

File No. **49,648** 15. Formation Code: **100** Drainage Basin: **Chikaskia River** County: **KM** Special Use: Stream:

| 16. Points of Diversion | | | | | | | | | | 17. Rate and Quantity | | | | |
|-------------------------|---------------|----------|------------|-----------|----------|-------------|-------------|---------------|--------------------|-----------------------|-------------|------------|-------------|------------------|
| T | | | | | | | | | | Authorized | | Additional | | |
| MOD | DEL | PDIV | Qualifier | S | T | R | ID | 'N | 'W | Rate gpm | Quantity af | Rate gpm | Quantity af | Overlap PD Files |
| MOD 85343 | SWNWSW | 2 | 29S | 9W | 2 | 1600 | 5250 | Geo-C. | Bat 1 of 3 | 800 | 224 | 800 | 224 | None |
| ENT 86394 | SWNWSW | 2 | 29S | 9W | | 1890 | 5250 | | Bat 2 of 3 | | | | | |
| ENT 86395 | NWSWSW | 2 | 29S | 9W | | 1310 | 5250 | | Batt 3 of 3 | | | | | |
| ENT 86396 | SWNWSW | 2 | 29S | 9W | | 1600 | 5250 | | Bat 1 of 3 | | | | | |
| Battery ID #2047 | | | | | | | | | | | | | | |

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? Yes 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 | 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 | NE ¼ | NW ¼ | SW ¼ | SE ¼ | | | | | | | |
| √ | | 67786 | 2 | 29S | 9W | 3 | | | | | 40 | 40 | | | 40 | 40 | | | | | | | 160 | 7b. | | None | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: September 14, 2017

FROM: Matt Meier

RE: Application, File No. 49,648

Julius Govert has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of three (3) wells, a quantity of 224 acre-feet, and a diversion rate of 800 gallons per minute. The proposed geo-center of the battery of wells is to be located in the Southwest Quarter of the Northwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 2, more particularly described as being near a point 1,600 feet North and 5,250 feet West of the Southeast corner of said section, Township 29 South, Range 9 West, Kingman County, in the Chikaskia River drainage basin within the boundaries of South-Central Kansas Designated Unit Area- CHK3. There are no overlapping water rights on the proposed place of use or point of diversion. The proposed place of use is owned by the applicant. The applicant has signed the application form stating that he has legal access to the point of diversion.

The applicant identified three domestic wells within one-half mile of the proposed well (one which is owned by the applicant) and no existing non-domestic wells (which WRIS confirmed). Nearby notification letters were sent out on June 29, 2017. A phone call was received from Steve Conrady to obtain more information about the fine. Based off WRIS, the nearest non-domestic well (Water Right # 33,006) is located 8,006 feet away. Based off the map submitted with the application, the nearest domestic well appears to be approximately 1300 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

A test hole log was submitted with the application and shows topsoil from 0 to 3 feet, sandy tan clay with hard gray and white clay 3 to 15 feet, gray clay with fine sand from 15 to 35 feet, fine to small sand with medium gravel from 35 to 42 feet, tan clay from 42 to 55 feet, sandy clay from 55 to 62 feet, fine sand and gravel from 62 to 75 feet, small sand and medium gravel with caliche from 75 to 84 feet, and red bed from 84 to 85 feet below ground. Static water level was 42 feet below ground surface which provides a saturated thickness of 42 feet.

The point of diversion is located within South Central Kansas Designated Unit Area CHK3 which is currently open to new appropriations. Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 1.3 inches, and 75% of recharge available for appropriation, safe yield was determined to be 904.73 acre-feet. Existing water rights have appropriated 360 acre-feet, providing a difference of 544.73 acre-feet available for appropriation, and the application requesting 224 acre-feet complies with safe yield.

The requested quantity of water, 224 acre-feet, is reasonable to irrigate the proposed 160 acres identified in the application. This is the maximum reasonable quantity allowable of 1.4 acre-feet per acre for Kingman County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

Julius Govert
Application, File No. 49,648
Page 2

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. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm:

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on September 13, 2017. Based on the above discussion, well spacing and safe yield criteria are met, and 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.

Matt Meier
Environmental Scientist
Permits Unit



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

FILE COPY

November 3, 2017

JULIUS GOVERT
563 SW 90TH AVE
CUNNINGHAM KS 67035

RE: Application, File No. 49,648

Dear Water User:

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 this permit. A water meter is required 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 should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

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 permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. 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
Water Appropriation Program

Enclosures

pc: Stafford Field Office



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. 49,648** of the applicant

**JULIUS GOVERT
563 SW 90TH AVE
CUNNINGHAM KS 67035**

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 **May 31, 2016**.
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 | NE $\frac{1}{4}$ | | | | NW $\frac{1}{4}$ | | | | SW $\frac{1}{4}$ | | | | SE $\frac{1}{4}$ | | | | TOTAL |
|------|------|-------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------|
| | | | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | |
| 2 | 29S | 9W | | | | | 40 | 40 | | | 40 | 40 | | | | | | 160 | |

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of three (3) wells, with a geographical center located in the Southwest Quarter of the Northwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 2, more particularly described as being near a point 1,600 feet North and 5,250 feet West of the Southeast corner of said section, in Township 29 South, Range 9 West, Kingman County, located substantially as shown on the 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 (1.783 c.f.s.)** and to a quantity not to exceed **224 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 an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with 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).
13. 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.
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 this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.
19. That the point of diversion (well battery geographic center) drilled and constructed under the authority of this permit shall be located in South-Central Kansas Designated Unit Area three (CHK3) in accordance with Kansas Administrative Regulations 5-3-11(d)(4).

CERTIFICATE OF SERVICE

On this 3rd day of November, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,648, dated October 30th, 2017 was mailed postage prepaid, first class, US mail to the following:

JULIUS GOVERT
563 SW 90TH AVE
CUNNINGHAM KS 67035

With photocopies to:

Stafford Field Office



Division of Water Resources

THE STATE OF KANSAS



APPLICATION COMPLETE
8-27-16
Reviewer MJM/SEFO
8-23-17 9-13-17
KAB/DWR for MJM

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES
RECEIVED

JUL 27 2016

WATER RESOURCES
RECEIVED

MAY 31 2016

KS DEPT OF AGRICULTURE

File Number 49,648
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.)

1:07
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, KS 66502:

1. Name of Applicant (Please Print): Julius Govert
Address: 563 SW 90th Ave
City: Cunningham State: KS Zip Code 67035
Telephone Number: (620) 532-6021

2. The source of water is: surface water in _____
OR groundwater in CHIKASKIA RIVER ^(stream) DWA-CHK3 ^{located}
_(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. ^{located in D.A.}

3. The maximum quantity of water desired is 224 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 ~~1500~~ 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. 2 GMD Meets K.A.R. 5-3-1 (YES/NO) Use ERR Source G/S County KM By AJW Date 5/31/16
Code _____ REG Fee \$ 300 TR # _____ Receipt Date 5/31/16 Check # 7311

MJM/SFEO
* Geo-Center & Well locations updated to match location shown on map (well locations place holders)
File No. 491648

5.6

verified via phone & email.

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.

Geo Center

(A) One in the ^{SW 1/4} quarter of the ^{SW 1/4} W 1/2 of the ^{SW 1/4} W 1/2 of Section 2, more particularly described as being near a point ¹⁶⁰⁰ 2000 feet North and 5250 feet West of the Southeast corner of said section, in Township 29 South, Range 9 WEST, KINGMAN County, Kansas.

***REQUESTING 60 DAYS TO LOCATE WEST HALF OF THE WEST HALF (See Map).**

(B) One in the ^{SW 1/4} W 1/2 quarter of the ^{SW 1/4} W 1/2 quarter of the ^{SW 1/4} W 1/2 quarter of Section 2, more particularly described as being near a point ¹⁹⁹⁰ 2300 feet North and 5250 feet West of the Southeast corner of said section, in Township 29 South, Range 9 East West (circle one), KM County, Kansas.

(C) One in the ^{SW 1/4} W 1/2 quarter of the ^{SW 1/4} W 1/2 quarter of the ^{SW 1/4} W 1/2 quarter of Section 2, more particularly described as being near a point ¹³¹⁰ 1700 feet North and 5250 feet West of the Southeast corner of said section, in Township 29 South, Range 9 East West (circle one), KM 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):

Applicant _____
(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 May 27, 2016. x Justin Powell
Applicant's Signature

5.6

7. The proposed project for diversion of water will consist of ~~one well~~ 3 wells
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) Summer 2016
(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 Summer 2016
(Mo/Day/Year)

WATER RESOURCES RECEIVED

JUL 27 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

MAY 31 2016

KS DEPT OF AGRICULTURE

SCANNED

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 _____

GROUNDWATER WELL, NO STORAGE

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.

NO OVERLAPS.

WATER RESOURCES RECEIVED

JUL 27 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

MAY 31 2016

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 | <u>42 ft</u> | _____ | _____ | _____ |
| 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 Owner
(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):

(name, address and telephone number)

(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 1 p.m., Kansas, this 27 day of May, 2016
(month) (year)

x *Julian Stewart*
(Applicant Signature)

x [REDACTED]
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

Assisted by DWS TOPEKA FO Date: 5/25/2016
(office/title)

WATER RESOURCES RECEIVED
JUL 27 2016
KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED
MAY 31 2016
KS DEPT OF AGRICULTURE
SCANNED

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 491648

Name of Applicant (Please Print): Julius Govert

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: Julius Govert
 ADDRESS: 563 SW 90th Ave Cunningham, KS 67035

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|---|-----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 2 | 29S | 9W | | | | | 40 | 40 | | | 40 | 40 | | | | | | | 160 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Landowner of Record NAME: _____

ADDRESS: _____

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|---|---|---|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Landowner of Record NAME: _____

ADDRESS: _____

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|---|---|---|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

WATER RESOURCES
RECEIVED

JUL 27 2016

WATER RESOURCES
RECEIVED

MAY 31 2016

Meier, Matt

From: Scott Geesling <sgeesling@yahoo.com>
Sent: Wednesday, August 23, 2017 4:24 PM
To: Meier, Matt
Subject: Re: Files 49648-49649

Follow Up Flag: Follow up
Flag Status: Flagged

Looks good!

Sent from my iPhone

> On Aug 23, 2017, at 3:52 PM, Meier, Matt <Matt.Meier@ks.gov> wrote:

>

> Hello Scott,

>

> As we discussed over the phone attached is a map showing the Geo-Center location (based on the returned map) with corrected footages listed. Let me know if this looks good.

>

> Matt Meier

> Environmental Scientist

> Stafford Field Office

> Matt.meier@ks.gov

> 620-234-5311

>

>

>

> -----Original Message-----

> From: Scott Geesling [mailto:sgeesling@yahoo.com]

> Sent: Wednesday, August 23, 2017 11:52 AM

> To: Meier, Matt <Matt.Meier@ks.gov>

> Subject: Re: Files 49648-49649

>

> Hey Matt,

>

> Julius found the original applications and I put them in the mail to come back to you yesterday. We decided to proceed with one of the apps.(the one we returned) and are not going to proceed with the other. Let me know if you need anything further.

>

> Thanks

>

> Scott Geesling

>

>

> Sent from my iPhone

>

>> On Aug 10, 2017, at 10:06 AM, Meier, Matt <Matt.Meier@ks.gov> wrote:

>>
>> Hello Scott,
>>
>> We need you to return the original applications back with the corrections. I can possibly give you another time extension, if needed, to continue looking for them but we need the original copies back. Failure to return an original application can lead to denial of a new application.
>>
>>
>> Matt Meier
>> Environmental Scientist
>> Stafford Field Office
>> Matt.meier@ks.gov
>> 620-234-5311
>>
>>
>>
>> -----Original Message-----
>> From: Scott Geesling [mailto:sgeesling@yahoo.com]
>> Sent: Thursday, August 10, 2017 9:43 AM
>> To: Meier, Matt <Matt.Meier@ks.gov>
>> Subject: Re: Files 49648-49649
>>
>> Hey Matt
>>
>> I spoke with Julius and he remembers receiving the applications back in the mail but has misplaced them. Could you email me the apps. and I will print them off and send them back to you with the completed information.
>> Sorry for the inconvenience!
>>
>> Scott
>>
>> Sent from my iPhone
>>
>>> On Jul 21, 2017, at 3:25 PM, Meier, Matt <Matt.Meier@ks.gov> wrote:
>>>
>>> Scott,
>>>
>>> This email will serve as acknowledgement of receiving your request for a 30 day extension and that said extension was granted. The new deadline will be August 28, 2017. Also attached are copies of the letters sent with the application to Mr. Govert, who should still have the original letters and applications. Let me know if you have any further questions or require additional extensions in the future.
>>>
>>> Matt Meier
>>> Environmental Scientist
>>> Stafford Field Office
>>> Matt.meier@ks.gov
>>> 620-234-5311
>>>
>>>
>>>
>>> -----Original Message-----
>>> From: Scott Geesling [mailto:sgeesling@yahoo.com]
>>> Sent: Friday, July 21, 2017 2:41 PM

>>> To: Meier, Matt <Matt.Meier@ks.gov>

>>> Subject: Files 49648-49649

>>>

>>> Matt

>>>

>>> I would like to request a 30 day extension to finish the paper work on my application to appropriate water for files 49648 and 49649. I am the tenant and am writing this for the owner of the property Julius Govert. Also could you please email or mail the information that needs to be completed.

>>>

>>> Thanks

>>> Scott Geesling

>>> 620-532-6021

>>>

>>>

>>> Sent from my iPhone

>>> <49648 Return app.pdf>

>>> <49649 Return app.pdf>

>>

>

> <NewAppMapUp.pdf>

Meier, Matt

From: Meier, Matt
Sent: Friday, July 21, 2017 3:25 PM
To: 'Scott Geesling'
Subject: RE: Files 49648-49649
Attachments: 49648 Return app.pdf; 49649 Return app.pdf

Scott,

This email will serve as acknowledgement of receiving your request for a 30 day extension and that said extension was granted. The new deadline will be August 28, 2017. Also attached are copies of the letters sent with the application to Mr. Govert, who should still have the original letters and applications. Let me know if you have any further questions or require additional extensions in the future.

Matt Meier
Environmental Scientist
Stafford Field Office
Matt.meier@ks.gov
620-234-5311

-----Original Message-----

From: Scott Geesling [mailto:sgeesling@yahoo.com]
Sent: Friday, July 21, 2017 2:41 PM
To: Meier, Matt <Matt.Meier@ks.gov>
Subject: Files 49648-49649

Matt

I would like to request a 30 day extension to finish the paper work on my application to appropriate water for files 49648 and 49649. I am the tenant and am writing this for the owner of the property Julius Govert. Also could you please email or mail the information that needs to be completed.

Thanks
Scott Geesling
620-532-6021

Sent from my iPhone

Meier, Matt

From: Fitch, Elizabeth
Sent: Friday, July 14, 2017 11:12 AM
To: Meier, Matt
Subject: Nearby Well owner contact--File No. 49648

Follow Up Flag: Follow up
Flag Status: Flagged

Matt,

I just talked to Steve Conrady about a near-by letter he received for File No. 49648. I explained what the letter was for and why he received it. We discussed the fact that it was a large amount of acre-feet. He indicated that there were several wind towers on the property. He was just looking for some explanations and did not leave an opinion or complaint.

Elizabeth K Fitch, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311
My e-mail address has changed: elizabeth.fitch@ks.gov
agriculture.ks.gov

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

June 29, 2017

JULIUS GOVERT
563 SW 90TH AVE
CUNNINGHAM KS 67035

RE: Pending Application, File No. 49,648

Dear Mr. Govert:

After further review of the above referenced application for permit to appropriate water for beneficial use, it is being returned to you for additional information. K.A.R. 5-3-4, states in part, each application for a permit to appropriate water for beneficial use shall contain all the information requested for the proposed uses as specified in the prescribed application form and any other information that may be required for a complete understanding of the proposed appropriation.

Part 7 in the application lists that you are requesting one well while Part 5 and the included map lists three wells. Please identify which is correct and update the application accordingly. Additionally, if you are switching to a battery of wells please identify the total number of wells requested and the geo-center location of the well battery (both on the application and the map).

Per K.A.R. 5-1-1(n) and part 5 in the application, the maximum rate of diversion for a battery of wells is 800 gallons per minute. If you are switching to a battery of wells you will need to reduce the requested rate of diversion to 800 gallons per minute (part 3 of the application) and initial and date next to the change.

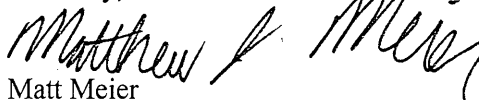
Additionally, the test hole log submitted with the application is missing a static water level. Please provide the static water level or contact your driller to provide information on the static water level.

Finally, please sign and date the map (on signature line) signifying that all wells within ½ mile have been listed.

We are advising you of these requirements in order to allow you an opportunity to supply the requested information, as required. 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 **July 29, 2017**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments as outlined above, within the time allowed, **shall constitute forfeiture of your priority date and dismissal of the application.**

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier
New Application Unit
Water Appropriation Program

Enclosure
pc: Application #49,648

SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov

Sam Brownback, Governor

June 29, 2017

JULIUS GOVERT
563 SW 90TH AVE
CUNNINGHAM KS 67035

RE: Pending Application, File No. 49,648

Dear Mr. Govert:

After further review of the above referenced application for permit to appropriate water for beneficial use, it is being returned to you for additional information. K.A.R. 5-3-4, states in part, each application for a permit to appropriate water for beneficial use shall contain all the information requested for the proposed uses as specified in the prescribed application form and any other information that may be required for a complete understanding of the proposed appropriation.

Part 7 in the application lists that you are requesting one well while Part 5 and the included map lists three wells. Please identify which is correct and update the application accordingly. Additionally, if you are switching to a battery of wells please identify the total number of wells requested and the geo-center location of the well battery (both on the application and the map).

Per K.A.R. 5-1-1(n) and part 5 in the application, the maximum rate of diversion for a battery of wells is 800 gallons per minute. If you are switching to a battery of wells you will need to reduce the requested rate of diversion to 800 gallons per minute (part 3 of the application) and initial and date next to the change.

Additionally, the test hole log submitted with the application is missing a static water level. Please provide the static water level or contact your driller to provide information on the static water level.

Finally, please sign and date the map (on signature line) signifying that all wells within ½ mile have been listed.

We are advising you of these requirements in order to allow you an opportunity to supply the requested information, as required. 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 **July 29, 2017**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments as outlined above, within the time allowed, **shall constitute forfeiture of your priority date and dismissal of the application.**

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier
New Application Unit
Water Appropriation Program

Enclosure
pc: Application #49,648


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

June 29, 2017

Skyland Grain
PO 280
Johnson, KS 67855

Re: Pending Application, File No. 49,648

Dear Sir or Madam:

This is to advise you that Julius Govert has filed the application referred to above for a permit to appropriate 224 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,648 is a battery of three (3) wells, the Geo-Center of which located as follows:

Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 2, Township 29 South, Range 9 West, Kingman County, Kansas.

A map is enclosed indicating the location of the proposed wells. 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 (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,



Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

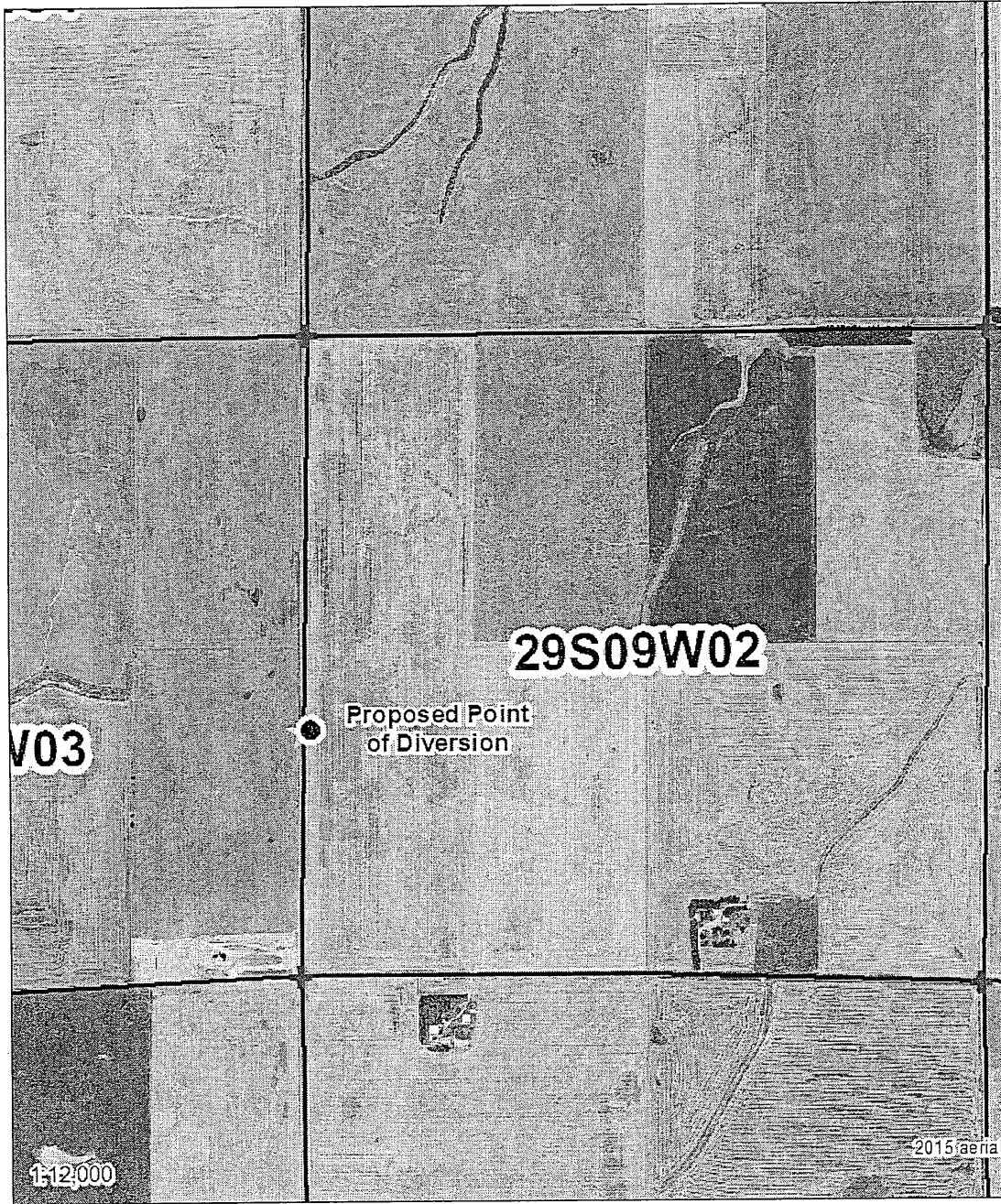
Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 6/29/17

Proposed Water Appropriation, File No. 49,648
2-29S-9W
Kingman County



SCANNED



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Department of Agriculture
Division of Water Resources

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov

Sam Brownback, Governor

June 29, 2017

John Youngers
8414 SW 70th St
Kingman, KS 67068

Re: Pending Application, File No. 49,648

Dear Sir or Madam:

This is to advise you that Julius Govert has filed the application referred to above for a permit to appropriate 224 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,648 is a battery of three (3) wells, the Geo-Center of which located as follows:

Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 2, Township 29 South, Range 9 West, Kingman County, Kansas.

A map is enclosed indicating the location of the proposed wells. 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 (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

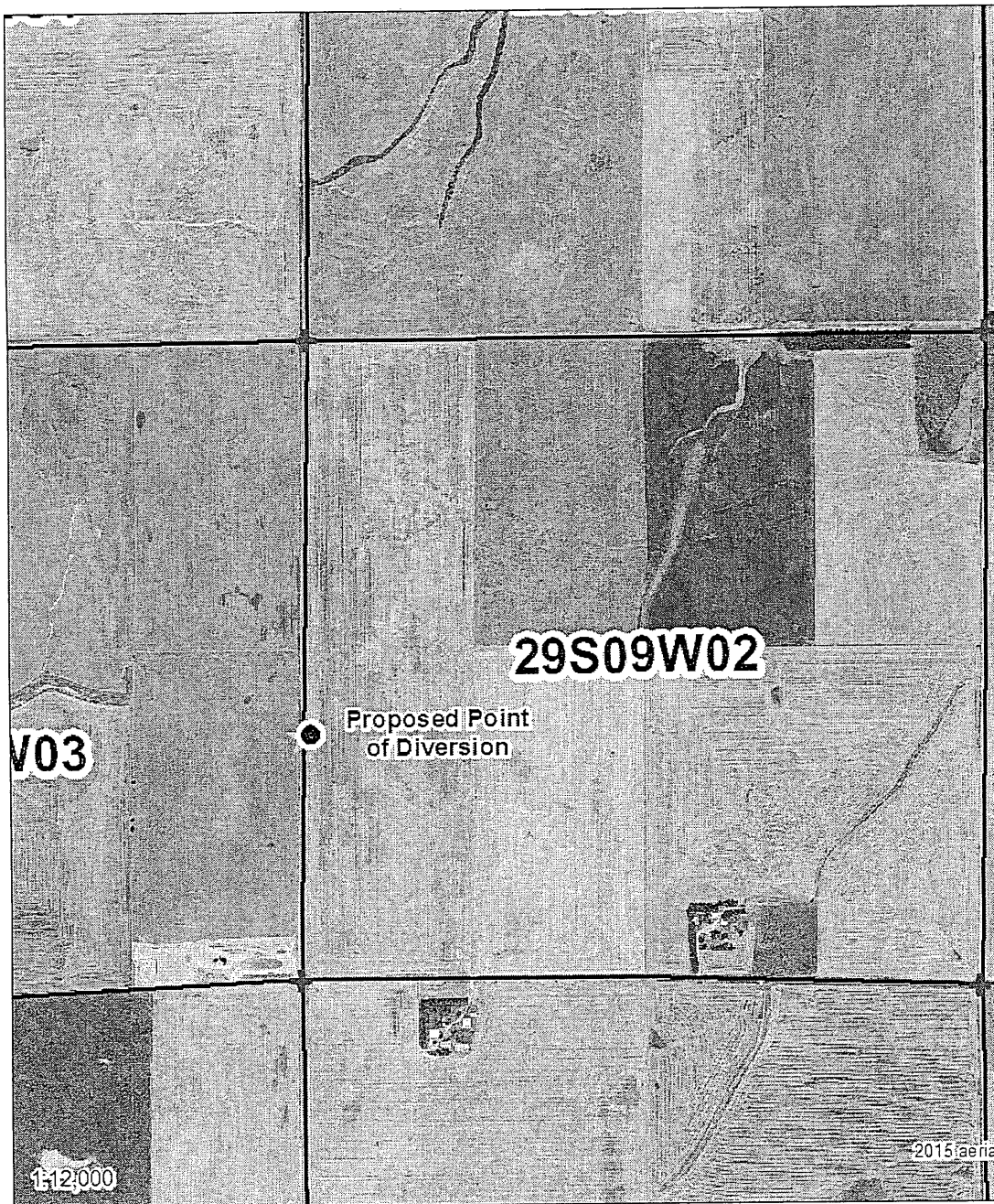
Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend
+ Section Corners
□ Section Lines

MJM-DWR 6/29/17

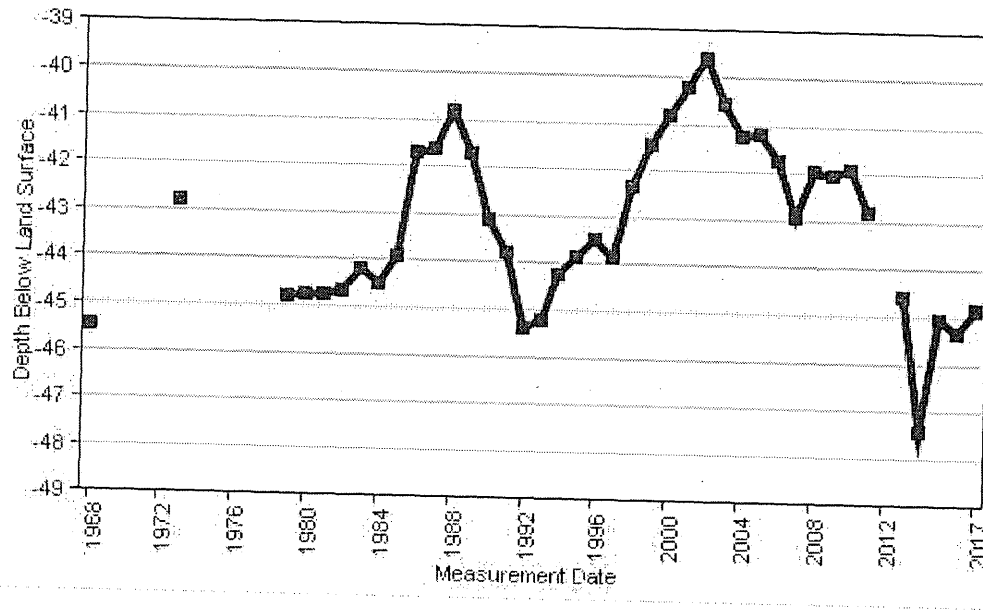
Proposed Water Appropriation, File No. 49,648
2-29S-9W
Kingman County



285 9W 34 NW NE NE

w 1.5 miles away

nothing else close
or with multiple years.



Draft

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: September 13, 2017

FROM: Matt Meier

RE: Application, File No. 49,648

Julius Govert has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of three (3) wells, a quantity of 224 acre-feet, and a diversion rate of 800 gallons per minute. The proposed geo-center of the battery of wells is to be located in the Southwest Quarter of the Northwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 2, more particularly described as being near a point 1,600 feet North and 5,250 feet West of the Southeast corner of said section, Township 29 South, Range 9 West, Kingman County, in the Chikaskia River drainage basin within the boundaries of South-Central Kansas Designated Unit Area- CHK3. There are no overlapping water rights on the proposed place of use or point of diversion. The proposed place of use is owned by the applicant. The applicant has signed the application form stating that he has legal access to the point of diversion.

The applicant identified three domestic wells within one-half mile of the proposed well (one which is owned by the applicant) and no existing non-domestic wells (which Wris confirmed). Nearby notification letters were sent out on June 29, 2017. A phone call was received from Steve Conrady to obtain more information about the fine. Based off WRIS, the nearest non-domestic well (Water Right # 33,006) is located 8,006 feet away. Based off the map submitted with the application, the nearest domestic well appears to be approximately 1300 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

A test hole log was submitted with the application and shows topsoil from 0 to 3 feet, sandy tan clay with hard gray and white clay 3 to 15 feet, gray clay with fine sand from 15 to 35 feet, fine to small sand with medium gravel from 35 to 42 feet, tan clay from 42 to 55 feet, sandy clay from 55 to 62 feet, fine sand and gravel from 62 to 75 feet, small sand and medium gravel with caliche from 75 to 84 feet, and red bed from 84 to 85 feet below ground. Static water level was 42 feet below ground surface which provides a saturated thickness of 42 feet.

The point of diversion is located within South Central Kansas Designated Unit Area CHK3 which is currently open to new appropriations. Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 1.3 inches, and 75% of recharge available for appropriation, safe yield was determined to be 904.73 acre-feet. Existing water rights have appropriated 360 acre-feet, providing a difference of 544.73 acre-feet available for appropriation, and the application requesting 224 acre-feet complies with safe yield.

The requested quantity of water, 224 acre-feet, is reasonable to irrigate the proposed 160 acres identified in the application. This is the maximum reasonable quantity allowable of 1.4 acre-feet per acre for Kingman County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

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. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Based on the above discussion, well spacing and safe yield criteria are met, and 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.

Matt Meier
Environmental Scientist
Permits Unit

9/13/17

Recommend approval w condition that wells
stay in current DUA CHK 3 & not move
to closed over appropriated DUA.

JL w.l.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

1600 ft N and 5250 ft W of the SE Corner of Section 2, T 29S, R 9W

Located at: 98.281949 West Longitude and 37.548812 North Latitude

GROUNDWATER ONLY

#19,648

meets spacing

| File Number | Use | ST | SR | Dist (ft) | Q4 | Q3 | Q2 | Q1 | FeetN | FeetW | Sec | Twp | Rng | ID | Batt | Auth_Quan | Add_Quan | Unit |
|-------------|-----|-----|----|-----------|------|----|----|----|-------|-------|------|-----|-----|----|------|-----------|----------|------|
| A__ 22008 | 00 | IRR | NK | G | 8357 | -- | -- | NC | NW | 3960 | 3960 | 34 | 28 | 9W | 2 | 195.00 | 195.00 | AF |
| A__ 33006 | 00 | IRR | NK | G | 8006 | -- | SE | NW | NE | 4367 | 1880 | 34 | 28 | 9W | 3 | 165.00 | 165.00 | AF |
| A__ 49648 | 00 | IRR | AY | G | 1216 | -- | -- | W2 | W2 | 2640 | 4620 | 2 | 29 | 9W | 2 | 224.00 | 224.00 | AF |
| A__ 49649 | 00 | IRR | AY | G | 3265 | -- | -- | -- | NW | 3960 | 3960 | 11 | 29 | 9W | 2 | 217.70 | 217.70 | AF |

| Total Net Quantities Authorized: | Direct | Storage |
|----------------------------------|--------|---------|
| Total Requested Amount (AF) = | 441.70 | .00 |
| Total Permitted Amount (AF) = | .00 | .00 |
| Total Inspected Amount (AF) = | .00 | .00 |
| Total Pro_Cert Amount (AF) = | .00 | .00 |
| Total Certified Amount (AF) = | 360.00 | .00 |
| Total Vested Amount (AF) = | .00 | .00 |
| TOTAL AMOUNT (AF) = | 801.70 | .00 |

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

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

98.281949 West Longitude and 37.548812 North Latitude

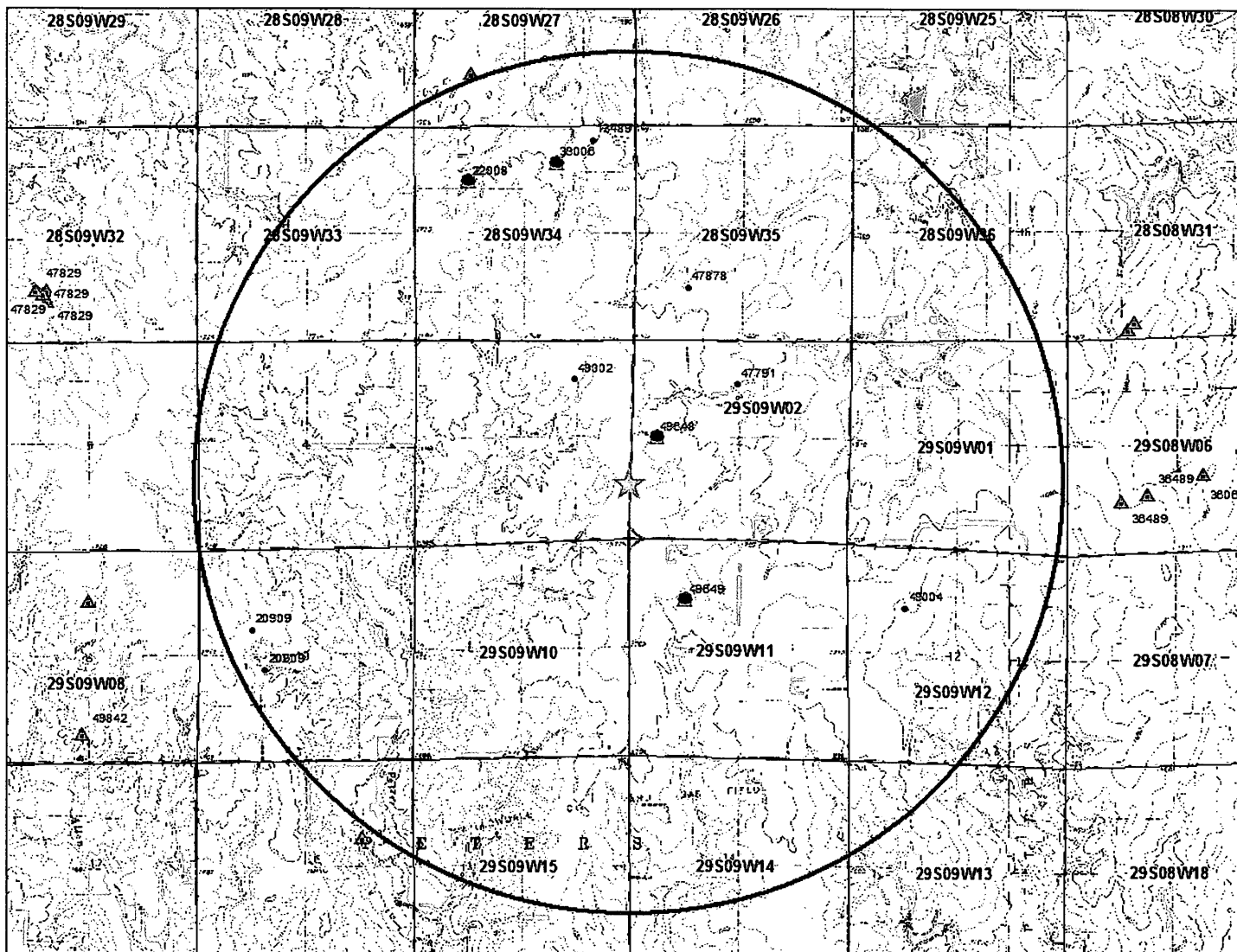
GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

| File Number | Use | ST | SR |
|--------------------------------|-----|-----|------|
| A__ 22008 | 00 | IRR | NK G |
| > T J MCBURNEY | | | |
| > | | | |
| > 2773 SW 80 AVE | | | |
| > CUNNINGHAM KS 67035 | | | |
| ----- | | | |
| A__ 33006 | 00 | IRR | NK G |
| > WALTER J & PAULINE R HARBERT | | | |
| > | | | |
| > 5071 SW 90 AVE | | | |
| > CUNNINGHAM KS 67035 | | | |
| ----- | | | |
| A__ 49648 | 00 | IRR | AY G |
| > JULIUS GOVERT | | | |
| > | | | |
| > 563 SW 90TH AVE | | | |
| > CUNNINGHAM KS 67035 | | | |
| ----- | | | |
| A__ 49649 | 00 | IRR | AY G |
| > JULIUS GOVERT | | | |
| > | | | |
| > 563 SW 90TH AVE | | | |

#49,648

Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in SESENESE 03-29S-09W



#419,648
meets S.F.

Analysis Results

 The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 904.73 AF.
 Total prior appropriation in the circle is 801.70 AF.
 Total quantity of water available for appropriation is 103.03 AF.

-360 = 544.73 AF available

Safe Yield Variables

 The area used for the analysis is set at 8,042 acres.
 Potential annual recharge of the area is estimated to be 1.8 inches.
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 13-SEP-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 4 water right(s) and 4 point(s) of diversion within the circle.

| File Number | Use | ST | SR | Q4 | Q3 | Q2 | Q1 | FeetN | FeetW | Sec | Twp | Rng | ID | Qind | Auth_Quant | Add_Quant | Tacres | Nacres |
|-------------|----------|-----|----|----|----|----|----|-------|-------|-----|-----|-----|----|------|------------|-----------|--------|--------|
| A | 22008 00 | IRR | NK | G | | NC | NW | 3960 | 3960 | 34 | 28 | 09W | 2 | WR | 195.00 | 195.00 | 160.00 | 160.00 |
| A | 33006 00 | IRR | NK | G | | SE | NW | 4367 | 1880 | 34 | 28 | 09W | 3 | WR | 165.00 | 165.00 | 110.00 | 110.00 |
| A | 49648 00 | IRR | AY | G | | W2 | W2 | 2640 | 4620 | 02 | 29 | 09W | 2 | WR | 224.00 | 224.00 | 160.00 | 160.00 |
| A | 49649 00 | IRR | AY | G | | | NW | 3960 | 3960 | 11 | 29 | 09W | 2 | WR | 217.70 | 217.70 | 155.50 | 155.50 |

360 approved

441.7 pending

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 1, 2016

JULIUS GOVERT
563 SW 90TH AVE
GUNNINHAM KS 67035

Re: Pending Applications,
File Nos. 49,648 and 49,649

Dear Sir or Madam:

The Division of Water Resources returned the above referenced applications to you for additional information on June 8, 2016, and the current deadline for your response is July 31, 2016. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **July 31, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **July 31, 2016**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that 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 alex.whitesell@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,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

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 14, 2016

JULIUS GOVERT
563 SW 90TH AVE
GUNNINHAM KS 67035

Re: Pending Application,
File Nos. 49,648 and 49,649

Dear Mr. Govert:

The Division of Water Resources returned the above referenced applications to you for additional information on June 8, 2016. In that June 8th letter your deadline was mistakenly indicated as June 20, 2016. The purpose of this letter is to provide a corrected deadline for the return of your applications. The corrected deadline is **July 31, 2016**.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **July 31, 2016**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that 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 alex.whitesell@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. I apologize for any inconvenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

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

June 8, 2016

JULIUS GOVERT
563 SW 90TH AVE
CUNNINGHAM KS 67035

Re: Pending Applications,
File Nos. 49,648 and 49,649

Dear Mr. Govert:

After a preliminary review of your above referenced applications for permits to appropriate water received in this office on May 31, 2016, they are being returned to you for additional information. In your original applications, you requested a 60-day period of time in which to determine the precise locations for your points of diversion within specified quarter section tracts of land described as:

- the West Half of the West Half (W $\frac{1}{2}$ W $\frac{1}{2}$) of Section 2, in Township 29 South, Range 9 West, Kingman County, Kansas
- the Northwest Quarter (NW $\frac{1}{4}$) of Section 11, in Township 29 South, Range 9 West, Kingman County, Kansas

Once you've determined the precise locations for your points of diversion, complete the rest of Paragraph No. 5 for each of your applications by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The locations of the points of diversion must also be plotted on the topographical map(s) included.

The locations of all other water wells of every kind within one-half mile ($\frac{1}{2}$) of the points of diversion must be plotted on the topographical map(s) as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map(s) declaring that all wells within one-half mile ($\frac{1}{2}$) of the points of diversion have been plotted, or it should declare that none exist. Your applications currently include this information; please verify the information is correct once you have established your points of diversion.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed wells may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of wells or test holes within 300 feet of the proposed points of diversion. Please supply the indicated information and test hole logs or driller's logs with the returned applications.

(over)

SCANNED

Julius Govert
June 8, 2016
Page 2 of 2

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **June 20, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@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, appearing to read "Alex Whitesell". The signature is written in a cursive, somewhat stylized font.

Alex Whitesell
Environmental Scientist
Water Appropriation Program

enclosures

pc: Stafford Field Office

49,648
 W $\frac{1}{2}$ W $\frac{1}{2}$ 2-29-9

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 |
|--------------|----------------------|---------------------|-------------------------|
| Shellabarger | 23 | 0.98-1 | 3 |
| Nalim | 4 | 2 | 7 |
| Blanket | 7 | 0.98-1 | 3 |
| Carville | 66 | 0.98-1 | 3 |
| 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:

Center Pivot

ii. For sprinkler systems:

- Estimate the operating pressure at the distribution system: 40 psi
- What is the sprinkler package design rate? 800 gpm
- What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? 60 feet
- Please include a copy of the sprinkler package design information.

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

Wheat
 Soybeans Rotate
 Corn

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).

Hire crop consultant to determine when and when not to water.

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

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

JUL 27 2016

MAY 31 2016

DRILLER'S TEST LOG

Name: **Scott Geesling** Date: **6/28/2016**

Test No: **#1-16**

Kingman Quarter: **SW** Section: **2** Township: **29** Range: **9**

Age of Description of Strata Indicate Test Location by an X

| | | | | | | | | | |
|----|--|---|--|--|--|--|--|--|--|
| 3 | Top soil | | | | | | | | |
| 15 | Sandy tan clay, hard gray & white clay | | | | | | | | |
| 35 | Gray clay w/ fine sand | | | | | | | | |
| 42 | Sand fine to small w/ med gravel | | | | | | | | |
| 55 | Tan clay | | | | | | | | |
| 62 | Sandy clay | | | | | | | | |
| 75 | Fine sand to fine gravel | | | | | | | | |
| 84 | Small sand & med gravel w/ caliche | X | | | | | | | |
| 85 | Red bed | | | | | | | | |

26

Static Water Level: **42** Ft

Remarks: **Plugged test hole**

Garmin GPS- Nad 83

Latitude: **37.550384 N**

Longitude: **98.282272 W**

Elevation:

WATER RESOURCES RECEIVED

JUL 27 2016

KS DEPT OF AGRICULTURE

| | | |
|---|--|---------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | Driller: Luis Luna |
| | | Spot Location: NW/ NW/ SW |
| ROSENCRANTZ-BEMIS EQUIPMENT CO., INC | | |
| Telephone (620) 792-2488 or (620) 793-5512 | | |
| P.O. Box 713, Great Bend, KS 67530 | | |

WATER RESOURCES
RECEIVED

JUL 27 2016

KS DEPT OF AGRICULTURE

Map Unit Description

Kingman County, Kansas

[Minor map unit components are excluded from this report]

Map unit: 5956 - Shellabarger sandy loam, 1 to 3 percent slopes

Component: Shellabarger (85%)

The Shellabarger component makes up 85 percent of the map unit. Slopes are 1 to 3 percent. This component is on paleoterraces on river valleys. The parent material consists of alluvium. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 1 percent. This component is in the R079XY022KS Sandy (pe 17-20) ecological site. Nonirrigated land capability classification is 2e. Irrigated land capability classification is 2e. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface.

Map unit: 5982 - Nalim loam, 1 to 3 percent slopes

Component: Nalim (75%)

The Nalim component makes up 75 percent of the map unit. Slopes are 1 to 3 percent. This component is on paleoterraces on river valleys. The parent material consists of alluvium. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is moderate. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This component is in the R079XY015KS Loamy Upland (pe 17-20) ecological site. Nonirrigated land capability classification is 2e. Irrigated land capability classification is 2e. This soil does not meet hydric criteria.

Map unit: 6322 - Blanket silt loam, 0 to 1 percent slopes

Component: Blanket (100%)

The Blanket component makes up 100 percent of the map unit. Slopes are 0 to 1 percent. This component is on paleoterraces on river valleys. The parent material consists of clayey alluvium. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This component is in the R080AY015KS Loamy Upland (pe 24-32) ecological site. Nonirrigated land capability classification is 2c. This soil does not meet hydric criteria.

Map unit: 6330 - Carwile fine sandy loam, 0 to 1 percent slopes

Component: Carwile (100%)

The Carwile component makes up 100 percent of the map unit. Slopes are 0 to 1 percent. This component is on depressions on paleoterraces on river valleys. The parent material consists of alluvium. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat poorly drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is high. This soil is not flooded. It is frequently ponded. A seasonal zone of water saturation is at 0 inches during January, February, March, April, October, November, December. Organic matter content in the surface horizon is about 2 percent. This component is in the R080AY022KS Sandy (pe 24-32) ecological site. Nonirrigated land capability classification is 2w. This soil meets hydric criteria.

WATER RESOURCES
RECEIVED

JUL 27 2016

KS DEPT OF AGRICULTURE

Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

The Map Unit Description (Brief, Generated) report displays a generated description of the major soils that occur in a map unit. Descriptions of non-soil (miscellaneous areas) and minor map unit components are not included. This description is generated from the underlying soil attribute data.

Additional information about the map units described in this report is available in other Soil Data Mart reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the Soil Data Mart reports define some of the properties included in the map unit descriptions.

WATER RESOURCES
RECEIVED

JUL 27 2016

KS DEPT OF AGRICULTURE

Soils Inventory Report

KINGMAN COUNTY CONSERVATION DISTRICT

| Map Unit Symbol | Map Unit Name | Acres | Percent |
|-----------------|--|-------|---------|
| 5956 | Shellabarger sandy loam, 1 to 3 percent slopes | 34.2 | 23% |
| 5982 | Nalim loam, 1 to 3 percent slopes | 6.2 | 4% |
| 6322 | Blanket silt loam, 0 to 1 percent slopes | 10 | 7% |
| 6330 | Carwile fine sandy loam, 0 to 1 percent slopes | 96.8 | 66% |

Total: 147.2 100%

WATER RESOURCES
RECEIVED

JUL 27 2016

KS DEPT OF AGRICULTURE



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 1, 2016

JULIUS GOVERT
563 SW 90TH AVE
CUNNINGHAM KS 67035

RE: Application
File No. 49648

Dear Sir or Madam:

Your application for permit to appropriate water in 2-29S-9W in Kingman 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 me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT: ALH
pc: STAFFORD Field Office
GMD

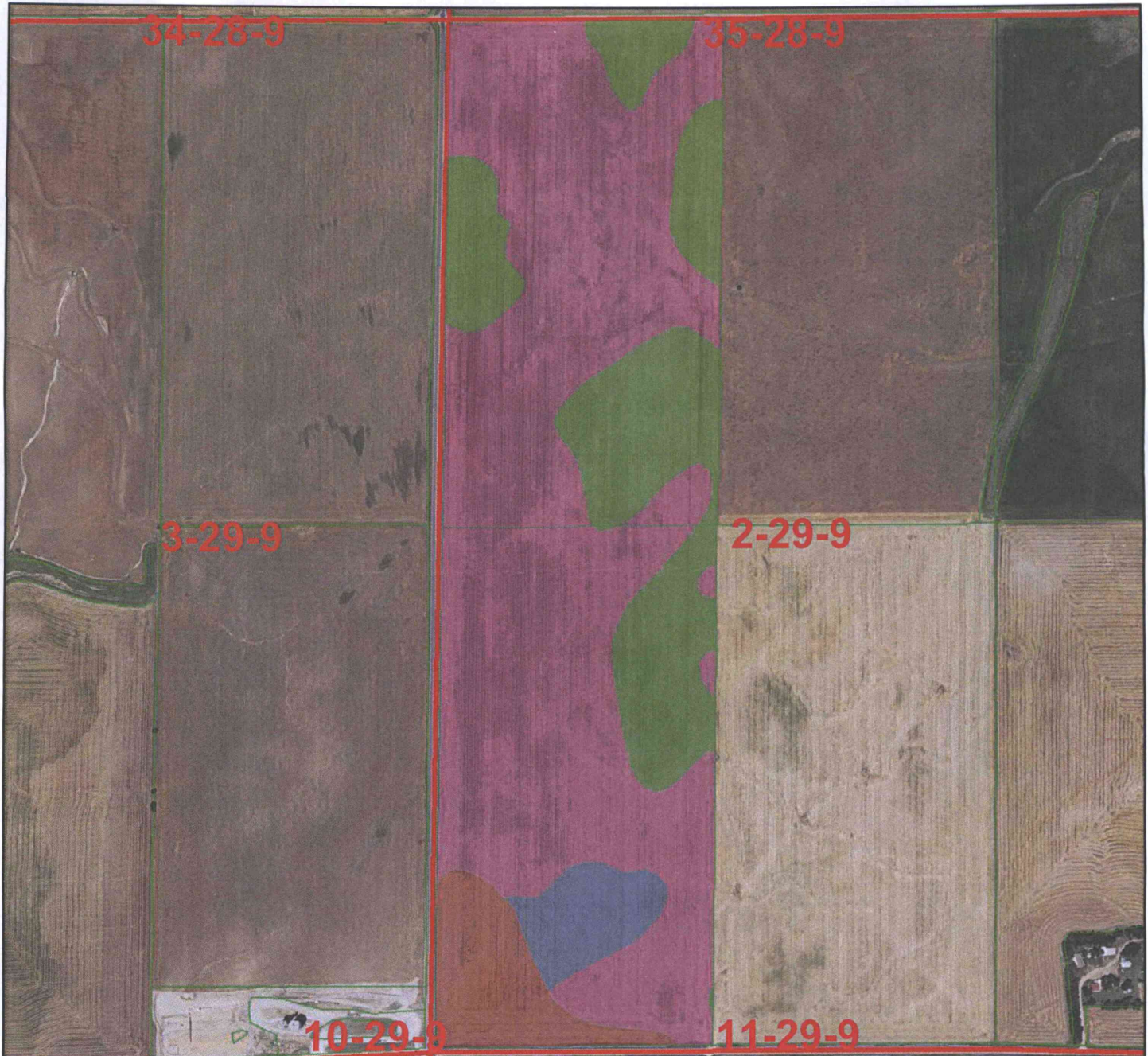
SCANNED

SOILS MAP

Date: 7/21/2016

Customer(s): KINGMAN COUNTY CONSERVATION DISTRICT
District: KINGMAN COUNTY CONSERVATION DISTRICT
Approximate Acres: 147
Legal Description: W2,W2,2-29-9







Field Office: KINGMAN SERVICE CENTER
Agency: USDA-NRCS
Assisted By: GLYNN HENSLEY
State and County: KS, Kingman County, Kansas



Legend

Soils Map

MUSYM, MUName, WATERCLASS

-  5956;Shellabarger sandy loam, 1 to 3 percent slopes;Low
-  5982;Nalim loam, 1 to 3 percent slopes;Medium
-  6322;Blanket silt loam, 0 to 1 percent slopes;Low
-  6330;Carwile fine sandy loam, 0 to 1 percent slopes;Low
-  plss_a_ks095
-  clu_a_copy_ks095

WATER RESOURCES
RECEIVED

JUL 27 2016

KS DEPT OF AGRICULTURE



N



Soil data has been compiled to National Map Accuracy Standards of 1:12,000 scale. Use of this data at larger scales may introduce the appearance of inaccurate line placement.





0 0.25 0.5 0.75 1 Miles

All wells of any kind within 1/2 mile of the requested point of diversion have been plotted.

WATER RESOURCES RECEIVED

Signature:

Justin Gwert

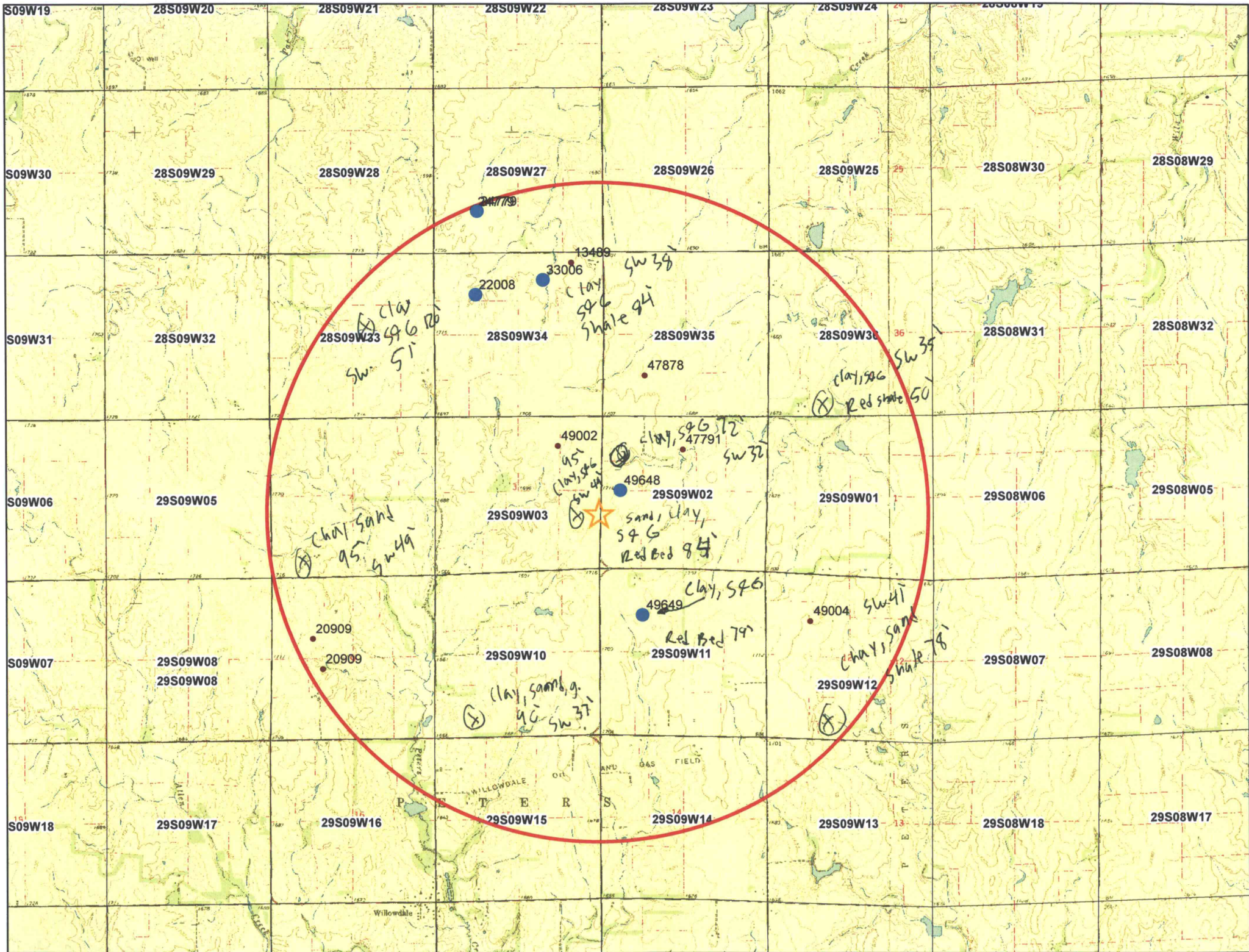
JUL 27 2016

Skyland Grain - P.O. 280 Johnson, KS 67855
 John Youngers - 8414 SW 70th St
 Kingman KS, 67068

AJW/DWR

Date: 6/8/2016





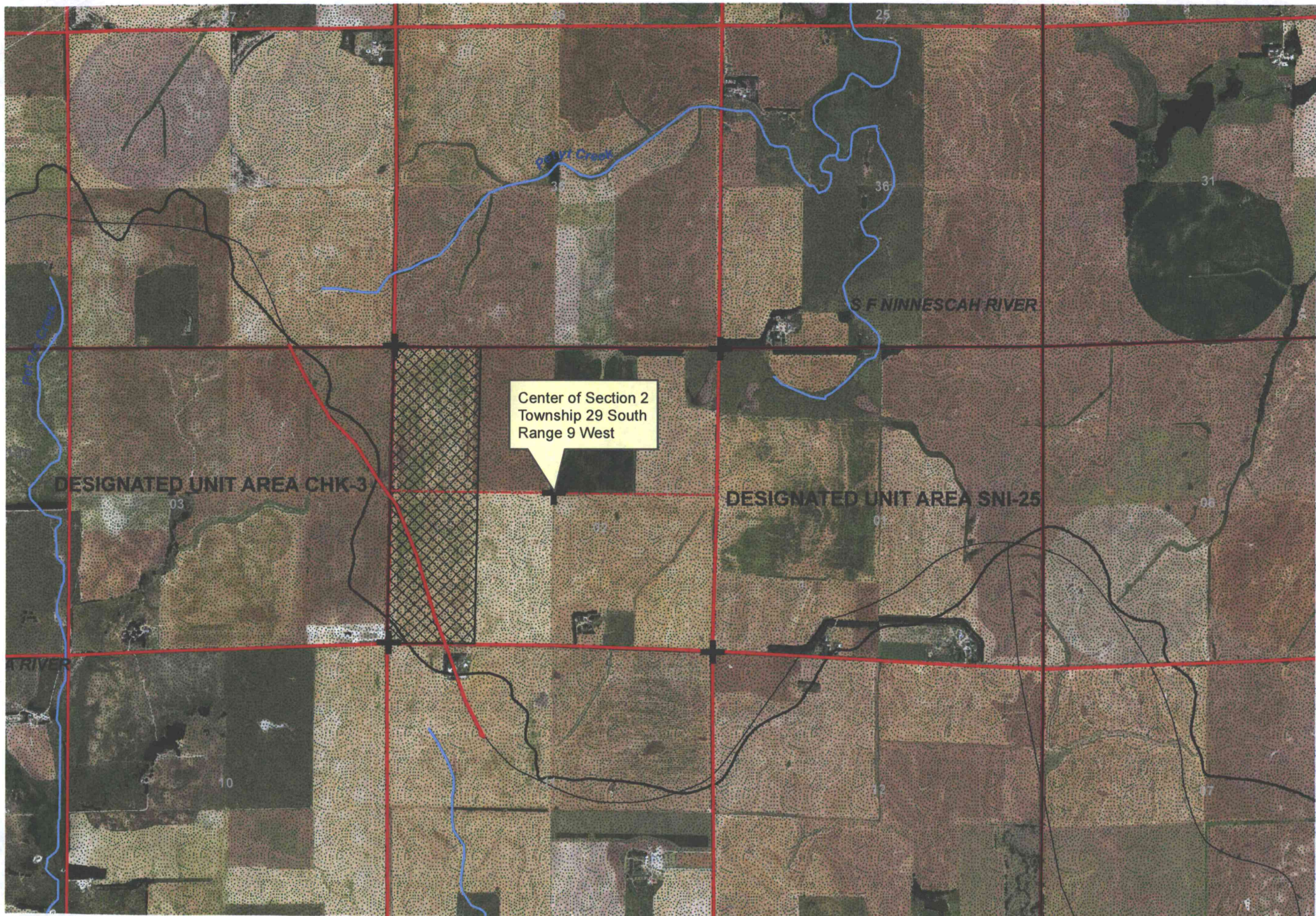
22008
33006
49002
49648
49649
49004

clay, shale, g.
sw 34
clay, shale, g.
sw 35
chert sand
95
sw 34
sand, clay,
SFG
Red Bed 84
clay, SFG
Red Bed 79
clay, sand, g.
90
sw 37
clay, SFG
sw 32
clay, SFG
sw 41
chert sand
shale 78

sw 31
sw 36
sw 30
sw 31
sw 31
sw 31

28S09W27
28S09W26
28S09W25
28S09W34
28S09W35
28S09W36
29S09W03
29S09W02
29S09W01
29S09W03
29S09W02
29S09W01
29S09W03
29S09W02
29S09W01
29S09W11
29S09W12
29S09W15
29S09W14
29S09W13

WILLOWDALE OIL AND GAS FIELD
PETERS



SCOTT GEESLING - NEW APPLICATION
Section 2, Township 29 South, Range 9 West
Kingman County



Proposed Place of Use

All known water well owners within one-half mile of
the proposed point of diversion have been shown on this map.

1:24,000

File No. 49648

updated P.D. map showing correct footages



29S09W02

Proposed Geo-Center:
1,600'N & 5,250'W

1/2 Mile Nearby Wells

1 inch = 1,000 feet

2015 Aerial



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.

-  Proposed PD
-  Proposed Place of Use
-  Domestic Wells
-  Water Rights
-  SFFOsec_corners

Signature _____ Date _____

0 400 800 1,600 2,400 3,200 Feet

Created By: Matt Meier
F.O. 2
Date: 8/15/2017