓ 54-T22-2W
NC



Carol S. Zerger and Danny J. Zerger, wife and husband; and Patricia A. Reimer and Gordon Reimer, wife and husband

Quit Claims to

Ernie Goering Jr.

all the following described REAL ESTATE in the County of Harvey, and the State of Kansas, to-wit:

✓ Undivided three-fourths (3/4) interest in the North Quarter (N/4) of the West Half (W/2) of the West Half (W/2) of the West Half (W/2) of the Southeast Quarter (SE/4) of Section Four (4), Township Twenty-two (22) South, Range Two (2) West of the 6th PM, Harvey County, Kansas.

for the sum of one dollar and other good and valuable consideration.

Except minerals in and under said real estate which are not conveyed by this deed.

Dated this 22nd day of February, 2017.

Carol S. Zerger
Carol S. Zerger

Danny J. Zerger
Danny J. Zerger

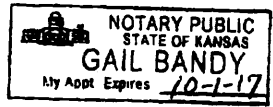
Patricia A. Reimer
Patricia A. Reimer

Gordon Reimer
Gordon Reimer

STATE OF KANSAS, COUNTY OF McPherson ss:

The foregoing instrument was acknowledged before me this 22 day of February, 2017 by Carol S. Zerger and Danny J. Zerger, wife and husband.

Gail Bandy
Notary Public



WATER RESOURCES RECEIVED

MAY 31 2017

KS DEPT OF AGRICULTURE

SCANNED

McColloch, Austin

From: McColloch, Austin
Sent: Friday, May 26, 2017 8:45 AM
To: 'Tim Boese'
Subject: RE: 49,099 Circle S Farms

Tim – thanks for the clarification. I will contact him and email copies of the deeds should do it.

Have a good Friday!

Austin McColloch, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Ph: (785) 564-6643
austin.mccolloch@ks.gov
<http://agriculture.ks.gov/>

From: Tim Boese [mailto:tboese@gmd2.org]
Sent: Friday, May 26, 2017 8:37 AM
To: McColloch, Austin <Austin.McColloch@ks.gov>
Subject: RE: 49,099 Circle S Farms

Austin – I had the supplemental sheet completed with the owners that you show from the Harvey County Appraiser. When Justin came in he advised that he had recently purchased the Zerger properties and part of the Ernie Goering property. He advised that the sale had closed and that perhaps the appraiser had not yet updated the information. I believe he can provide the deeds if necessary. As far as the Vera Lynn Goering Trust property, he advised that the land was now owned by Ernie Goering and the FSA records indicate so. He should be able to provide some documentation showing the trust deeded the property to Ernie Goering.

Do you want to contact Justin for the documentation or do you want me to contact him?

Thanks.

Tim Boese, Manager
Equus Beds GMD2
313 Spruce, Halstead, Kansas 67056
316-835-2224
Fax: 316-835-2225
tboese@gmd2.org
www.gmd2.org

From: McColloch, Austin [mailto:Austin.McColloch@ks.gov]
Sent: Thursday, May 25, 2017 1:42 PM

To: Tim Boese

Subject: 49,099 Circle S Farms

Tim,

I have received the map and landowner information requested from Justin. Did you assist with the irrigation use supplemental sheet and can confirm the landowner information is correct on it? Attached is a screen shot taken from Harvey County appraisers that shows landowners on the proposed place of use. This is different than what was submitted by Justin. If your knowledge of the area can confirm Justin's irrigation use supplemental sheet is correct then we can go off that, if not than we may need to revise it to show all landowners and involved acres proposed for irrigation.

Thanks,

Austin McColloch, Environmental Scientist

Kansas Department of Agriculture

Division of Water Resources

Ph: (785) 564-6643

austin.mccolloch@ks.gov

<http://agriculture.ks.gov/>

WATER RESOURCES
RECEIVED

MAY 25 2017

KS DEPT OF AGRICULTURE

May 23, 2017

Austin McColloch
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502

Re: Application No. 49099

Dear Mr. McColloch:

Enclosed please find a new application map and Irrigation Use Supplemental Sheet showing and describing the proposed modified place of use. Additionally, please reduce the proposed place of use to 108 acres and the proposed quantity to 140.4 acre-feet per year.

Thank you for your assistance in this matter. Please contact me if you need any additional information.

Sincerely,

JS - Circle S Farm

Justin Schrag, Circle S Farm
14030 NW 96th Street
Moundridge, KS 67107
620-386-4559

Enclosures

SCANNED

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

March 3, 2017

Chief Engineer, Division of Water Resources
Attn: Brent Turney
1320 Research Park Drive
Manhattan, KS 66502

WATER RESOURCES
RECEIVED

MAR 08 2017

KS DEPT OF AGRICULTURE

Re: Application No. 49099 – Circle S Farm

Dear Mr. Turney:

The referenced application was reviewed by the Equus Beds Groundwater Management District No. 2, Board of Directors on February 22, 2017. A copy of the District's application review report is enclosed for your information.

Based on District findings and information provided by the applicant that:

1. Application No. 49099 proposes the withdrawal 248.90 acre-feet at a maximum rate of 800 gallons per minute for irrigation of 191.47 acres from a proposed battery of 2 wells with a geographic center located in the Northwest quarter of the Southwest quarter of the Southeast quarter (934' N & 2237' W), Section 04, Township 22 South, Range 2 West, Harvey County.
2. The application complies with domestic and non domestic well spacing rule and regulation K.A.R. 5-22-2(a) &(b).
3. The application complies with the current safe yield Rule and Regulation K.A.R. 5-22-7.
4. One nearby well owner responded with concerns about Application No. 49099 during the 15 day comment period provided by Division of Water Resources.
5. The test log submitted with the application indicates that depth to bedrock near the proposed point of diversion is approximately 121 feet and the aquifer has only 36 feet of saturated yielding material consisting of fine sand.
6. Nearby water level measurements indicate the aquifer in the vicinity of the proposed point of diversion is declining and groundwater is being mined.
7. The minimal saturated thickness at the application location increases the chance of impairment to existing water rights.
8. The application presents an impairment risk for existing water rights as the proposed point of diversion will contribute to groundwater mining occurring in the area.
9. The application complies with the District's Rules and Regulations, K.A.R. 5-22-1 through K.A.R. 5-22-17.
10. The application does not comply with the District's Aquifer Management Program goal of managing the groundwater supplies within the District boundaries by balancing groundwater withdrawals with annual recharge to the aquifer to prevent groundwater mining.
11. The recent Sustainability Assessment report published by the Kansas Geological Survey indicates that the sustainable water usage in this area is 13.9% to 5.6% lower than current reported usage, and 56% to 41.5% below current authorized quantity, demonstrating that the area is over-appropriated and groundwater use is exceeding sustainable yield.

12. K.S.A. 82a-711(c) states that impairment shall include the unreasonable raising or lowering of the static water level. Five representative hydrographs show a lowering of static water levels within a four mile radius of the proposed point of diversion and the KGS GMD2 Sustainability Assessment indicates that the actual recent average water use is not sustainable in Township 22 South, Range 2 West, Harvey County.
13. The applicant advised that a maximum of 108 acres would actually be irrigated and was willing to reduce the place of use to 108 acres and the proposed quantity to 140.4 acre-feet per year

It was the decision of the Board of Directors to recommend the application for approval subject to the following conditions:

1. The proposed place of use is reduced to 108 acres;
2. The proposed annual quantity of water is reduced to 140.4 acre-feet;
3. The implementation of the enclosed groundwater-monitoring schedule which includes monitoring for water level fluctuations and water quality to be taken at the proposed point of diversion and dedicated monitoring well for a minimum period of ten (10) years;
4. Installation of the monitoring well and implementation of the groundwater monitoring plan at the applicant's expense; and
5. Construction of the monitoring well pursuant to District specifications (copy enclosed) to allow for inorganic water quality analyses.

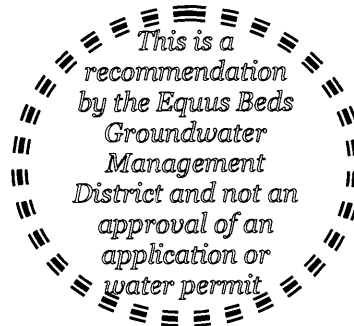
A District Board of Director's decision may be requested for reconsideration by the Board by submitting a written request to the District office within 15 days from the date of this notification, pursuant to K.A.R. 5-22-12.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2



Tim Boese
Manager

TDB/db
Enclosure



pc: Circle S Farm, Applicant, with copy of monitoring plan & observation well specs
Carol S. Zerger, Landowner
Ernie Goering, Jr., Landowner
Shirley Schrag, Landowner
Vera Lynn Goering Trust, Landowner
Gene Bird, Nearby Well Owner
Jeff Lanterman, Division of Water Resources, Stafford

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APPLICATION REVIEW INFORMATION

<p>NAME <u>Circle S Farm</u></p> <p>ADDRESS <u>14030 NW 96th Street</u> <u>Moundridge, KS 67107</u></p>	<p>APPLICATION NO. <u>49099</u></p> <p>COUNTY <u>HV</u> TRACT <u>NW-SW-SE</u></p> <p>WELL LOCATION <u>S04 T22S R 2W</u></p> <p>NEW APPL. <u>X</u></p> <p>QUANT <u>248.90</u> AF/Y RATE <u>800</u> GPM</p> <p>WELL SPACING <u>D>960', ND>1620</u></p>
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ISSUE: The Application does not comply with the District's Aquifer Management Program (effective May 1, 1995).

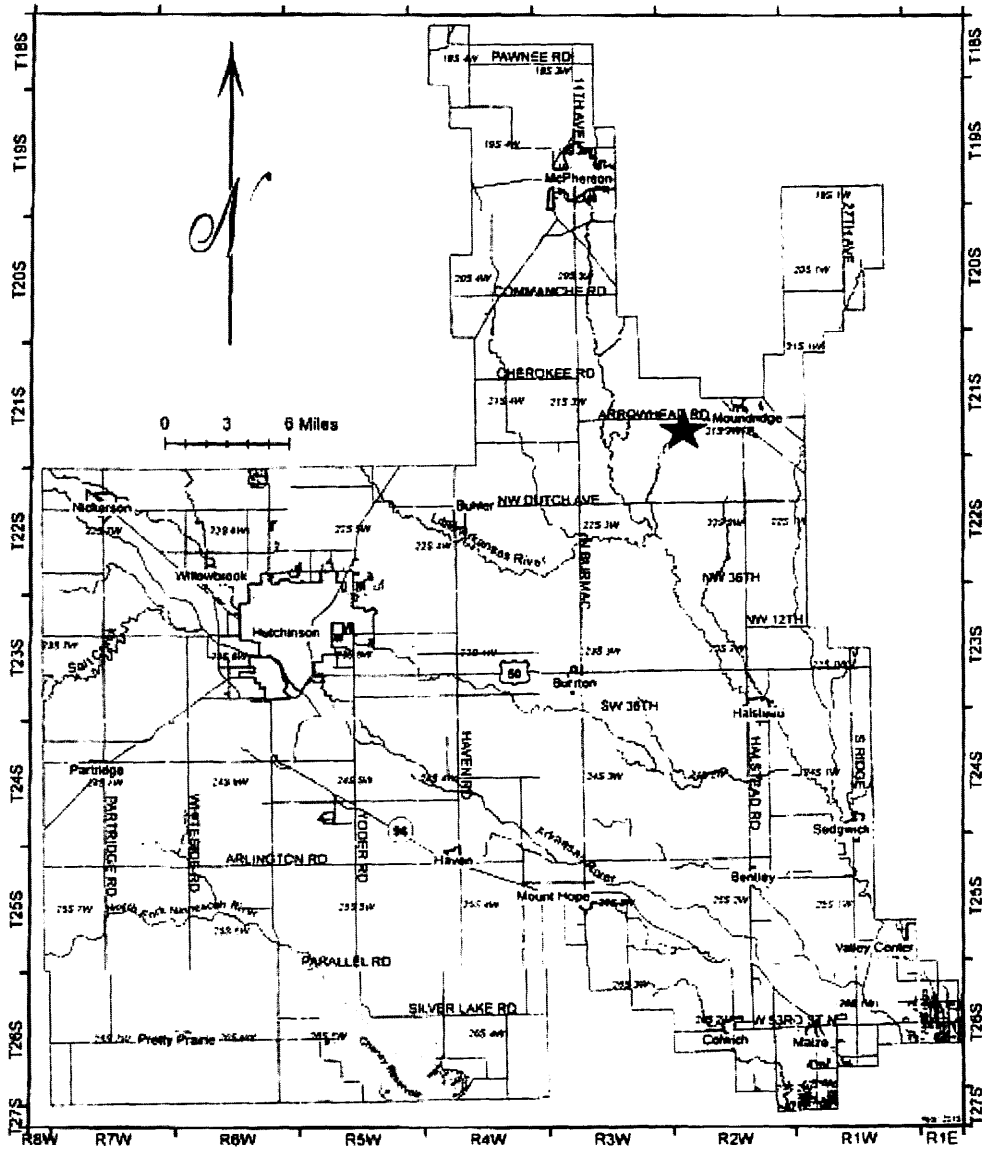


Figure 1. General location of application within the District indicated by the black star WATER RESOURCES RECEIVED

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Figure 2. Location of proposed point of diversion described in application no. 49099.

BACKGROUND INFORMATION:

JUN 9, 2014 - The applicant filed a new water permit application for 298.5 acre-feet at 1600 gallons per minute. The application was later modified to propose 248.90 acre-feet at a maximum rate of 800 gallons per minute for irrigation of 191.47 acres from a proposed battery of 2 wells with a geographic center located in the Northwest quarter of the Southwest quarter of the Southeast quarter (934' N & 2237' W), Section 04, Township 22 South, Range 2 West, Harvey County (Figures 1 &2).

JAN 27, 2016 – In response to a request from the Division of Water Resources (DWR), the District reviewed the application using the adopted management program, and rules and regulations. The review found that that the application did not comply with the District's Aquifer Management Program due to declining groundwater levels in the application area. Based on the review findings, the application was recommended for denial. The applicant was forwarded a copy of the denial recommendation (Attachment A) with a copy of the District's Application Processing Requirements and Procedures Regulation K.A.R. 5-22-12. The denial recommendation advised the applicant that the District's decision could be appealed by submitting a written petition to the District office within 30 days (February 28, 2016) of the date of the denial recommendation letter.

FEB 2, 2016 – The DWR notified the applicant that the applicant had until March 2, 2016 to submit additional information to the Chief Engineer, DWR, or request additional time to submit the additional information to the Chief Engineer (Attachment B). DWR's February 2, 2016, letter does not grant additional time for the applicant to appeal to the District.

MAR 1, 2016 – The applicant submitted a written appeal petition via email with the District (Attachment C) pursuant to K.A.R. 5-22-12, appealing the District's recommendation.

MAR 4, 2016 – The District reviewed the applicant's appeal petition and found that it did not comply with K.A.R. 5-22-12, as the appeal petition was received by the District more than 30 days after the District's January 27, 2016, recommendation of denial letter. Based upon the review, the District denied the appeal request (Attachment D).

APR 1, 2016 – The applicant filed a written appeal petition via email with the District (Attachment E) appealing the denial of the original March 1, 2016, appeal.

APR 13, 2016 – The applicant was notified by letter that the April 1, 2016, appeal was scheduled for hearing by the Board of Directors on May 10, 2016. Additionally, the applicant was advised that, should the Board decide to grant a waiver to K.A.R. 5-22-12 and accept the original petition received by the District on March 1, 2016, then the original appeal would be heard at the May 10, 2016, meeting.

MAY 3, 2016 – The applicant and owners were notified by letter that the appeal was scheduled for hearing by the Board of Directors on May 10, 2016.

May 10, 2016 – The application was tabled until the January 2017 Board Meeting.

January 31, 2017 – The application was tabled until the February 2017 Board Meeting.

February 13, 2017 – The applicant was notified by mail that the application will be heard at the February 22, 2017 Board Meeting.

FINDINGS: The application was reviewed using the District's Aquifer Management Program and Rules and Regulations, K.A.R. 5-22-1 through K.A.R. 5-22-17.

The Division of Water Resources received one verbal comment from a surrounding well owner within one-half mile of the proposed point of diversion. The commenter was concerned about new applications in the area and the potential impact to groundwater levels.

The application complies with the District's Rules and Regulations, K.A.R. 5-22-1 through K.A.R. 5-22-17.

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The required spacing interval from the proposed well battery geographic center to surrounding domestic wells is 960 feet and 1620 feet from non domestic wells (Figure 3). The application complies with the District's domestic well spacing rule and regulation K.A.R. 5-22-2(b).

Equus Beds Groundwater Management District No. 2
Spacing Evaluation #49099 for Circle S Farm
NWSWSE (933'N & 2237'W) 04-22S-02W, Harvey County

Prepared By: S. Flaherty Date: 4/28/2015

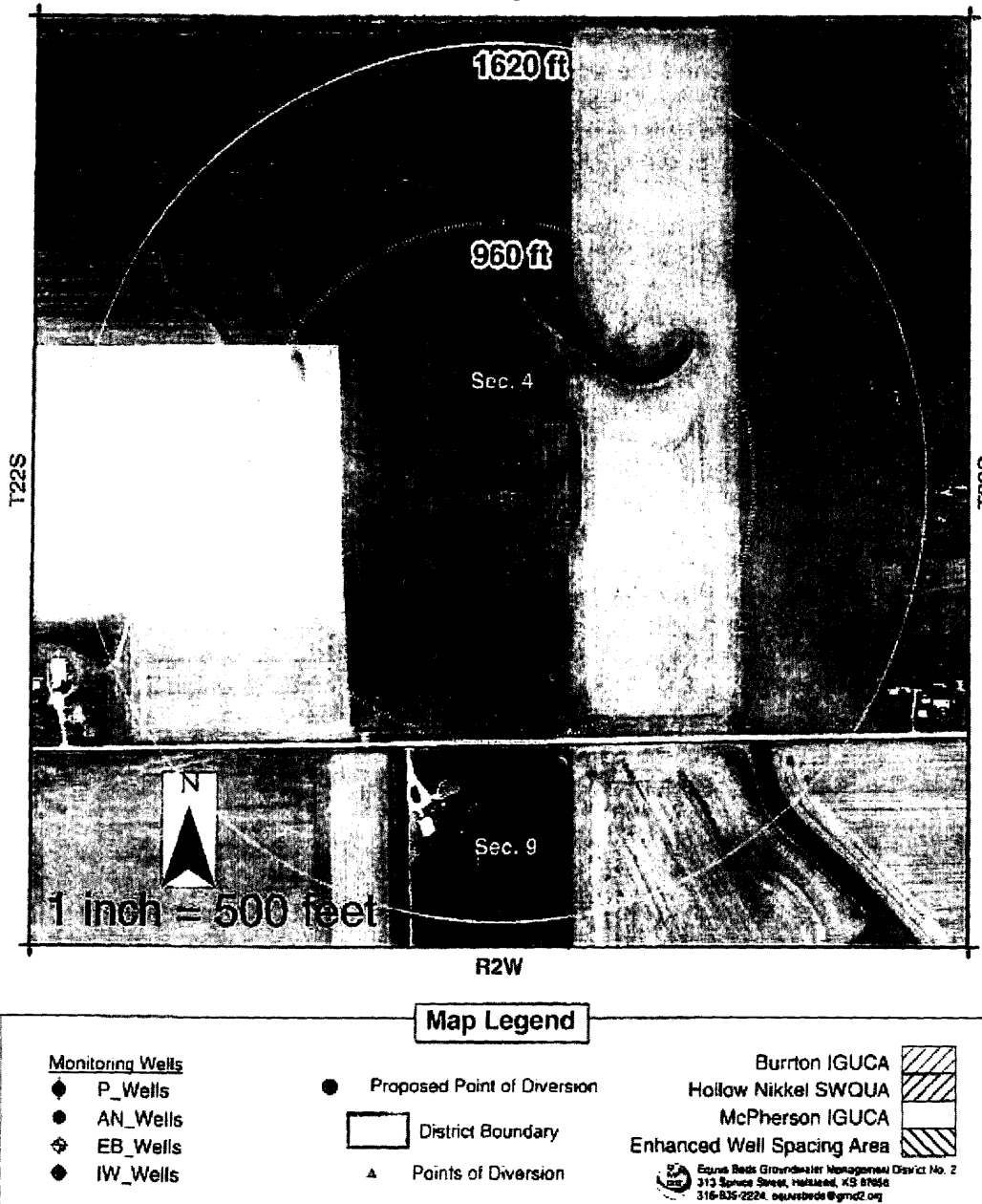


Figure 3. Well spacing map for application no 49099.

The application complies with the current safe yield Rule and Regulation K.A.R. 5-22-7. Total appropriations including the proposed application totaled 3,318.86, which is under the maximum allowable quantity (based on the current recharge) of 3524.50 acre-feet by 205.64 acre-feet for the area of consideration (2 mile radius from proposed point of diversion) (Figure 4, 4a).

**Equus Beds Groundwater Management District No. 2
 Safe Yield Evaluation - #49099 - Circle S Farms
 NWSWSE (934'N & 2237'W) 04-22S-02W, Harvey County
 Prepared By: T. Boese Date: 1/27/2016**

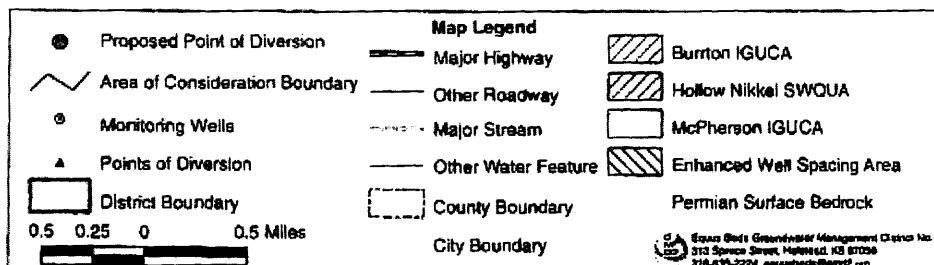
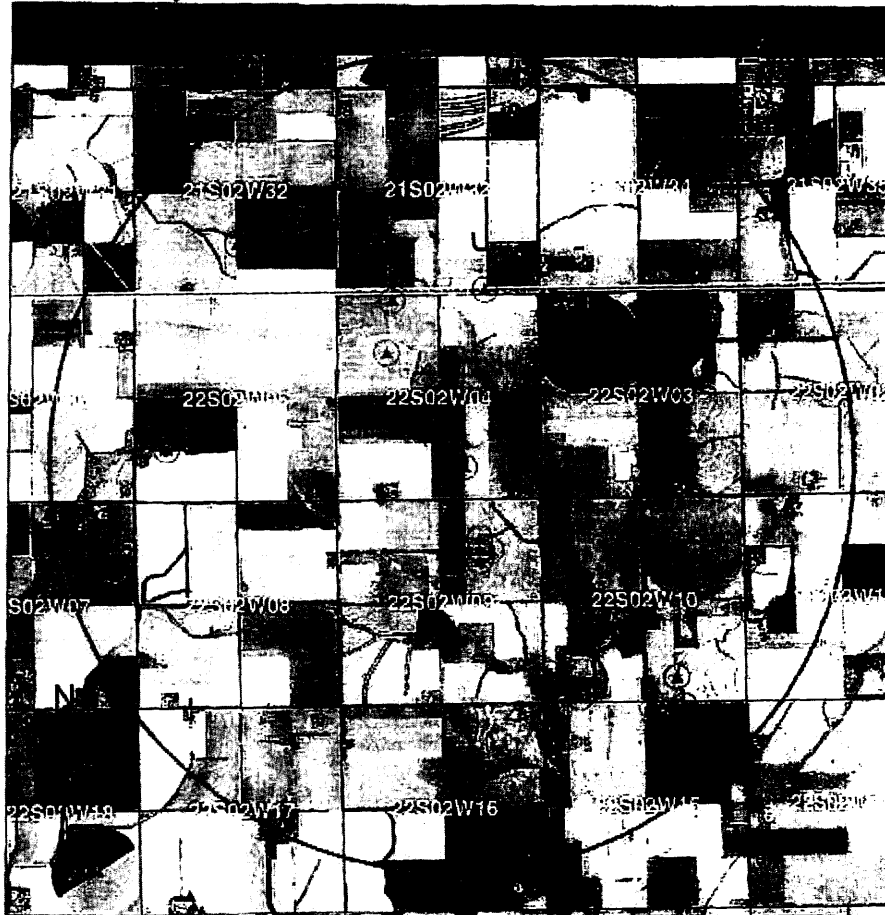


Figure 4. Safe yield map of proposed geocenter.

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SAFEYIELD EVALUATION - NO. 49099 - CIRCLE S FARMS							
LOCATION: NWSWSE (934'N & 2237'W) 04-22S-02W, Harvey County							
SPECIAL USE AREA: None							
EVALUATION DATE:- 1/27/2016							
Total Areas: 8,042 acres; Area in 3 inch discharge zone: 1,986 acres; Area in 6 inch discharge zone: 6,056 acres							
FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A02745500	1740	21S	02W	33	1111396	MUN	137.61
A02745500	1741	22S	02W	4	50943824	MUN	126
A01516600	7	22S	02W	15	46451665	MUN	283.96
A01516600	8	22S	02W	15	51851660	MUN	299.12
A04498200	2923	21S	02W	33	1111396	MUN	96.56
A04499500	2926	22S	02W	4	50943824	MUN	0
A04711400	3563	22S	02W	10	39182651	IRR	0
A04711400	3564	22S	02W	10	44282643	IRR	0
A04711400	3522	22S	02W	10	41732647	IRR	162
A04565600	3107	22S	02W	7	48600666	IRR	41.6
A04664900	3434	22S	02W	10	7455177	MUN	346.49
A04665000	3435	22S	02W	10	1204392	MUN	296.18
A00511200	29	22S	02W	5	SENWSW	IRR	240
A01966900	624	22S	02W	3	37303940	IRR	141
A03721300	21	21S	02W	32	19080924	IRR	98
A04759100	3687	21S	02W	33	26205060	IRR	104
A00622100	1176	21S	02W	32	13002600	IRR	120
A02303600	1415	22S	02W	10	1204392	MUN	36.357
A02303600	1416	22S	02W	10	7455177	MUN	57.836
A02522900	1110	22S	02W	10	6201839	MUN	126.05
A04876500	4135	22S	02W	9	39601630	IRR	155.5
A04876500	4165	22S	02W	9	39601340	IRR	0
A04876500	4166	22S	02W	9	39601920	IRR	0
A04876500	4167	22S	02W	9	42501630	IRR	0
A04876500	4168	22S	02W	9	36701630	IRR	0
A04902300	4225	22S	02W	4	37613993	IRR	201.7
A04909900	4254	22S	02W	4	9342237	IRR	248.9
A04909900	4264	22S	02W	4	10522487	IRR	0
A04909900	4265	22S	02W	4	8151995	IRR	0
Allowable Appropriations	3,524.50		Total Existing Appropriation			3,318.86	
Small User Quantity	0		Non Consumptive Appropriations			0	
Remaining SUQ	45		Consumptive Appropriations			3,318.86	
Note- Values are in acre-feet			Available Appropriations			205.64	

Figure 4a. Safe yield table of proposed geocenter.

The test well log submitted with the application indicated that depth to bedrock is 121 feet below land surface at the proposed point of diversion location (Figure 5). The static water level was not recorded on the test well log. A field inspection of the test well found the well was damaged and the bottom of the well plugged with foreign material and an accurate water level measurement could not be obtained. Estimated depth to groundwater at the location is approximately 50 feet below land surface. The test log indicates primarily clay from 3' to 79' feet below land surface and approximately 36 feet of saturated 'fine sand' with intermittent clay layers from 79' to 121' feet below land surface, including clay from 97' to 103' below land surface.

CUSTOMER: Justin Schrag - Circle S Farms 14030 NW 96th - Moundridge, Ks. 67107 620-386-4060

LOCATION:

Screen 2-1/2" Holeplug Gas & Oil - W.Y. 6" or 5" Liner Thread
 Casing 2-1/2" Quarters 3/4" Polyethylene Solvent & Glue
 Couplings, 2-1/2" Water 2-1/2" PVC Tee Water Sample Bottle
 End Caps, 2-1/2" Lime 5" & 6" Bits Inspection Sheet
 Gravel Pack Drilling Mud Packing

Depth	Formation	Well Information
0-3'	top soil	Static Water Level:
3-15'	clay tan	Est. production: 400-600 gpm
15-22'	clay & l. Hic sandy	Casing depth: 0-100' 2 1/2"
22-29'	clay	Screen depth: 155'-120' 2 1/2"
29-37'	sand fine	Slot size:
37-105'	clay Ben	Grouting depth:
105-121'	sand fine w/ very small clay lenses	Number of bags: 2
121-135'	shale gray	Nearest Certification: house 1/8 mile SW
		Maintenance & Safety:
		Notes:

Directions:

Latitude: 38.16187955 N decimal degrees (ex. 38.441776)

Longitude: -97.54451557 W decimal degrees (ex. 95.373889)

Datum: NAD27 NAD83 WGS84

SE 1/4	NW 1/4	SW 1/4	SE 1/4
Sec. 4	T 22	R 2	E 07
County: Harvey			

5 7" x 130' /ft. Well
 \$ 50.00 /Grout
 \$ N/A /Test Pumping
 \$ NONE /Water Sample
 \$ NONE /Mobilization/Travel
 Contract Received:

Invoice #: 1887
 Date Mailed: 11/4/14
 Well # 2014

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 Dept of Agriculture
 Management Services

Figure 5. Test log submitted for application no 49099.

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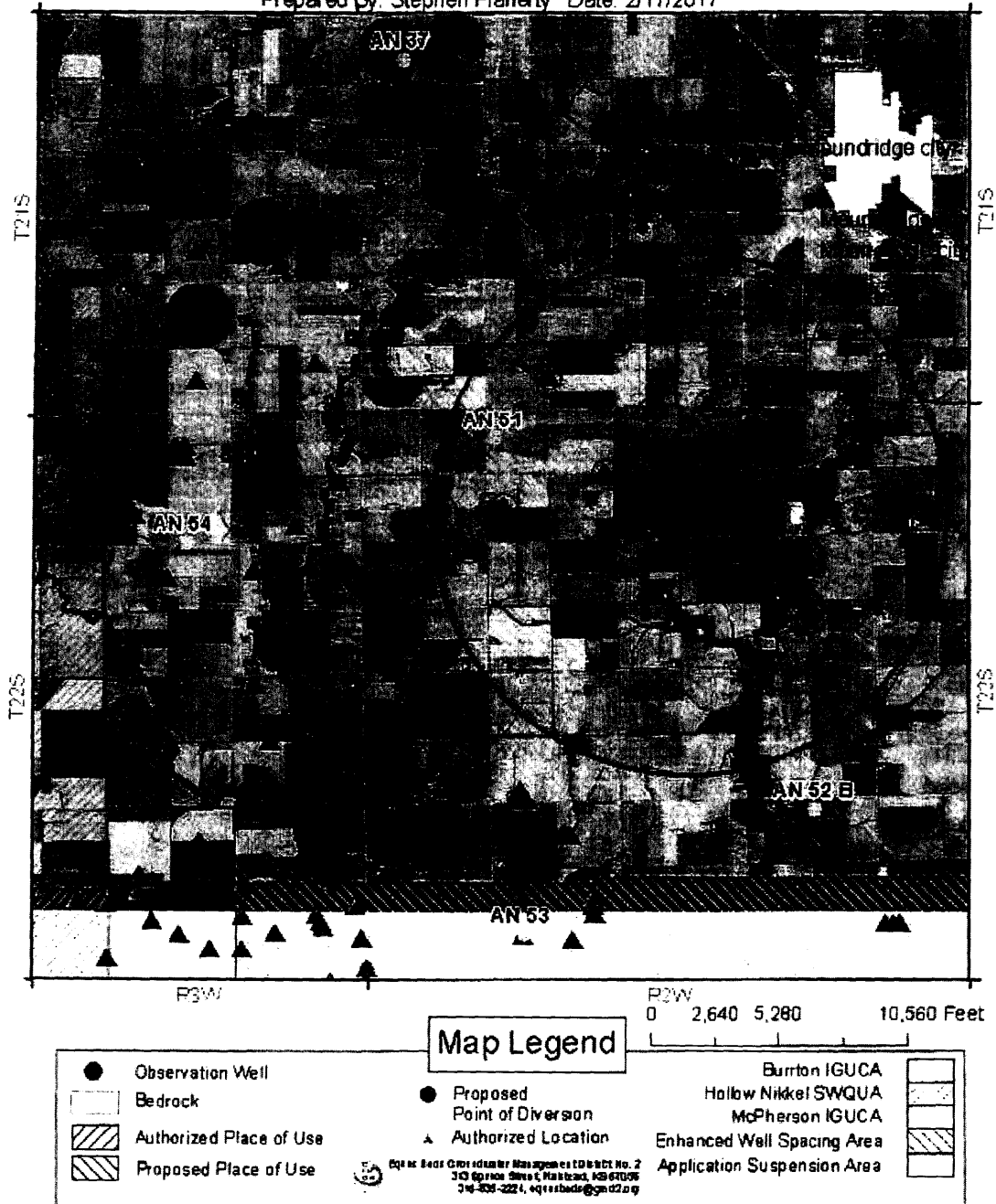
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Equus Beds Groundwater Management District No. 2

Observation Well Location Map

Prepared By: Stephen Flaherty Date: 2/17/2017



Map1. Displaying nearby observation well locations and proposed application no 49099.

Depth to water measurements have been collected annually since May 12, 1970 at observation well AN51 which is located approximately 1.4 miles west of the proposed well battery (Figure 6). The high is 43.41 feet below land in surface in 1970 and the low is 55.47 feet below land surface in 2016. As of the year 2000 the water level elevation has declined approximately 7 feet. The lowering of the water table is caused by discharge exceeding recharge.

January Water Level Observation Well AN51
 Location: SE-NW-SW Sec. 5, T22, R2W, Harvey County

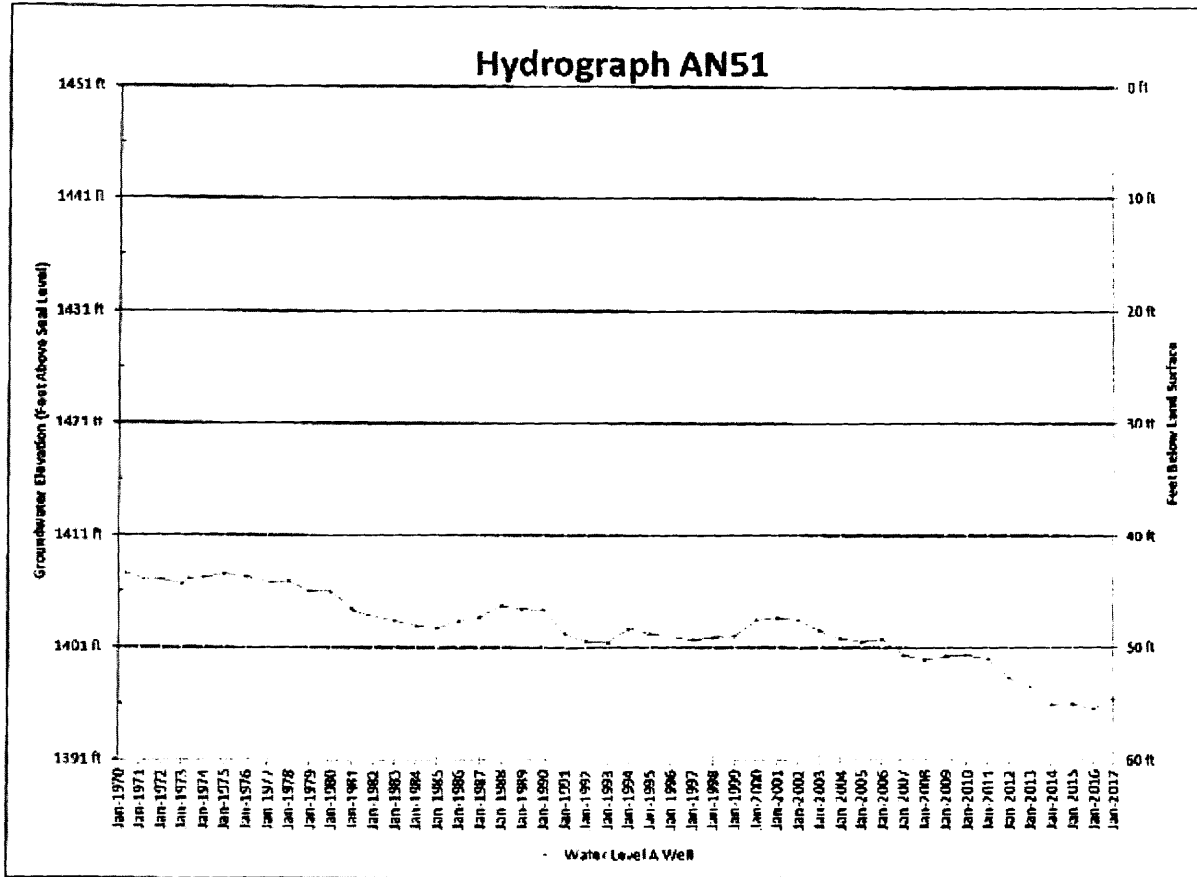


Figure 6 Hydrograph of nearby observation well AN51. See Map 1 for location.

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Depth to water measurements have been collected annually since May 1, 1970 at observation well AN54 which is located approximately 3.9 miles west of the proposed well battery (Figure 7). The high is 31.25 feet below land surface in 1974 and the low is 44.90 feet below land surface in 2013. The hydrograph clearly displays a lowering of the static water level through time. The lowering of the water table is caused by discharge exceeding recharge.

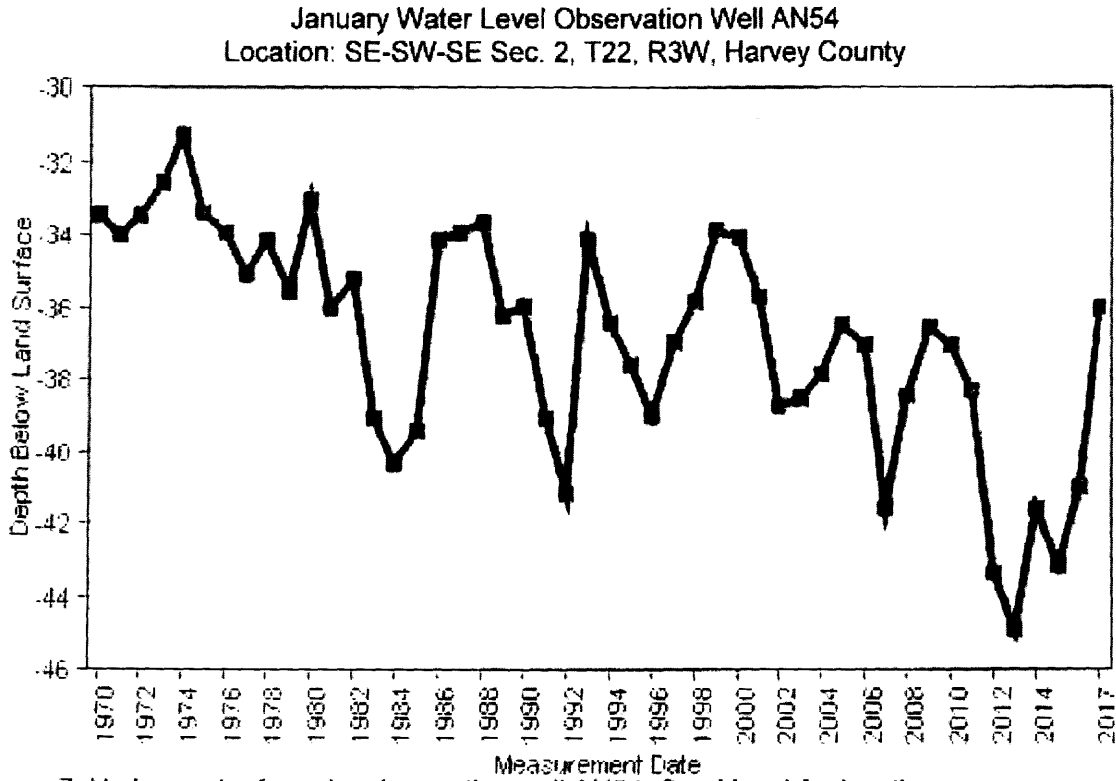


Figure 7. Hydrograph of nearby observation well AN54. See Map 1 for location.

Depth to water measurements have been collected annually since May 1, 1970 at observation well AN37 which is located approximately 3.9 miles northwest of the proposed well battery (Figure 8). The high is 44.32 feet below land in surface in 1975 and the low is 60.81 feet below land surface in 2016. A hydrograph of water level measurements from well AN37 indicate a declining water table. The lowering of the water table is caused by discharge exceeding recharge.

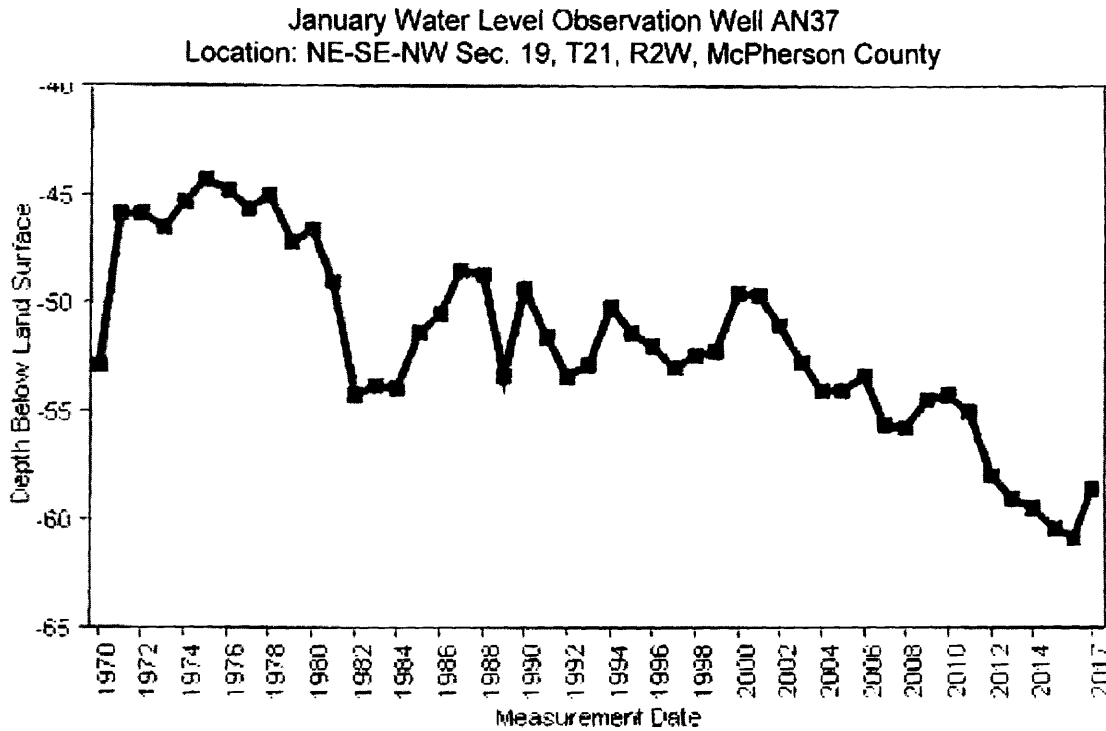


Figure 8 Hydrograph of nearby observation well AN37 See Map 1 for location.

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Depth to water measurements have been collected annually since May 13, 1970 at observation well AN53 which is located approximately 3.5 miles south-southwest of the proposed well battery (Figure 9). The high is 16.77 feet below land in surface in 1974 and the low is 29.85 feet below land surface in 2013. A hydrograph of water level measurements from well AN37 indicate a declining water table. The lowering of the water table is caused by discharge exceeding recharge.

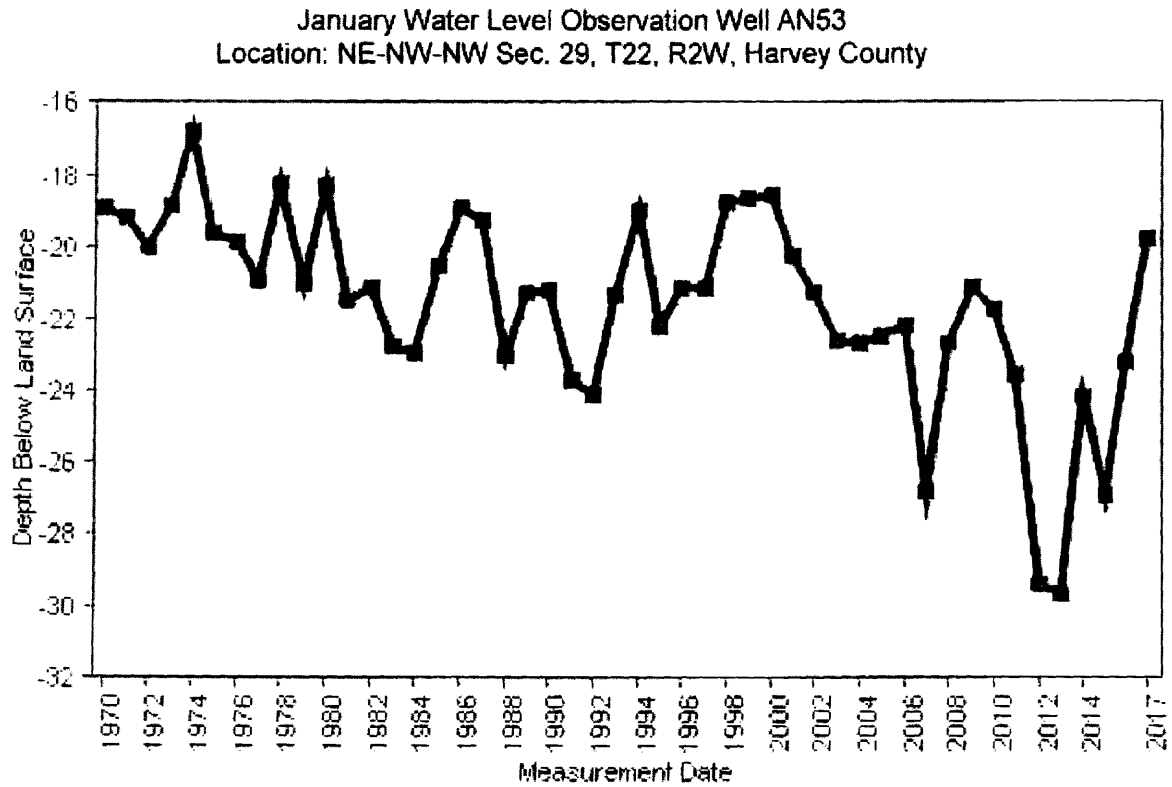


Figure 9 Hydrograph of nearby observation well AN53. See Map 1 for location.

Depth to water measurements have been collected annually since January 31, 2003 at observation well AN52B which is located approximately 2.5 miles south-southeast of the proposed well battery (Figure 10). The high is 12.41 feet below land in surface in 2006 and the low is 17.58 feet below land surface in 2013. The hydrograph displays a lowering of the water table which is caused by discharge exceeding recharge at this location.

January Water Level Observation Well AN52B
 Location: NW-NW-NE Sec. 22, T22, R2W, Harvey County

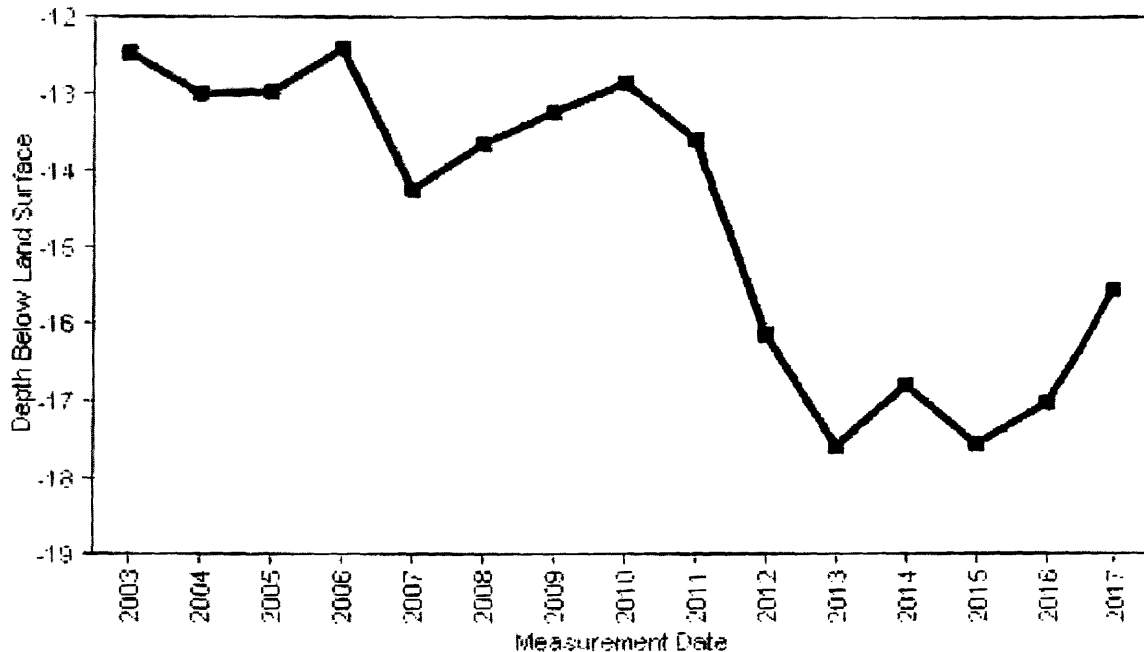


Figure 10. Hydrograph of nearby observation well AN 52B. See Map 1 for location.

Water levels have dropped up to approximately 7-8 feet in nearby observation wells since the year 2000. The most significant source of discharge in this area is groundwater wells. When long term water table declines occur, the safe yield has been exceeded. These decreases have been evident from at least the year 2000.

In addition to the potential impacts on the nearby wells, the proposed point of diversion will add to regional groundwater level declines illustrated by the hydrographs in Figures 6-10.

As shown by hydrographs in figures 6-10, there is an overall lowering of the water table in this area. Kansas Statute 82a-711(a) (part of the Kansas Water Appropriation Act) states that the Chief Engineer shall approve applications for beneficial use that neither impairs an existing water right nor prejudicially and unreasonably affects the public interest. As per K.S.A. 82a-711(c), impairment shall include the unreasonable raising or lowering of the static water level.

The District's Management Program and rules and regulations must be consistent with the Kansas Water Appropriation Act and are aimed at preventing impairment and an overall lowering of the water table. K.S.A. 82a-711(b)(2) advises that that the Chief Engineer, in determining if a proposed use will prejudicially and unreasonably affect the public interest, will take into consideration the area, safe yield, and recharge rate. Since the Management Program specifically states that it is the goal of the District to balance groundwater withdrawals with annual recharge to prevent groundwater mining, it is not in the public interest to allow additional groundwater withdrawals in an area with declining water levels.

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Declining water levels as recorded from nearby observation wells strongly indicate that discharge has exceeded recharge. When groundwater pumping exceeds recharge, groundwater mining has occurred. Allowing additional groundwater withdrawals from new water appropriations does not comply with K.S.A. 82a-711(c) and does not comply with the goal of the District's Aquifer Management Program to balance groundwater withdrawals with recharge and to prevent groundwater mining.

The applicant's March 1, 2016, appeal letter (attachment C), advised:

1. The application complies with the District's Rules and regulations K.A.R. 5-22-1 through 5-22-17.
2. The application was filed in June, 2014, which is 18 months prior to the change in the District Management Program (Staff note: The Management Program was not changed – only staff's authority in reviewing and making recommendation of applications was clarified by approved Board resolution on December 9, 2014.)
3. Other permits in the area have been recommended for approval by the District, including an application located within 3000 feet of this application. (Staff note: Application No. 49023 located approximately 3300 feet north-northwest was filed on March 27, 2014, and reviewed by the District and recommended for approval on December 19, 2014. District staff had not yet reviewed this area for groundwater level trends. DWR has not yet approved or denied No. 49023. All other applications within the area of consideration (2 mile radius) were reviewed and recommended for approval well before December 9, 2014).
4. Water-levels in the area are recovering.
5. The applicant will reduce the proposed quantity to 140 acre-feet per year.

KGS Sustainability Assessment Results:

The KGS Sustainability Assessment reports that data collected within Township 22 South, Range 2 West indicates that average sustainable water use is 2,933 AF/Y which is 13.9% below average reported water use (3,408 AF) and 56.0% below currently authorized (6,671 AF) (Figure 11). The defined areas indicate sustainable usage is 3,606 AF/Y which is 5.6% below average reported water use (3,819 AF) and 41.5% below currently authorized (6,162 AF) (Figure 12).

Average Sustainable Water Use, Average Water Usage, and Authorized Annual Quantity, in Acre-Feet, by Township
 * indicates the township is heavily dependent on infrequent high inflow years

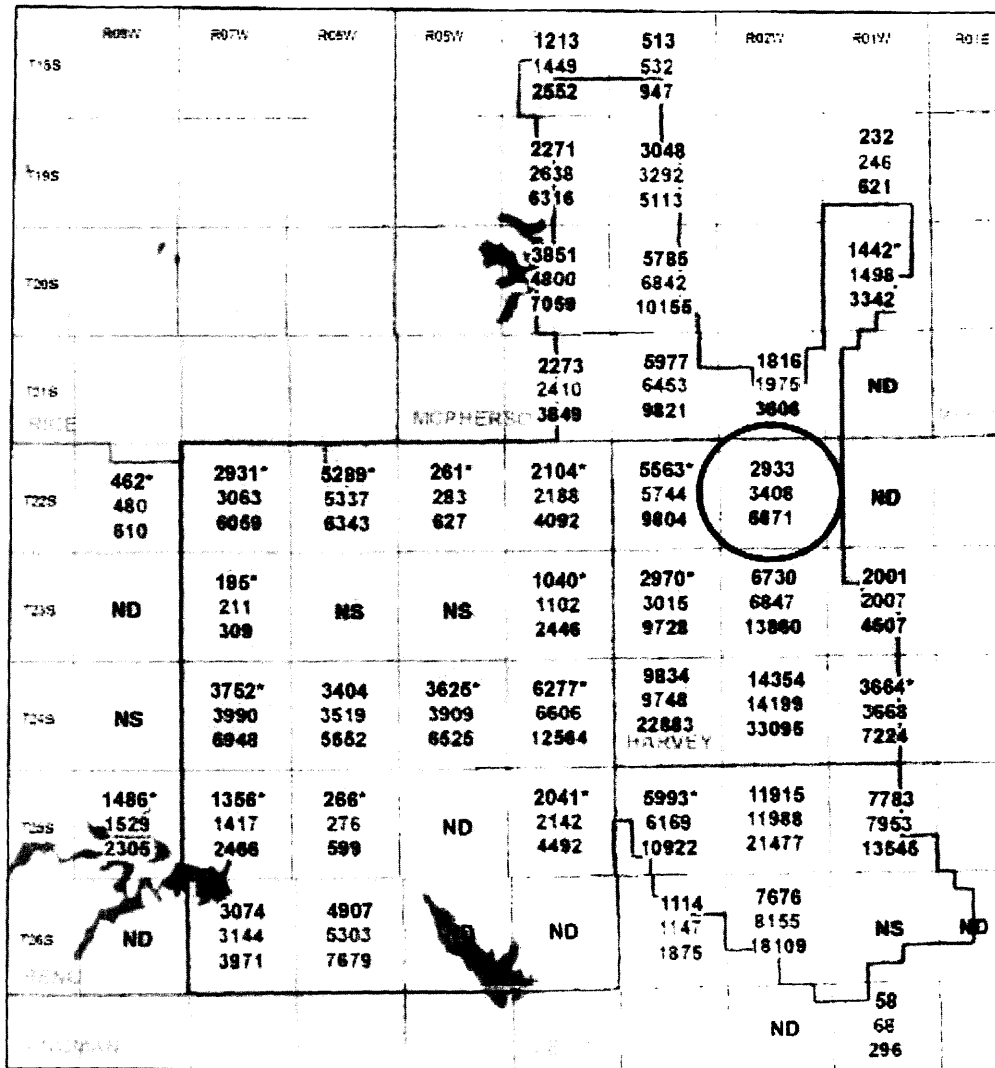


Figure 11. Sustainable usage by townships.

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Average Sustainable Water Use, Average Water Usage, and Authorized Annual Quantity, in Acre-Feet, by GMD2 Defined Area

* indicates the township is heavily dependent on infrequent high inflow years

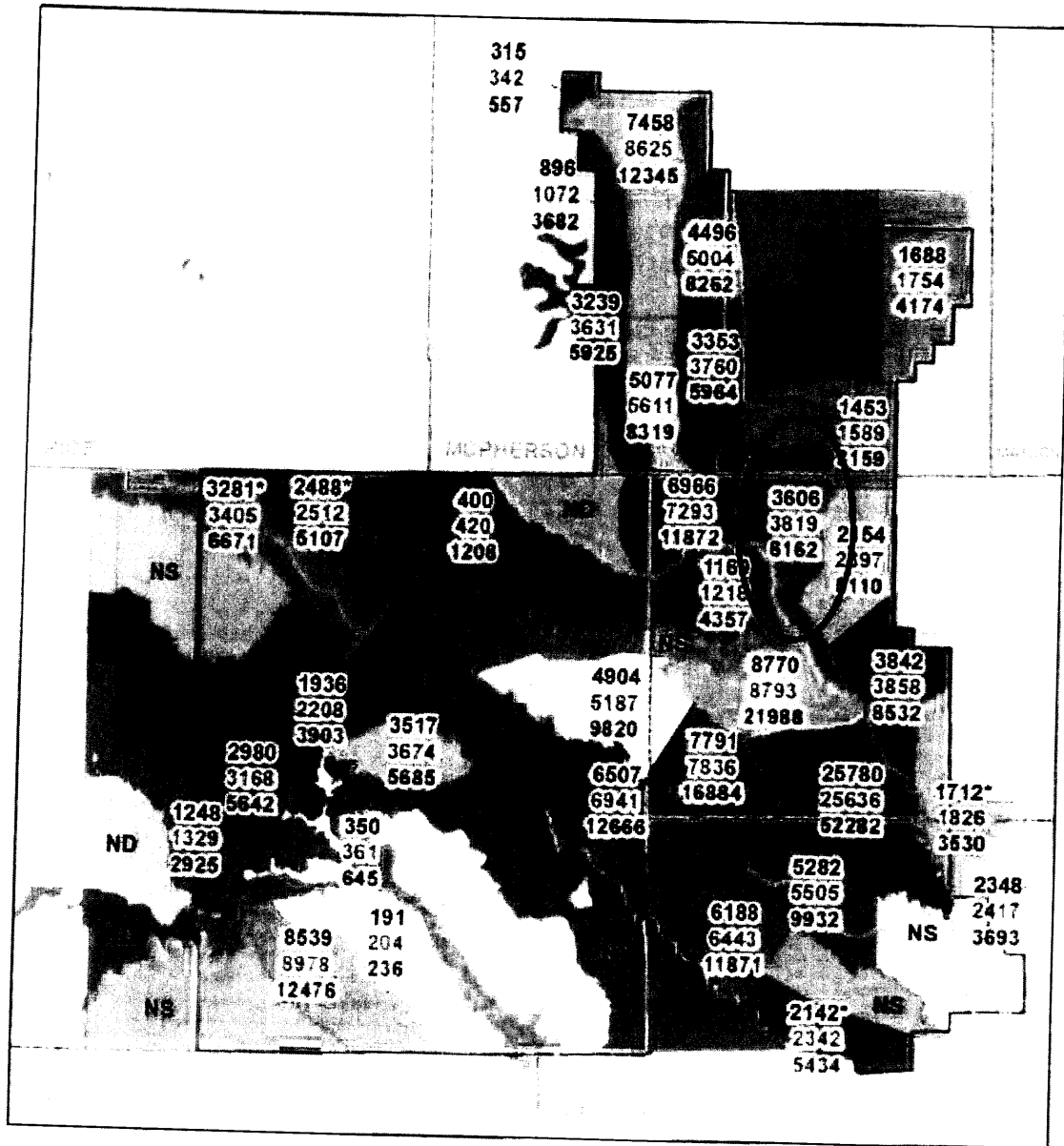


Figure 12. Sustainable usage by defined areas.

STAFF RECOMMENDATION:

Based on District findings that:

1. Application No. 49099 proposes the withdrawal 248.90 acre-feet at a maximum rate of 800 gallons per minute for irrigation of 191.47 acres from a proposed battery of 2 wells with a geographic center located in the Northwest quarter of the Southwest quarter of the Southeast quarter (934' N & 2237' W), Section 04, Township 22 South, Range 2 West, Harvey County.
2. The application complies with domestic and non domestic well spacing rule and regulation K.A.R. 5-22-2(a),(b).
3. The application complies with the current safe yield Rule and Regulation K.A.R. 5-22-7.
4. One nearby well owner responded with concerns about Application No. 49099 during the 15 day comment period provided by Division of Water Resources.
5. The test log submitted with the application indicates that depth to bedrock near the proposed point of diversion is approximately 121 feet and the aquifer has only 36 feet of saturated yielding material consisting of fine sand.
6. Nearby water level measurements indicate the aquifer in the vicinity of the proposed point of diversion is declining and groundwater is being mined.
7. The minimal saturated thickness at the application location increases the chance of impairment to existing water rights.
8. The application presents an impairment risk for existing water rights as the proposed point of diversion will contribute to groundwater mining occurring in the area.
9. The application complies with the District's Rules and Regulations, K.A.R. 5-22-1 through K.A.R. 5-22-17.
10. The application does not comply with the District's Aquifer Management Program goal of managing the groundwater supplies within the District boundaries by balancing groundwater withdrawals with annual recharge to the aquifer to prevent groundwater mining.
11. The recent Sustainability Assessment report published by the Kansas Geological Survey indicates that the sustainable water usage in this area is 13.9% to 5.6% lower than current reported usage, and 56% to 41.5% below current authorized quantity, demonstrating that the area is over-appropriated and groundwater use is exceeding sustainable yield.
12. K.S.A. 82a-711(c) states that impairment shall include the unreasonable raising or lowering of the static water level. Five representative hydrographs show a lowering of static water levels within a four mile radius of the proposed point of diversion and the KGS GMD2 Sustainability Assessment indicates that the actual recent average water use is not sustainable in Township 22 South, Range 2 West, Harvey County.

Staff Recommends:

That Application No. 49178 be recommended for denial, as the application does not comply with the District's Aquifer Management Program which is required to be consistent with the Kansas Water Appropriation Act. In this case, approval of the application is not consistent with K.S.A. 82a-711, as approval of the application cause the unreasonable lowering of the water table and is not in the public interest.

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**GROUNDWATER MONITORING PLAN
for
WATER APPROPRIATION FILE NO. 49099 – CIRCLE S FARM**

Prepared by
Equus Beds Groundwater Management District No. 2
March 3, 2017

A SCOPE - To monitor and record water quality and water level changes in the Equus Beds Aquifer in an area that encompasses the point of diversion described by Water Appropriation Application No. 49099.

B DATA COLLECTION

B.1 Data collection points may include the proposed production wells and dedicated observation wells.

B.2 The data collection point locations are described as:

B.2.1 One irrigation well battery in the northwest quarter of the southwest quarter of the southeast quarter of Section 04, Township 22 south, Range 2 west, Harvey County, approximately 934 feet north and 2,237 feet west of the apparent southeast section corner

B.2.2 One observation well in the southwest quarter of the southwest quarter of the southeast quarter of Section 04, Township 22 south, Range 2 west, Harvey County, approximately 50 feet north and 2,237 feet west of the apparent southeast section corner

B.3 Each data collection point shall be assigned an identification character and marked so as to be easily visible on the data collection point.

B.4 The water permit owner is responsible for water level measurements and collection and analysis of initial baseline water samples.

B.5 A trained and qualified person, as determined by the Division of Water Resources and the Equus Beds Groundwater Management District, shall conduct all measurements and sample collection.

B.6 The water permit owner shall provide the Equus Beds Groundwater Management District and the Division of Water Resources rights of ingress and egress to the monitoring well as may be reasonably necessary for data gathering or sample collection.

C DATA COLLECTION RECORDS

C.1 The water permit owner shall maintain accurate permanent records of all water level measurements and water quality analyses.

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- C.2 All water level measurements shall be recorded to the nearest 0.1 foot.
- C.3 Record data for each water level measurement shall include:
 - C.3.1 Identification of the data collection point by identification character and legal description;
 - C.3.2 Date of measurement;
 - C.3.3 Time of measurement;
 - C.3.4 Name of person making measurement;
 - C.3.5 Description and elevation of measuring point;
 - C.3.6 Measurement of depth to water from measuring point in feet;
 - C.3.7 Computed depth to water from land surface;
 - C.3.8 Computed water table elevation;
 - C.3.9 If the data collection point is a production well, the date the well was last operated, and
 - C.3.10 Any field observations that may have an effect on the water table.
- C.4 Record data for the initial baseline inorganic water quality analysis shall include:
 - C.4.1 Laboratory name, address and telephone number;
 - C.4.2 Laboratory certification identification number issued by the Kansas Department of Health and Environment;
 - C.4.3 Identification of the data collection point by identification character and legal description;
 - C.4.4 Name of sample collector;
 - C.4.5 Time and date sample was collected;
 - C.4.6 Depth sample was collected;
 - C.4.7 Total depth of the well;
 - C.4.8 Depth to the top of the screen and length of screened interval of the well;
 - C.4.9 Date sample was received by the water chemistry laboratory;
 - C.4.10 Date analysis was performed or reported;
 - C.4.11 Results of analysis, and
 - C.4.12 Name of analyst.

D EQUIPMENT

- D.1 Water level measurements shall be made using one of the following devices:
 - D.1.1 A chalked steel tape with a weight attached to the lower end and graduated to a minimum of 0.1 foot;
 - D.1.2 An M-scope or electric tape graduated to a minimum of 0.1 foot;
 - D.1.3 A factory calibrated pressure transducer;
 - D.1.4 Equipment must be clean and free of any contaminants, and
 - D.1.5 Other devices approved by the Division of Water Resources and the Equus Beds Groundwater Management District.

- D.2 Initial water quality sample shall be:
 - D.2.1 Taken after water standing in the well casing and in the annulus adjacent to the well screen is removed so that formation water replaces the standing water;
 - D.2.2 Collected by means of:
 - D.2.2.1 A bladder pump;
 - D.2.2.2 A bailer with a double check valve and a bottom emptying device;
 - D.2.2.3 An air lift pump;
 - D.2.2.4 A centrifugal pump, or
 - D.2.2.5 a turbine pump,
 - D.2.3 Placed in new, clean, high-density polyethylene, eight ounce (oz), sample container free of contaminants and sealed with a polyethylene threaded cap, (or container provided by the analyzing laboratory):
 - D.2.3.1 The sample container shall be marked with a durable and waterproof label.
 - D.2.3.2 The label shall contain:
 - D.2.3.2.1 Data collection identification number;
 - D.2.3.2.2 Name of the collector;
 - D.2.3.2.3 Date and time of the sample collection, and
 - D.2.3.2.4 Legal description of the data collection point.
 - D.2.4 Cooled to 4° C and protected from contaminants, and
 - D.2.5 Delivered to a certified laboratory within 24 hours of collection.

E FREQUENCY OF WATER LEVEL MEASUREMENTS

- E.1 An initial water level measurement shall be taken at the data collection point, described in paragraph B.2.2, prior to the installation of the proposed diversion works (irrigation well(s)) described in water permit application #49099.
- E.2 Upon installation of the proposed diversion works, water level measurements shall commence on the data collection points described in paragraphs B.2.1 and B.2.2 (irrigation well(s) and observation well) for a period of ten (10) years as described:
 - E.2.1 Water level measurements shall be collected on a monthly basis for two years.
 - E.2.2 Monthly measurements shall be collected during the first full week beginning with the first Monday of each month.
 - E.2.3 After two years of monthly measurements, water level measurements shall be collected on a quarterly basis for three years.
 - E.2.4 Quarterly measurements shall be collected during the first full week beginning with the first Monday of each calendar quarter.

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E.2.5 After three years of quarterly measurements, water level measurements shall be collected on an annual basis for five years.

E.2.6 Annual measurements shall be collected during the first full week beginning with the first Monday of each calendar year.

E.3 Measurements may extend beyond ten (10) years, if it is found by the Chief Engineer, Division of Water Resources and the Board of Directors, Equus Beds Groundwater Management District No. 2 that such data is necessary to:

E.3.1 Determine groundwater level changes at the site;

E.3.2 Prevent impairment of existing wells and water rights, or

E.3.3 Determine other site conditions.

F FREQUENCY AND ANALYSIS OF WATER QUALITY SAMPLES

F.1 An initial water quality sample shall be collected and analyzed from the data collection point, described in paragraph B.2.2, prior to the operation of the proposed diversion of works (irrigation well(s)) described in water permit application #49099.

F.2 An initial water quality sample shall be collected and analyzed from the data collection point described in paragraph B.2.1 immediately following its completion.

F.3 Type of water quality analysis to be performed on each initial sample shall be an inorganic analysis comprised of minerals and metals and including specific conductance.

F.4 All water chemistry analysis shall be performed by a laboratory certified by the Kansas Department of Health and Environment to perform such analyses.

G REPORTING

G.1 The applicant shall furnish all water level measurements and water quality analyses performed on the data collection points to the Chief Engineer, Division of Water Resources and the Equus Beds Groundwater Management District, within ten days of a measurement or receipt of an analysis.

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

OBSERVATION WELL SPECIFICATIONS FOR GROUNDWATER LEVEL OR WATER QUALITY (INORGANIC) MONITORING

SECTION 1 - GENERAL

1.01—The contractor shall furnish all necessary supervision, labor, tools, materials and equipment, except as maybe noted, to properly drill and construct groundwater observation wells.

1.02--The contractor shall furnish a certificate of insurance to the water permit owner for Workers' Compensation (\$500,000 bodily, \$500,000 property, \$500,000 disease); Comprehensive General Liability, including XCU liability coverage (\$500,000); Property Damage Liability (\$500,000); and Automobile Liability Insurance (\$500,000).

1.03--The Equus Beds Groundwater Management District No. 2 shall furnish a site geologist for the following purposes:

1.03.1.to inspect the well and site during and after well construction and completion;

1.03.2.to determine the well completion and screen depth and placement of the gravel pack ;

1.03.3.to make measurements or collect samples as maybe necessary; and

1.03.4.other matters that may arise during the project that are not listed in the Observation Well Specifications for Groundwater Level or Water Quality (Inorganic) Monitoring, location map and these specifications.

1.04--The contractor shall protect any adjacent equipment, drainage ditches, pavements, crops, fences, above and below ground utility lines and any other site work liable to damage from the execution of this work. Repair of damaged areas shall be made as approved by the water permit owner or the Equus Beds Groundwater Management District No. 2 at the contractor's expense.

1.05--The contractor shall have a valid and current water well contractors drilling license issued by the State of Kansas.

1.06--The contractor shall complete a Kansas Department of Health and Environment form WWC-5 for each well drilled and constructed. The form shall be typed and submitted to the Kansas Department of Health and Environment the Equus Beds Groundwater Management District No. 2, and the water permit owner not later than 30 days upon completion of a well.

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KS DEPT OF AGRICULTURE

1.07--The contractor shall remove all drilling and grouting equipment from the borehole when drilling and construction operations are suspended for the day or interrupted by an unforeseen circumstance.

1.08--The contractor and/or water permit owner shall notify the Equus Beds Groundwater Management District a minimum of 72 hours prior to drilling operations and shall schedule drilling and well construction to allow District staff to witness the drilling and well construction.

SECTION 2- SITE PREPARATION

2.01--The contractor or a representative of the contractor shall identify or locate above and below ground utilities. If necessary, utility locations shall be marked.

2.02--Subject to the approval of the site geologist; the staked observation well location may be moved for safety reasons or to avoid property or equipment damage.

2.03--When the use of wooden or steel planking will not provide rig stabilization; rough grading, cutting and filling shall be permitted for drilling rig stabilization.

2.04--The contractor shall erect and maintain guardrails, lights, temporary enclosures or other equipment as required to safeguard the public.

SECTION 3 - DRILLING

3.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, all drilling shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

3.02--The minimum diameter of the borehole shall be six inches from ground level to total depth (TD).

3.03--A portable above-ground drill tank or pit shall be used to circulate drilling fluid and contain drill cuttings.

3.04--Prior to setting casing the borehole TD shall be "tagged" or measured to determine borehole depth.

3.05--Any portion of the borehole that penetrates greater than five feet into bedrock, as determined by the site geologist, shall be plugged back to the observation well's TD.

3.06--Any borehole that is not completed due to unforeseen circumstances shall be plugged from TD to ground level.

SECTION 4 - WELL CONSTRUCTION

4.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, well construction shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

4.02--All materials used in the construction of each well shall be properly prepared and installed according to manufacturers' specifications.

4.03--A two inch PVC, schedule 40, slip cap shall be glued to the bottom end of the screen prior to screen installation.

4.04--A ten foot section or joint of two-inch diameter, PVC, schedule 40, slip joint, screen with 0.030 openings shall be set at TD.

4.05--Two-inch diameter, PVC, schedule 40, bell joint, well casing shall be installed from the screen to seven feet below land surface.

4.06--A two-inch diameter, PVC, schedule 40, threaded and slip end, female adapter shall be installed on the PVC well casing. The slip end shall be installed on the PVC well casing using glue and two galvanized screws that do not penetrate the inside surface of the well casing when tightened.

4.07--A prefabricated two-inch diameter, galvanized casing consisting of two, threaded, five feet sections coupled together shall be installed. A non-toxic thread sealing compound shall be used on the threaded joints.

4.08--A two-inch diameter, PVC, schedule 40, threaded, cap shall be installed, without thread sealing compound, on the well casing opening. A 1/8" diameter vent hole shall be drilled through the side of the cap.

4.08—The completed observation well shall be protected by a steel 6 X 6 inch square well protector that is of 5 feet minimum length and has a lockable lid. The monitoring well and square well protector shall be seated in a standard well pad.

4.09—The top of the observation well shall be 9 inches below the top of the square well protector.

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SECTION 5 - GRAVEL PACK

5.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, installation of the gravel pack shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

5.02--Immediately after the well screen and casing has been installed in the borehole; a gravel pack shall be installed from TD to a maximum of five feet above the top of the screen.

5.03--The gravel pack shall be placed in the same hydrologic unit or zone as determined by the site geologist and shall not connect multiple hydrologic units or zones.

5.04--The gravel pack material shall be clean sand 1/8 inch to 1/4 inch in diameter, placed with a tremie pipe.

5.05--After installation, the top of the gravel pack shall be "tagged" or measured to determine placement. Additional gravel pack shall be added, if needed.

SECTION 6 - GROUTING

6.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, grouting shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

6.02--Bentonite clay grout shall be installed in the annular space from the top of the gravel pack to ground level.

6.03--The grout shall be plugging sodium bentonite clay such as that manufactured under the trade name of "HolePlug" or an equivalent approved by the site geologist.

6.04--The grout shall be installed or placed with a tremie pipe or as recommended by the manufacturer.

6.05--Grout intervals less than or equal to 70 feet shall be plugged with sodium bentonite clay such as that manufactured under the trade name of "HolePlug" or an equivalent approved by the site geologist.

6.06--Grout intervals greater than 70 feet shall be plugged with a grout mixture consisting of fresh water and commercial grouting or plugging sodium bentonite clay containing high solids such as that manufactured under the trade name of "Volclay grout" or an equivalent approved by the site geologist. The grout mixture shall be as per manufacturer's recommendations to achieve a minimum weight of 9.4 pounds per gallon of mix. The grout shall be installed or placed with a tremie pipe.

6.07--Grout intervals for all wells from ten feet below land surface to land surface shall be grouted pursuant to Section 6.05.

SECTION 7 - WELL DEVELOPMENT AND SITE CLEANUP

7.01--To insure the well is functioning properly; each well shall be sufficiently developed to remove any drilling fluid and cuttings from the well and gravel pack.

7.02--Litter, drill cuttings and other materials associated with the drilling and construction of the well shall be removed and properly disposed of by the contractor.

7.03--Upon completion of the well, all drilling equipment shall be removed from the site as soon as possible and the site returned to pre-drilling conditions.

SECTION 8 - LOGGING

8.01--To determine the lithology of the unconsolidated material from ground level to TD; the contractor shall collect and log drilling samples at a maximum sample interval of five feet and less, if needed to determine lithology.

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

February 13, 2017

Justin Schrag
Circle S Farm
14030 NW 96th Street
Moundridge, KS 67107

WATER RESOURCES
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FEB 16 2017

Re: Water Appropriation Application No. 49099

KS DEPT OF AGRICULTURE

Dear Mr. Schrag:

The purpose of this correspondence is to advise you that the referenced water appropriation application is scheduled for review at the February 22, 2017, Board of Directors meeting of the Equus Beds Groundwater Management District.

Please find enclosed a copy of the meeting agenda. The public meeting begins at 10:00 a.m. and will be held in the Equus Beds Groundwater Management District's conference room at 313 Spruce Street, Halstead, Kansas.

Please contact the District if you have any questions or need additional information.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager

TDB/db

Enclosure: Agenda

Pc: Brent Turney, Division of Water Resources, Manhattan
Jeff Lanterman, Division of Water Resources, Stafford
Neva M Schrag Trust, Landowner
Ernie Goering, Jr., Landowner
Shirley Schrag, Landowner
Vera Lynn Goering Trust, Landowner

SCANNED

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

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February 3, 2017

Chief Engineer, Division of Water Resources
Attn: Brent Turney
1320 Research Park Drive
Manhattan, Kansas 66502

WATER RESOURCES
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FEB 06 2017

Re: Water Appropriation Application No. 49099 – Circle S Farm

KS DEPT OF AGRICULTURE

Dear Mr. Turney:

The referenced application was scheduled for review by the Equus Beds Groundwater Management District No. 2 Board of Directors at the January 31, 2017, meeting.

It was the decision of the Board of Directors to table making a recommendation on the application until the next District Board of Directors meeting to allow the District staff and Board time to complete the review of the District-wide sustainability assessment recently completed by the Kansas Geological Survey and for District staff to compile additional information. The application review is now scheduled for the February 22, 2017, meeting.

Sincerely,

EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager

TDB/db

pc: Jeff Lanterman, Division of Water Resources, Stafford
Neva M Schrag Trust, Landowner
Ernie Goering, Jr., Landowner
Shirley Schrag, Landowner
Vera Lynn Goering Trust, Landowner
Gene Bird, Nearby Well Owner

Jackie McClaskey, Secretary

Governor Sam Brownback

December 21, 2016

FILE COPY

GROUNDWATER MANAGEMENT DISTRICT NO 2
TIM BOESE
313 SPRUCE ST
HALSTEAD KS 67056-1925

Re: Pending Application, File No. 49,099

Dear Mr. Boese:

In response to your correspondence by e-mail dated December 21, 2016, for an extension of time to review and submit revised recommendations regarding the referenced application, the Chief Engineer has approved an extension of time of 30 days until **January 22, 2017.**

Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 564-6640. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Erin McGrogan

Erin McGrogan
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

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

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May 11, 2016

Chief Engineer, Division of Water Resources
Attn: Erin McGrogan
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Water Appropriation Application No. 49099 – Circle S Farm

Dear Ms. McGrogan:

The referenced application was reviewed by the Equus Beds Groundwater Management District No. 2 Board of Directors at the May 10, 2016, meeting. District staff and the applicant presented information regarding the application.

It was the decision of the Board of Directors to table making a recommendation on the application until the January, 2017, District Board of Directors meeting to allow the District time to complete and review the District-wide safe yield and recharge study and modeling effort being conducted in conjunction with the Kansas Geological Survey.

Sincerely,

EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager

TDB/db

pc: Jeff Lanterman, Division of Water Resources, Stafford
Neva M Schrag Trust, Landowner
Ernie Goering, Jr., Landowner
Shirley Schrag, Landowner
Vera Lynn Goering Trust, Landowner
Gene Bird, Nearby Well Owner

WATER RESOURCES
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MAY 16 2016

KS DEPT OF AGRICULTURE

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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

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April 13, 2016

Justin Schrag
Circle S Farm
14030 NW 96th Street
Moundridge, KS 67107

RE: Appropriation Application No. 49099

Dear Mr. Schrag:

The Equus Beds Groundwater Management District No. 2 received your Petition of Appeal on April 1, 2016, in the matter of the District's March 4, 2016, denial of your original appeal request which was denied due to the fact that the appeal petition did not comply with K.A.R. 5-22-12, as the appeal petition was received on March 1, 2016, which is more than 30 days after the January 27, 2016, original denial recommendation of the above referenced application.

The District Board of Directors will hear the April 1, 2016, appeal petition on Tuesday, May 10, 2016, in the conference room of the Equus Beds Groundwater Management District office, 313 Spruce Street, Halstead, Kansas. The meeting begins at 1:00 P.M. A copy of the meeting agenda will be forwarded to you once it is finalized.

If, upon review of the April 1, 2016, appeal petition, the District Board of Directors decides to accept and hear your original appeal petition received by the District on March 1, 2016, then the original appeal will also be heard at the May 10, 2016, meeting.

At the appeal hearing, the Board will permit the petitioner to present briefs and may afford any interested party the opportunity to present oral or written arguments, if appropriate.

Please contact the District if you have any questions or need additional information.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager

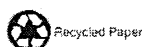
TDB/db

PC: Erin McGrogan, Division of Water Resources, Topeka
Jeff Lanterman, Division of Water Resources, Stafford

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APR 13 2016

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

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March 4, 2016

Justin Schrag
Circle S Farm
14030 NW 96th Street
Moundridge, KS 67107

RE: Appropriation Application No. 49099

Dear Mr. Schrag:

The Equus Beds Groundwater Management District No. 2 received your emailed Petition of Appeal on March 1, 2016, in the matter of the District's January 27, 2016, recommendation of the above referenced application. The original written Petition of Appeal was received by the District on March 2, 2016.

Pursuant to the Application processing requirements and procedures regulation, K.A.R. 5-22-12, the appeal must be submitted to the District within 30 days from the date of the District's recommendation letter dated January 27, 2016. The appeal request received by the District on March 1, 2016, was received more than 30 days after the District's recommendation letter dated January 27, 2016. Therefore, the appeal request does not comply with K.A.R. 5-22-12, and the appeal request is hereby denied.

Please contact the District if you have any questions or need additional information.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager

TDB/db

PC: Erin McGrogan, Division of Water Resources, Manhattan
Jeff Lanterman, Division of Water Resources, Stafford
Neva M Schrag Trust, Landowner
Ernie Goering, Jr., Landowner
Shirley Schrag, Landowner
Vera Lynn Goering Trust, Landowner

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

February 2, 2016

FILE COPY

CIRCLE S FARMS
ATTN JUSTIN SCHRAG
14030 NW 96TH
MOUNDRIDGE KS 67107

Re: New Application,
File No. 49,099

Dear Mr. Schrag:

As you are aware, the above application has been reviewed by the Equus Beds Groundwater Management District No.2, and on January 27, 2016 the Division of Water Resources received a recommendation that the referenced Application for Permit to Appropriate Water for Beneficial Use be denied. Specifically, this application does not comply with District Revised Management Program due to long term groundwater declines in the area proposed for the stated irrigation project.

We are advising you of this action in order to allow you an opportunity to consult with the District regarding their recommendation if you have not already done so. If you have already contacted the District, then we are allowing you this opportunity to discuss with the Board of Directors their recommendation and decision regarding the file. This office will consider any additional information you wish to have presented to the Chief Engineer.

We will delay any further action on the referenced application until **March 2, 2016**, or any extension of time. If no additional information is supplied, the referenced application will be submitted to the Chief Engineer for a final decision based on the information provided above. If you have any questions, please contact me at (785) 594-6640. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Erin McGrogan".

Erin McGrogan
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office
Groundwater Management District No. 2

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

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January 27, 2016

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

Re: Appropriation Application No. 49099 – Circle S Farm

Dear Ms. McGrogan:

The Equus Beds Groundwater Management District reviewed the referenced application on January 27, 2016, 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 review found that the application complies with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. However, the application does not comply with the District's Revised Management Program, as the application area is experiencing a long term groundwater decline trend.

The District's approved Management Program dictates, "It is the goal of the District to manage the groundwater supplies within its boundaries by balancing groundwater withdrawals with annual recharge to prevent groundwater mining and protect the natural water quality of the aquifer and remediate groundwater contamination." The District's review found that the proposed application is inconsistent with the District's Management Program goal to balance groundwater withdrawals with annual recharge and approval of the application is not in the public's interest due to the declining groundwater levels in the application area. The additional pumping proposed by the application will increase the rate of groundwater decline and further exacerbate the groundwater mining problem occurring in the application area.

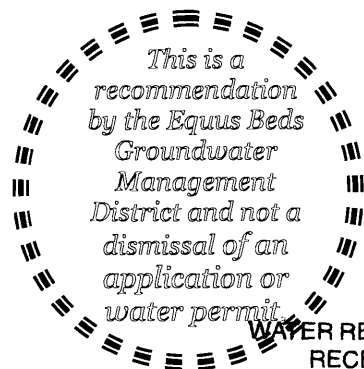
Therefore, the application is recommended for denial by the Equus Beds Groundwater Management District.

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

SCANNED



pc: Circle S Farm, Applicant, with copy of K.A.R 5-22-12
Neva M Schrag Trust, Landowner
Ernie Goering, Jr., Landowner
Shirley Schrag, Landowner
Vera Lynn Goering Trust, Landowner
Jeff Lanterman, Division of Water Resources, Stafford

WATER RESOURCES
RECEIVED

FEB 01 2016

KS DEPT OF AGRICULTURE



Equus Beds Groundwater Management District No. 2
 Safe Yield Evaluation - #49099 - Circle S Farms
 NWSWSE (934'N & 2237'W) 04-22S-02W, Harvey County
 Prepared By: T. Boese Date: 1/27/2016



● Proposed Point of Diversion	Map Legend	Burrton IGUCA
∩ Area of Consideration Boundary	— Major Highway	Hollow Nikkel SWQUA
● Monitoring Wells	— Other Roadway	McPherson IGUCA
▲ Points of Diversion	— Major Stream	Enhanced Well Spacing Area
District Boundary	— Other Water Feature	Permian Surface Bedrock
0.5 0.25 0 0.5 Miles	County Boundary	
	City Boundary	

SCANNED

WATER RESOURCES RECEIVED
 FEB 01 2016
 KS DEPT OF AGRICULTURE

SAFEYIELD EVALUATION - NO. 49099 - CIRCLE S FARMS
LOCATION: NWSWSE (934'N & 2237'W) 04-22S-02W, Harvey County
SPECIAL USE AREA: None
EVALUATION DATE:- 1/27/2016

Total Areas: 8,042 acres; Area in 3 inch discharge zone: 1,986 acres; Area in 6 inch discharge zone: 6,056 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A02745500	1740	21S	02W	33	1111396	MUN	137.61
A02745500	1741	22S	02W	4	50943824	MUN	126
A01516600	7	22S	02W	15	46451665	MUN	283.96
A01516600	8	22S	02W	15	51851660	MUN	299.12
A04498200	2923	21S	02W	33	1111396	MUN	96.56
A04499500	2926	22S	02W	4	50943824	MUN	0
A04711400	3563	22S	02W	10	39182651	IRR	0
A04711400	3564	22S	02W	10	44282643	IRR	0
A04711400	3522	22S	02W	10	41732647	IRR	162
A04565600	3107	22S	02W	7	48600666	IRR	41.6
A04664900	3434	22S	02W	10	7455177	MUN	346.49
A04665000	3435	22S	02W	10	1204392	MUN	296.18
A00511200	29	22S	02W	5	SENWSW	IRR	240
A01966900	624	22S	02W	3	37303940	IRR	141
A03721300	21	21S	02W	32	19080924	IRR	98
A04759100	3687	21S	02W	33	26205060	IRR	104
A00622100	1176	21S	02W	32	13002600	IRR	120
A02303600	1415	22S	02W	10	1204392	MUN	36.357
A02303600	1416	22S	02W	10	7455177	MUN	57.836
A02522900	1110	22S	02W	10	6201839	MUN	126.05
A04876500	4135	22S	02W	9	39601630	IRR	155.5
A04876500	4165	22S	02W	9	39601340	IRR	0
A04876500	4166	22S	02W	9	39601920	IRR	0
A04876500	4167	22S	02W	9	42501630	IRR	0
A04876500	4168	22S	02W	9	36701630	IRR	0
A04902300	4225	22S	02W	4	37613993	IRR	201.7
A04909900	4254	22S	02W	4	9342237	IRR	248.9
A04909900	4264	22S	02W	4	10522487	IRR	0
A04909900	4265	22S	02W	4	8151995	IRR	0

Allowable Appropriations	3,524.50	Total Existing Appropriation	3,318.86
Small User Quantity	0	Non Consumptive Appropriations	0
Remaining SUQ	45	Consumptive Appropriations	3,318.86
Note- Values are in acre-feet		Available Appropriations	205.64

WATER RESOURCES
RECEIVED

FEB 01 2016

SCANNED

KS DEPT OF AGRICULTURE

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

February 20, 2015

GROUNDWATER MANAGEMENT DISTRICT NO 2
TIM BOESE
313 SPRUCE ST
HALSTEAD KS 67056-1925

Re: Pending Application, File No. 49,099

Dear Mr. Boese:

We are enclosing a copy of the application referred to above which appears to be in proper form. Nearby well owner notification letters were sent out on February 3, 2015. A phone call was received on February 10, 2015 from Gene Bird. He has concerns about new wells in the area and how this new application will affect the water table below him. As of the date of this letter, no letter has been received.

We are delaying any further action for a period of **30 days** from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 564-6631. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Katie Goff". The signature is written in a cursive, flowing style.

Katie Goff
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Stafford Field Office

SCANNED

INPUTS	
Target Section Definition	
Section	4
Township	22
Range	2
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-97.544140 NAD27
Target Latitude	38.161860

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

#49099
test well (proposed east well location)

UTM - NAD27

627546
4224569

4/10/2015

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	38.15958600	-97.55610505
NW	38.17409775	-97.55586097
NE	38.17397471	-97.53758037
SE	38.15963193	-97.53751952
Degrees Longitude per Foot		3.47805014E-06
Degrees Latitude per Foot		2.74601549E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	828	-3440
NW	-4457	-3370
NE	-4412	1886
SE	811	1904

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	38.15957600	-97.55578600
NW	38.17408800	-97.55554200
NE	38.17396500	-97.53726200
SE	38.15962200	-97.53720100
Degrees Longitude per Foot		3.47804967E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	832	-3348
NW	-4453	-3278
NE	-4408	1978
SE	815	1995

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00001000	-0.00031905
NW	0.00000975	-0.00031897
NE	0.00000971	-0.00031837
SE	0.00000993	-0.00031852
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-3.65071643	-91.73198220
NW	-3.50200626	-91.70899024
NE	-3.48792849	-91.53718678
SE	-3.62504215	-91.58031675

INPUTS	
Target Section Definition	
Section	4
Township	22
Range	2
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-97.545820 NAD27
Target Latitude	38.162510

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter *NAD27* or *NAD83* longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

#49099
(proposed west well location)

UTM - NAD27
627397
4224639

4/10/2015

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	38.15958600	-97.55610505
NW	38.17409775	-97.55586097
NE	38.17397471	-97.53758037
SE	38.15963193	-97.53751952
Degrees Longitude per Foot		3.47805014E-06
Degrees Latitude per Foot		2.74601549E-06

Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	1065	-2957
NW	-4220	-2887
NE	-4175	2369
SE	1048	2387

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	38.15957600	-97.55578600
NW	38.17408800	-97.55554200
NE	38.17396500	-97.53726200
SE	38.15962200	-97.53720100
Degrees Longitude per Foot		3.47804967E-06
Degrees Latitude per Foot		2.74598553E-06

Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	1068	-2865
NW	-4216	-2795
NE	-4172	2461
SE	1052	2478

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00001000	-0.00031905
NW	0.00000975	-0.00031897
NE	0.00000971	-0.00031837
SE	0.00000993	-0.00031852

Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-3.65329946	-91.73204718
NW	-3.50458930	-91.70905522
NE	-3.49051152	-91.53725175
SE	-3.62762518	-91.58038173

Wells Within ½ Mile

1. Domestic Well
Krystal Stucky
1200 Fuller Wisner Rd, Euless TX 76039

2. Irrigation Well – Water Right No. 48765
Ronald D & Florine M Wedel
1774 Arrowhead Rd, Moundridge, KS 67107

Irrigation Well – Water Right No. 48765
Dwight & Dixie Wedel Family Trust
11305 E 82nd, Buhler, KS 67522

3. Domestic Well
Gene Bird
9924 N Old Settler's Rd, Moundridge, KS 67107

4. Domestic Well
Mike Winsor
13705 NW 96th, Moundridge, KS 67107



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

February 3, 2015

KRYSTAL F STUCKY
1200 FULLER WISER RD
APT #422
EULESS TX 76039-3087

Re: Application, File No. 49,099

Dear Ms. Stucky:

This is to advise you that Circle S Farm has filed the application referred to above for a permit to appropriate 248.9 acre-feet of groundwater per calendar year for irrigational use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion is a battery of four wells with a geographic center located as follows:

in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$),
of Section 4, Township 22 South, Range 2 West, Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 564-6631. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

Katie Goff
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Circle S Farm
Stafford Field Office
Groundwater Management District No. 2

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

February 3, 2015

RONALD D & FLORINE M WEDEL
1774 ARROWHEAD RD
MOUNDRIDGE KS 67107

Re: Application, File No. 49,099

Dear Mr. and Mrs. Wedel:

This is to advise you that Circle S Farm has filed the application referred to above for a permit to appropriate 248.9 acre-feet of groundwater per calendar year for irrigational use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion is a battery of four wells with a geographic center located as follows:

in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$),
of Section 4, Township 22 South, Range 2 West, Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 564-6631. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Goff".

Katie Goff
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Circle S Farm
Stafford Field Office
Groundwater Management District No. 2

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

February 3, 2015

GENE BIRD
9924 N OLD SETTLER'S ROAD
MOUNDRIDGE KS 67107

Re: Application, File No. 49,099

Dear Mr. Bird:

This is to advise you that Circle S Farm has filed the application referred to above for a permit to appropriate 248.9 acre-feet of groundwater per calendar year for irrigational use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion is a battery of four wells with a geographic center located as follows:

in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$),
of Section 4, Township 22 South, Range 2 West, Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 564-6631. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Goff".

Katie Goff
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Circle S Farm
Stafford Field Office
Groundwater Management District No. 2

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

February 3, 2015

DWIGHT & DIXIE WEDEL FAMILY TRUST
11305 E 82ND
BUHLER KS 67522

Re: Application, File No. 49,099

Dear Mr. and Mrs. Wedel:

This is to advise you that Circle S Farm has filed the application referred to above for a permit to appropriate 248.9 acre-feet of groundwater per calendar year for irrigational use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion is a battery of four wells with a geographic center located as follows:

in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$),
of Section 4, Township 22 South, Range 2 West, Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 564-6631. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Goff".

Katie Goff
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Circle S Farm
Stafford Field Office
Groundwater Management District No. 2

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

February 3, 2015

MIKE WINSOR
13705 NW 96TH
MOUNDRIDGE KS 67107

Re: Application, File No. 49,099

Dear Mr. Winsor:

This is to advise you that Circle S Farm has filed the application referred to above for a permit to appropriate 248.9 acre-feet of groundwater per calendar year for irrigational use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion is a battery of four wells with a geographic center located as follows:

in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$),
of Section 4, Township 22 South, Range 2 West, Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 564-6631. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Katie Goff". The signature is written in a cursive, flowing style.

Katie Goff
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Circle S Farm
Stafford Field Office
Groundwater Management District No. 2

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

January 7, 2015

CIRCLE S FARM
14030 NW 96TH
MOUNDRIDGE KS 67107

Re: Application, File No. 49,099

Dear Sir or Madam:

We have conducted an initial review of your application referenced above, proposing the appropriation of groundwater for your irrigation project in Harvey County. The relevant pages of your original application is being returned to you for additional information.

Paragraph No. 1 of the "Irrigation Use Supplemental Sheet" has been revised to show the correct Quarter Sections of land to be irrigated in Section 4, Township 22 South, Range 2 West. Paragraph No. 3 of the application was revised to show the maximum quantity of water allowed per the revised "Irrigation Use Supplemental Sheet". In Paragraph No. 7 of the application, please confirm whether the point of diversion is a single well or a battery of wells. Please note that the maximum allowable rate of diversion for a battery of wells is 800 gallons per minute. If decided on a battery of wells, please make the correct change to Paragraph No. 3. Please verify the revised information is correct for File No. 49,099 and initial next to all changes.

In order for the original application to retain its priority of filing, the original application must be returned, with the requested information to this office on or before February 7, 2015, or within any authorized extension of time thereof. If you wish to request additional time, you must do so in writing, before the 30 day period expires. According to the law, default in submitting the information within the time allowed, shall constitute forfeiture of the priority date and dismissal of the application. If you have any questions, please contact me at (785) 564-6631 or by email at katie.goff@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Goff".

Katie Goff
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stafford Field Office
Groundwater Management District No. 2

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 9, 2014

CIRCLE S FARM
14030 NW 96TH
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,099

Dear Sir or Madam:

In response to your electronic request by e-mail received in this office on September 8, 2014, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on July 9, 2014, and with your current extension of time the due date is September 9, 2014. With this extension of time, the revised deadline will be **November 9, 2014**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **November 9, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed original application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at katie.hermes@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Katie Hermes". The signature is written in a cursive, flowing style.

Katie Hermes
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

August 8, 2014

CIRCLE S FARM
14030 NW 96TH
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,099

Dear Sir or Madam:

The application referred to above was returned to you for additional information on July 9, 2014, and with your current extension of time the required response date is September 9, 2014. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **September 9, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **September 9, 2014**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6631 or by email at katie.hermes@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Hermes".

Katie Hermes
Environmental Scientist
Water Appropriation Program

pc: GMD 2

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

July 9, 2014

CIRCLE S FARM
14030 NW 96TH
MOUNDRIDGE KS 67107

RE: Pending Application, File No. 49,099

Dear Sir or Madam:

After reviewing your above referenced application for permit to appropriate water for beneficial use, it is being returned to you for additional information. As specified in K.A.R. 5-3-1, an application acceptable for filing shall show the source of water supply and either shall show a description of the location of the proposed point of diversion or shall request a 60-day period of time in which to establish the location of the proposed point of diversion within a limited area. In your original application, received in this office on June 9, 2014, you had requested a 60-day period of time in which to locate the specific point of diversion within a specified quarter section tract of land described as the Southwest Quarter of Section 4, in Township 22 South, Range 2 West, Harvey County, Kansas. Please note that due to this pending application not being returned to you in a timely manner, the 60 days to locate will begin as of the date of this letter.

In Paragraph No. 5 of the application please provide the description of the location of the well, or geographic center of the proposed well battery and the location for **each of the individual wells comprising the battery** of wells. The feet distances North and West from the Southeast corner of the section must be shown for each well. The location of the point of diversion (i.e. the well or geographic center of the proposed well battery) must be plotted on the enclosed topographic map. Per K.A.R. 5-3-4, the location of all water wells of every kind within one-half (1/2) mile of the point of diversion covered by the proposed appropriation must be plotted on the topographic map, identified as to its use, and include the **name and mailing address of the well owner**. Please provide this information once you have established your point of diversion for this file, and sign the map where indicated.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion, unless the chief engineer has sufficient information to understand the lithology and determine the groundwater source formation. Please supply the indicated information and a test hole log or a driller's log with the returned application. The enclosed "Minimum Desirable Streamflow" form must also be signed and notarized.

Paragraph No. 1 of the "Irrigation Use Supplemental Sheet" has been revised to show the correct Quarter Sections of land to be irrigated in both Sections 4 and 8, Township 22 South, Range 2 West. Also, paragraph No. 3 of the application was revised to show the maximum quantity of water allowed per the revised "Irrigation Use Supplemental Sheet". Please verify the revised information is correct for File No. 49,099 and initial next to all changes.

Circle S Farm
Pending Application, File No. 49,099
Page 2

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **September 9, 2014**, or within any authorized extension of time thereof. According to the law, default in the refileing of the completed original application and attachments, within the time allowed, shall constitute forfeiture of the priority date and dismissal of the application. If you have any questions, please contact me at (785) 564-6631 or by email at katie.hermes@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Hermes".

Katie Hermes
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Stafford Field Office
GMD 2
Neva M Schrag Rev Trust
Ernie & Evelyn Goering Trust
Shirley Schrag

IRRIGATION TEST WELL

Driller & Assistant: Logans AND Collins

Date: 10/27/14

CUSTOMER: Justin Schrag - Circle S Farms 14030 NW 96th- Moundridge, Ks. 67107 620-386-4000 ⁴⁰⁶⁰

LOCATION:

- | | | | |
|--|---------------------------------------|--|---|
| <input type="checkbox"/> Screen 2-1/2" | <input type="checkbox"/> Holeplug | <input type="checkbox"/> Gas & Oil - W.T. | <input type="checkbox"/> 6" or 5" Liner if needed |
| <input type="checkbox"/> Casing 2-1/2" | <input type="checkbox"/> Quarters | <input type="checkbox"/> 3/4" Polyethylene | <input type="checkbox"/> Solvent & Glue |
| <input type="checkbox"/> Couplings, 2-1/2" | <input type="checkbox"/> Water | <input type="checkbox"/> 2-1/2" PVC Tee | <input type="checkbox"/> Water Sample Bottle |
| <input type="checkbox"/> End Caps, 2-1/2" | <input type="checkbox"/> Lime | <input type="checkbox"/> 5" & 6" Bits | <input type="checkbox"/> Inspection Sheet |
| <input type="checkbox"/> Gravel Pack | <input type="checkbox"/> Drilling Mud | <input type="checkbox"/> Packing | |

Depth:	Formation:	Well Information:
0-3'	top soil	Static Water Level:
3-15'	clay tan	Est. production: 400-600 gpm
15-22'	clay a little sandy	Casing depth: 0-100' 2 1/2"
22-79'	clay	Screen depth: 100'-120' 2 1/2"
79-97'	sand fine	Slot size:
97-103'	clay red	Grouting depth:
103-121'	sand fine w/ very small clay layers	Number of bags: 2
121-130'	shale grey	Nearest Contamination: house 1/8 mile SW
		Maintenance & Safety:
		Notes:

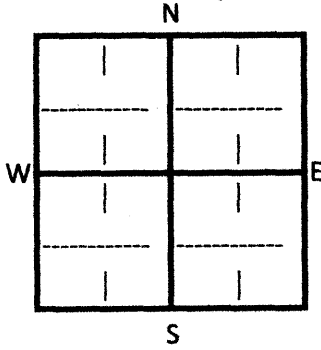
Directions:

Latitude: 38.16187253 N decimal degrees (ex. 38.881796)

Longitude: -97.54451057 W decimal degrees (ex. 95.373889)

Datum: NAD27 NAD83 WGS84

SE 1/4	NW 1/4	SW 1/4	SE 1/4
Sec. 4	T 22	R 2	E (W)
County <u>Harvey</u>			



\$ 7⁰⁰ x 130 /ft. Well

\$ 50⁰⁰ /Grout

\$ N/A /Test Pumping

\$ NONE /Water Sample

\$ NONE /Mobilization/Travel

Contract Received: _____

Invoice #: 18871

Date Mailed: 11/4/14

Well Data: _____ Logged: _____

Materials: _____ Irrig List: _____

WATER RESOURCES RECEIVED

NOV 10 2014

Nov. 6 - 2014
(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

Re: Application File No. 49,099

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

[Signature]
Signature of Applicant

State of Kansas)
County of McPherson) ss

Justin Schrag
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 6th day of November, 2014.

[Signature]
Notary Public

My Commission Expires: 04/26/2017



WATER RESOURCES
RECEIVED
NOV 10 2014

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

Revised Place of Use

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49,099

Name of Applicant (Please Print): Circle S Farm

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: NEVA M SCHRAG REV TRUST DATED 08/23/2011
ADDRESS: 200 17TH VLG APT 13, MOUNDRIDGE KS 67107

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4	22	2W															9.77	10	19.77
4	22	2W									5	5	36	36.2					82.2

TOTAL = 101.97 AF

Landowner of Record NAME: ERNIE & EVELYNN GOERING TRUST
ADDRESS: 2017 COMMANCHE RD, GALVA KS 67443

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4	22	2W															10	9.79	19.79
4	22	2W									17.42	17.42							34.84

TOTAL = 54.63 AF

Landowner of Record NAME: SHIRLEY SCHRAG
ADDRESS: 2 FAIRWAY DRIVE, HESSTON KS 67062

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4	22	2W									17.47	17.4							34.87

Entire TOTAL: 191.47 AF

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>CRETE SILT LOAM</u>	<u>82</u>	_____	_____
<u>SMOLAN SILTY CLAY LOAM</u>	<u>18</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): 0 TO 1 %

Estimate the maximum land slope in the field(s): 3 %

c. Type of irrigation system you propose to use (check one):

- Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: SUBSURFACE DRIP IRRIGATION

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

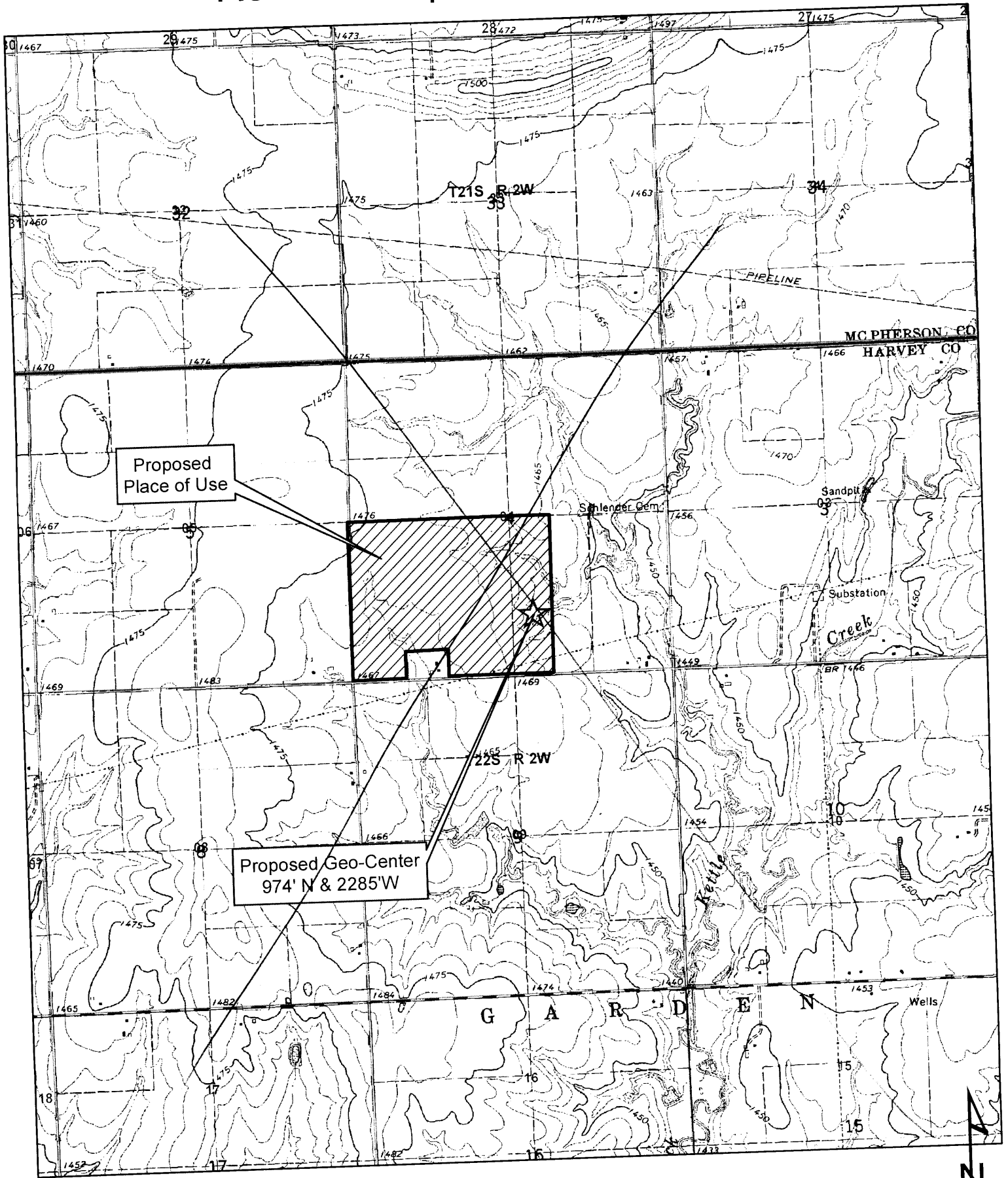
(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

Revised Map File No. 49,099



1:24,000



JAN 23 2015

KS DEPT OF AGRICULTURE

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49099

Name of Applicant (Please Print): Circle S Farm

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Neva M Schrag Rev Trust dated 8/23/11
 ADDRESS: 200 17th VL6 Apt. B3 Moundridge, KS 6707

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
5*	4	22	2W									5		36	5	8	36.2		97.10	19.77
	4	22	2																82.3 82.2 55	
55**	4	22	2																18.8	
TOTAL: 101.97 AF 55																				

Landowner of Record NAME: Ernie Goering Jr. / Vera Lynn Goering Tr
 ADDRESS: _____

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
5*	4	22	2															10	9.79	19.79
	4	22	2											17.42	17.42				34.84	
55**	4	22	2											4.62					4.62	
TOTAL: 54.63 AF 55																				

Landowner of Record NAME: Shirley Schrag
 ADDRESS: _____

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55*	4	22	2											17.42	17.42				34.87
55**	4	22	2											4.62					4.62

Entire Total: 191.47 AF 55

* KAH/DWR 7-9-14 per supplied map and applicant discussion on 7-9-14 55

JUN 09 2014

** KAG/DWR 1-10-15 per supplied map + applicant discussion on 1-10-15 55

NOV 10 2014

SCANNED

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
Crete Silt loam	82		
Smolan Silt, clay loam	18		
Total:	100 %		

b. Estimate the average land slope in the field(s):

0 to 1 %

Estimate the maximum land slope in the field(s):

3 %

c. Type of irrigation system you propose to use (check one):

- Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: Subsurface drip irrigation

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: _____ psi
- (2) What is the sprinkler package design rate? _____ gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet
- (4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

Kan Sched

You may attach any additional information you believe will assist in informing the Division of the need for your request.



1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

June 30, 2014

CIRCLE S FARM
14030 NW 96TH
MOUNDRIDGE KS 67107

RE: Application
File No. 49,099

Dear Sir or Madam:

Your application for permit to appropriate water in 4-22S-2W, in Harvey County, was received and has been assigned the file number noted above.

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. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. 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 our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

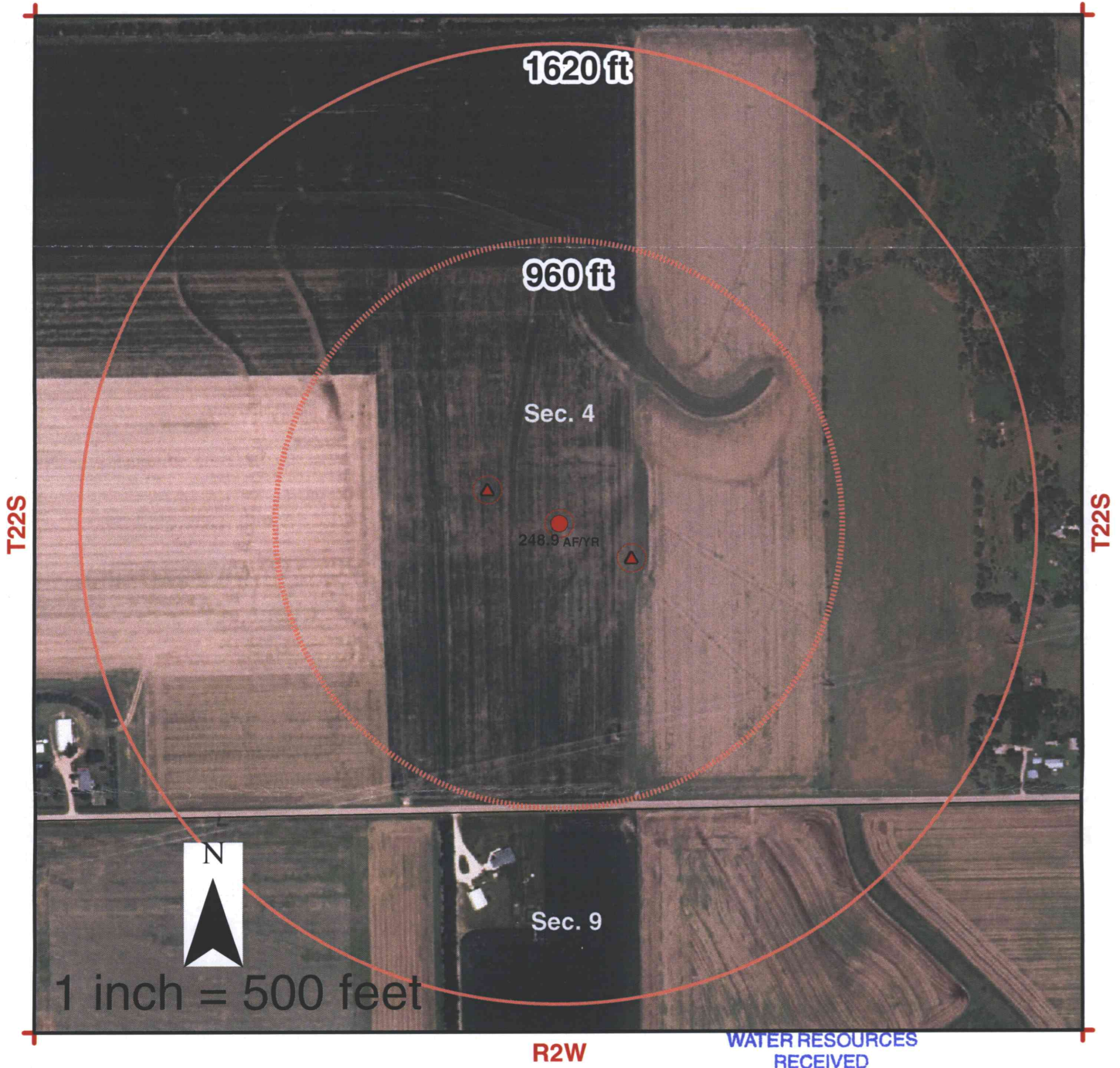
Douglas W. Schemm
New Application Unit Supervisor
Water Appropriation Program

DWS: al
pc: Stafford Field Office
GMD 2

SCANNED

Equus Beds Groundwater Management District No. 2 Spacing Evaluation #49099 for Circle S Farm NWSWSE (933'N & 2237'W) 04-22S-02W, Harvey County

Prepared By: S. Flaherty Date: 4/28/2015



Map Legend

Monitoring Wells

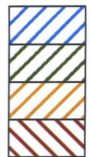
- P_Wells
- AN_Wells
- ◆ EB_Wells
- ◆ IW_Wells

- Proposed Point of Diversion
- District Boundary
- ▲ Points of Diversion

SCANNED

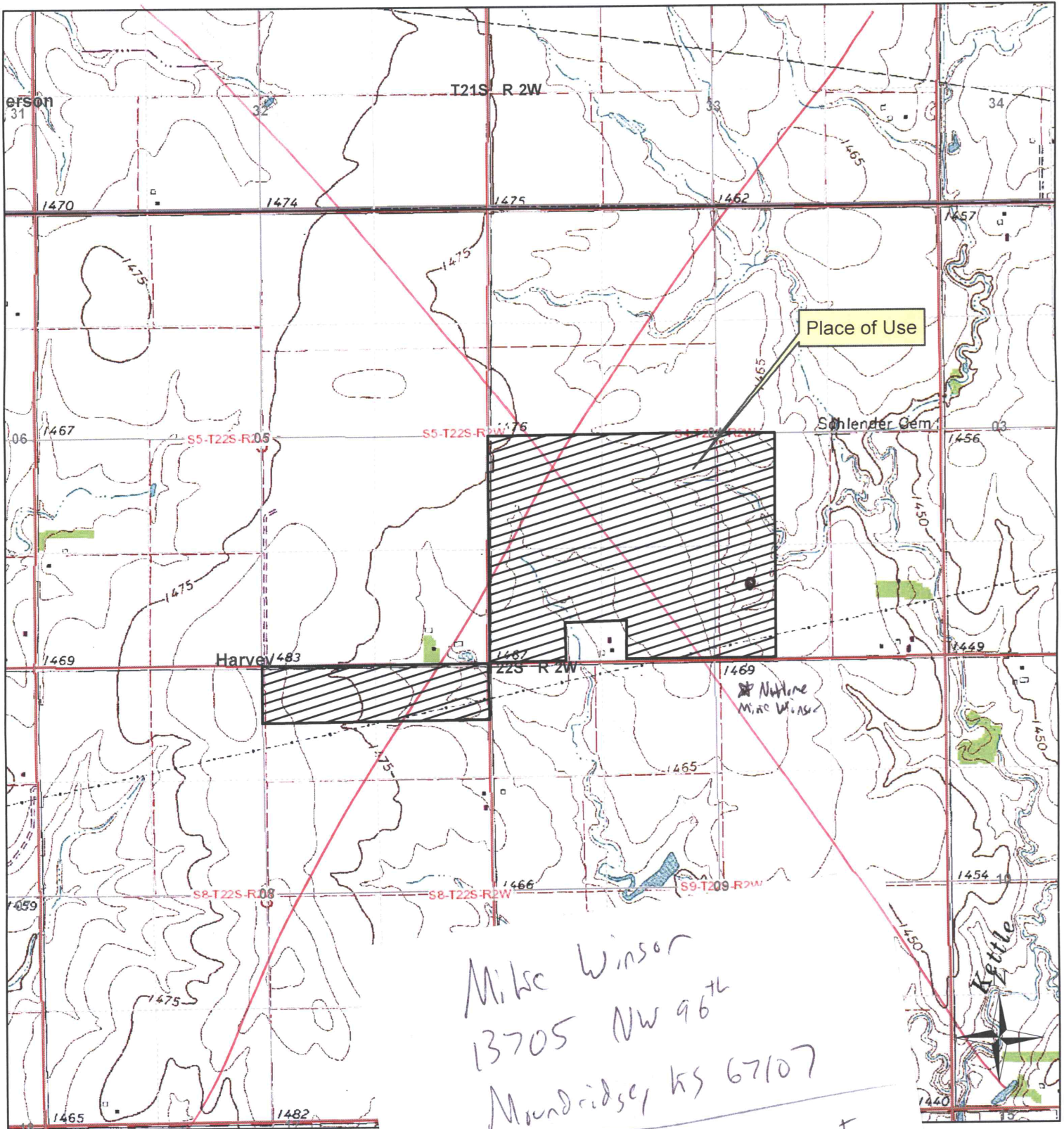
FEB 01 2016

Burton IGUCA
KS DEPT OF AGRICULTURE
Hollow Nickel SWQUA
McPherson IGUCA
Enhanced Well Spacing Area



Equus Beds Groundwater Management District No. 2
313 Spruce Street, Halstead, KS 67056
316-835-2224, equusbeds@gmd2.org

New Application



I declare that all water wells or diversion point of diver.

[Handwritten Signature]
Signature

Mike Winson
13705 NW 96th
Moundridge, KS 67107

Also - No plans for development
on section 8-22-2 if
that matters
www.AgriLogic.com

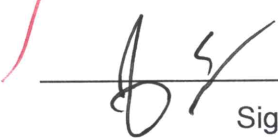
re proposed

JRCES
Date: 7/8/2014
KAH/DWR
1:18,000

New Application



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.


Signature

Nov. 6 - 2014
Date

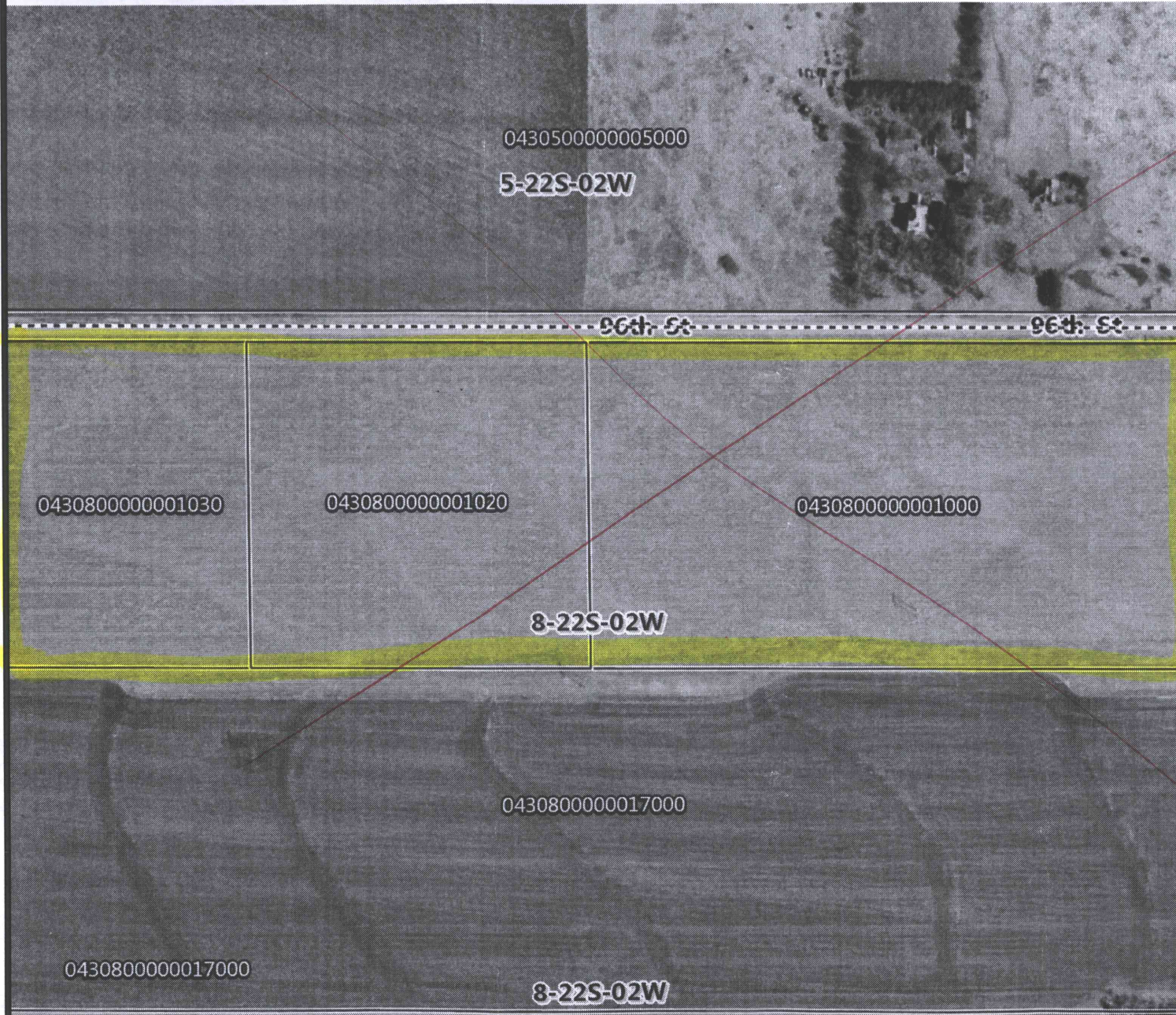
WATER RESOURCES
RECEIVED Date: 7/8/2014
NOV 10 2014 KAH/DWR
1:12,000

KS DEPT OF AGRICULTURE

490-1

Harvey County Kansas

Map Title



- Property Parcels
- PLSS
- County Boundary

SCANNED

WATER RESOURCES RECEIVED

JUN 09 2014

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

NOV 10 2014

KS DEPT OF AGRICULTURE

6/5/2014



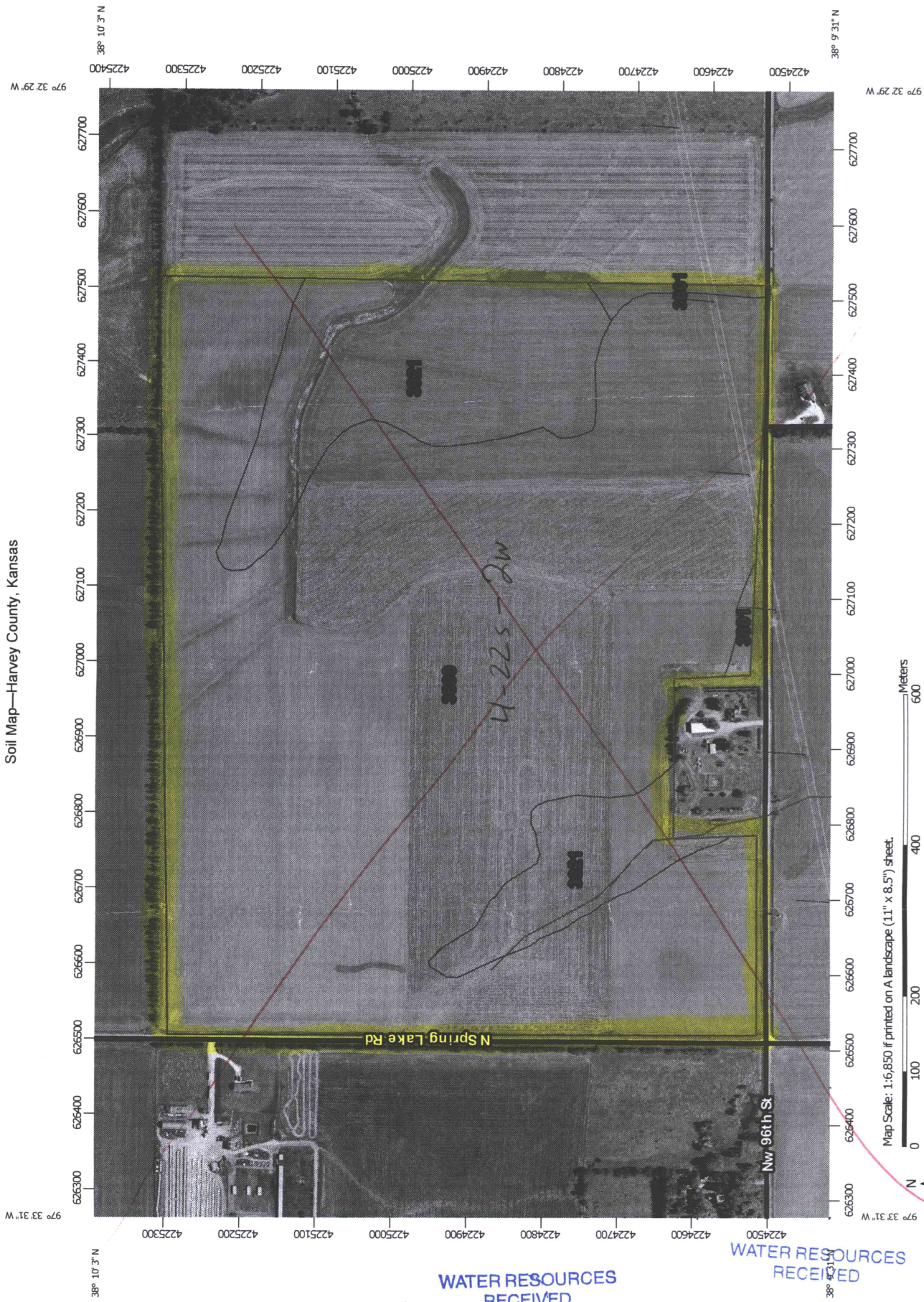
Harvey County makes every effort to produce and publish the most current and accurate information possible. This information is furnished as a public service. The information must be accepted and used by the recipient with the understanding that the data was developed and collected for the purpose of developing property valuations, using the criteria of fair market value, as required by the State of Kansas. The Appraised Value and Tax Information are updated at different times during the year and, therefore, may not always reflect same year values. Harvey County assumes no liability whatsoever associated with the use or misuse of such data, and disclaims any representation or warranty regarding the completeness or accuracy of the data.

Note: Acreage and Square Footage data shown are approximate and may not be consistent with records maintained for appraisal purposes.

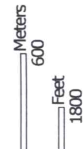
©2013 Harvey County, Kansas Government.

Data sources: Harvey County, Kansas Government, Kansas Geospatial Commons (DASC).

Soil Map—Harvey County, Kansas



Map Scale: 1:6,850 if printed on A landscape (11" x 8.5") sheet.
 Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84



WATER RESOURCES RECEIVED

NOV 10 2014

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

JUN 09 2014 SCANNED

KS DEPT OF AGRICULTURE







































USDA
Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

6/4/2014
Page 1 of 3

49099

MAP LEGEND

- | | | | | | |
|---|---|---|---|---|-----------------------|
| Area of Interest (AOI) |  | Area of Interest (AOI) |  | Spoil Area | |
| Soils |  | Soil Map Unit Polygons |  | Stony Spot | |
|  | Soil Map Unit Lines |  | Very Stony Spot |  | Wet Spot |
|  | Soil Map Unit Points |  | Other |  | Special Line Features |
| Special Point Features |  | Blowout |  | Water Features | |
|  | Borrow Pit |  | Streams and Canals | Transportation | |
|  | Clay Spot |  | Rails |  | Interstate Highways |
|  | Closed Depression |  | US Routes |  | Major Roads |
|  | Gravel Pit |  | Local Roads |  | Aerial Photography |
|  | Gravelly Spot |  | | | |
|  | Landfill | | | | |
|  | Lava Flow | | | | |
|  | Marsh or swamp | | | | |
|  | Mine or Quarry | | | | |
|  | Miscellaneous Water | | | | |
|  | Perennial Water | | | | |
|  | Rock Outcrop | | | | |
|  | Saline Spot | | | | |
|  | Sandy Spot | | | | |
|  | Severely Eroded Spot | | | | |
|  | Sinkhole | | | | |
|  | Slide or Slip | | | | |
|  | Sodic Spot | | | | |

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Harvey County, Kansas
 Survey Area Data: Version 10, Dec 5, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 18, 2010—Nov 16, 2010

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.