

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

1. File Number: 49713	2. Status Change Date: 10/4/2017	3. Field Office: 02	4. GMD:
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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

7a. Applicant(s) Person ID **61815**
New to system Add Seq# _____

PHILLIP S HELLMAN
PO BOX 7
NASHVILLE KS 67112

7c. Landowner(s) Person ID _____
New to system Add Seq# _____

7d. Misc. Person ID _____
New to system Add Seq# _____

7b. Landowner(s) Person ID _____
New to system Add Seq# _____

7A

9. Use of Water: Changing? Yes No
 Groundwater Surface Water
 IRR REC DEW MUN
 STK SED DOM CON
 HYD DRG WTR PWR ART RECHRG
 IND SIC: _____ OTHER: _____

8. WUR Correspondent Person ID _____
New to system Add Seq# _____
Overlap File (s) WUC Notarized WUC Form
Agree Yes No
7a.

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: **12/31/2018** Date WLMD Installed: _____

Date Prepared: **9/27/17** By: **MJM**
Date Entered: **10/4/2017** By: **LCM**

File No. **49,713** 15. Formation Code: **100** Drainage Basin: **Chikaskia River** County: **BA** Special Use: Stream:

16. Points of Diversion										
T	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W
√				85650 SESWSE	3	31S	10W	4	150	1420 Geo-C.
√				78842 SESWSE	3	31S	10W	3	50	1370 Bat 1 of 4
√				85651 SESWSE	3	31S	10W	5	250	1370 Bat 2 of 4
√				85652 SESWSE	3	31S	10W	6	50	1470 Bat 3 of 4
√				85653 SESWSE	3	31S	10W	7	250	1470 Bat 4 of 4

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
800	56	800	56	None

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	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								
√				68060	3	31S	10W	5															40	40	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 27, 2017

FROM: Matt Meier

RE: Application, File No. 49,713

Phil Hellman has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 56 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 Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 3, more particularly described as being near a point 150 feet North and 1,420 feet West of the Southeast corner of said section, Township 31 South, Range 10 West, Barber County, in the Chikaskia River drainage basin within the boundaries of South-Central Kansas Designated Unit Area- CHK4. 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 zero domestic wells within one-half mile of the proposed well (although one was found via KGS website) and no existing non-domestic wells (which Wris confirmed). Nearby notification letters were sent out on August 23, 2017. A phone call was received from Lennis Rankin to obtain more information about the file. Based off WRIS, the nearest non-domestic well (Water Right # 45,179) is located 6,856 feet away. Based off the map submitted with the application, the nearest domestic well appears to be approximately 2,200 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.

The applicant is using an existing well for one of the battery of four 4 wells, which was drilled to a depth of 170 feet. Shale was located at 165 feet. A nearby well log was obtained from the KGS website which shows topsoil from 0 to 2 feet, silty sand 2 to 23 feet, fine to coarse sand from 23 to 59 feet, hard tan clay from 59 to 74 feet, fine to coarse sand from 74 to 107 feet, hard tan clay from 107 to 110 feet, fine to coarse sand with medium gravel from 110 to 136 feet, hard tan clay from 136 to 140 feet, fine to coarse sand from 140 to 156 feet, and red shale from 156 to 158 feet below ground. Static water level was 66 feet below ground surface which provides a saturated thickness of 90 feet.

The point of diversion is located within South Central Kansas Designated Unit Area CHK4 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 1.8 inches, and 50% of recharge available for appropriation, safe yield was determined to be 603.15 acre-feet. Existing water rights have appropriated 177.8 acre-feet, providing a difference of 425.35 acre-feet available for appropriation, and the application requesting 56 acre-feet complies with safe yield.

The requested quantity of water, 56 acre-feet, is reasonable to irrigate the proposed 40 acres identified in the application. This is the maximum reasonable quantity allowable of 1.4 acre-feet per acre for Barber 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.

Phil Hellman
Application, File No. 49,713
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 27, 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

October 5, 2017

PHILLIP S HELLMAN
PO BOX 7
NASHVILLE KS 67112

FILE COPY

RE: Application, File No. 49,713

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. 49,713** of the applicant

**PHILLIP S HELLMAN
PO BOX 7
NASHVILLE KS 67112**

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 **September 29, 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	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3	31S	10W															40	40	

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells, with a geographical center located in the Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE¼ SW¼ SE¼) of Section 3, more particularly described as being near a point 150 feet North and 1420 feet West of the Southeast corner of said section, in Township 31 South, Range 10 West, Barber 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 **56 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 four (CHK4) in accordance with Kansas Administrative Regulations 5-3-11(d)(4).

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 4th day of October, 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 4th day of October, 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 ^{5th} day of October, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,713, dated October 4, 2017 was mailed postage prepaid, first class, US mail to the following:

PHILLIP S HELLMAN
PO BOX 7
NASHVILLE KS 67112

With photocopies to:

Stafford Field Office



Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,713
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED
SEP 29 2016
11:45
KS DEPT OF AGRICULTURE

APPLICATION COMPLETE
9-29-16
Reviewer KAB/DWR
9-27-17
KAB/DWR
for MJM

**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,
1320 Research Park Drive, Manhattan, KS 66502:

1. Name of Applicant (Please Print): Phil Hellman
Address: P.O. Box 7
City: Nashville, KS State KS Zip Code 67112
Telephone Number: (620) 243-4515

2. The source of water is: surface water in _____ (stream)
OR groundwater in Chikaskia River (S.C. KS D.U.A. - CHK4) (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 56 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 800 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 <input type="checkbox"/>	Meets K.A.R. 5-3-1 (YES) <input checked="" type="checkbox"/> (NO) <input type="checkbox"/>	Use <u>IRR</u>	Source <u>G/S</u>	County <u>SA</u>	By <u>AW</u>	Date <u>9/29/16</u>
Code _____	<u>TRPG</u>	Fee \$ <u>0.00</u>	TR # _____	Receipt Date <u>9/29/16</u>	Check # <u>1171</u>		

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-Cent (A) One in the SE quarter of the SW quarter of the SE quarter of Section 3, more particularly described as being near a point 150 feet North and 1420 feet West of the Southeast corner of said section, in Township 31 South, Range 10 West, Barber County, Kansas.
- Bat 1 of 4 (B) One in the SE quarter of the SW quarter of the SE quarter of Section 3, more particularly described as being near a point 50 feet North and 1370 feet West of the Southeast corner of said section, in Township 31 South, Range 10 West, Barber County, Kansas.
- Bat 2 of 4 (C) One in the SE quarter of the SW quarter of the SE quarter of Section 3, more particularly described as being near a point 250 feet North and 1370 feet West of the Southeast corner of said section, in Township 31 South, Range 10 West, Barber County, Kansas.
- Bat 3 of 4 (D) One in the SE quarter of the SW quarter of the SE quarter of Section 3, more particularly described as being near a point 50 feet North and 1470 feet West of the Southeast corner of said section, in Township 31 South, Range 10 West, Barber County, Kansas.

Bat 4 of 4 SE SW SE Sec. 3 T31S R10W 250'N & 1470'W
 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):

Same as Applicant
 (name, address and telephone number)

 (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 09/26, 2016. *Philly D. Hellman*
 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 4 wells and pump
 (number of wells, pumps or dams, etc.)
 and will be completed (by) ASAP
 (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 ASAP
 (Mo/Day/Year)

WATER RESOURCES RECEIVED

SEP 29 2016

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 N.A.

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

SEP 29 2016

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

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):

Same as Applicant
(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 Nashville, Kansas, this 26 day of September, 2016.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 9/1/2016
(office/title)

WATER RESOURCES
RECEIVED

SEP 29 2016

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,713

Name of Applicant (Please Print): Phil Hellman

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: Phil Hellman

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	
3	31S	10W															40		40

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

SEP 29 2016

Meier, Matt

From: Lanterman, Jeff
Sent: Thursday, August 31, 2017 3:10 PM
To: Meier, Matt
Subject: Kent Lawrence Trust(Concerned letter on 49713)

Follow Up Flag: Follow up
Flag Status: Flagged

Lennis Rankin called. He had some concerns. He received the one letter that you sent out on 49713. Doesn't want anything to happen to the domestic well just to the NE of this application.

He didn't appear to have any specific concerns and I explained that the pre existing dom well will have priority over the new irrigation right.

His phone number is below. He uses the well to the NE to water cattle and there is also a couple that lives in that house. Approximately a quarter of a mile away from this application.

620-886-0706

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

August 23, 2017

Kent Lawrence Tr
Karran Westerman
2052 S US Hwy 83
Zapata, TX 78076

Re: Pending Application, File No. 49,713

Dear Sir or Madam:

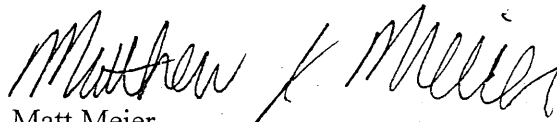
This is to advise you that Phil Hellman has filed the application referred to above for a permit to appropriate 56 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,713 is four (4) wells, which are located as follows:

Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 3, Township 31 South, Range 10 West, Barber 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

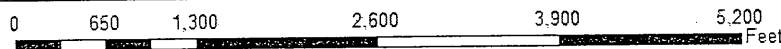
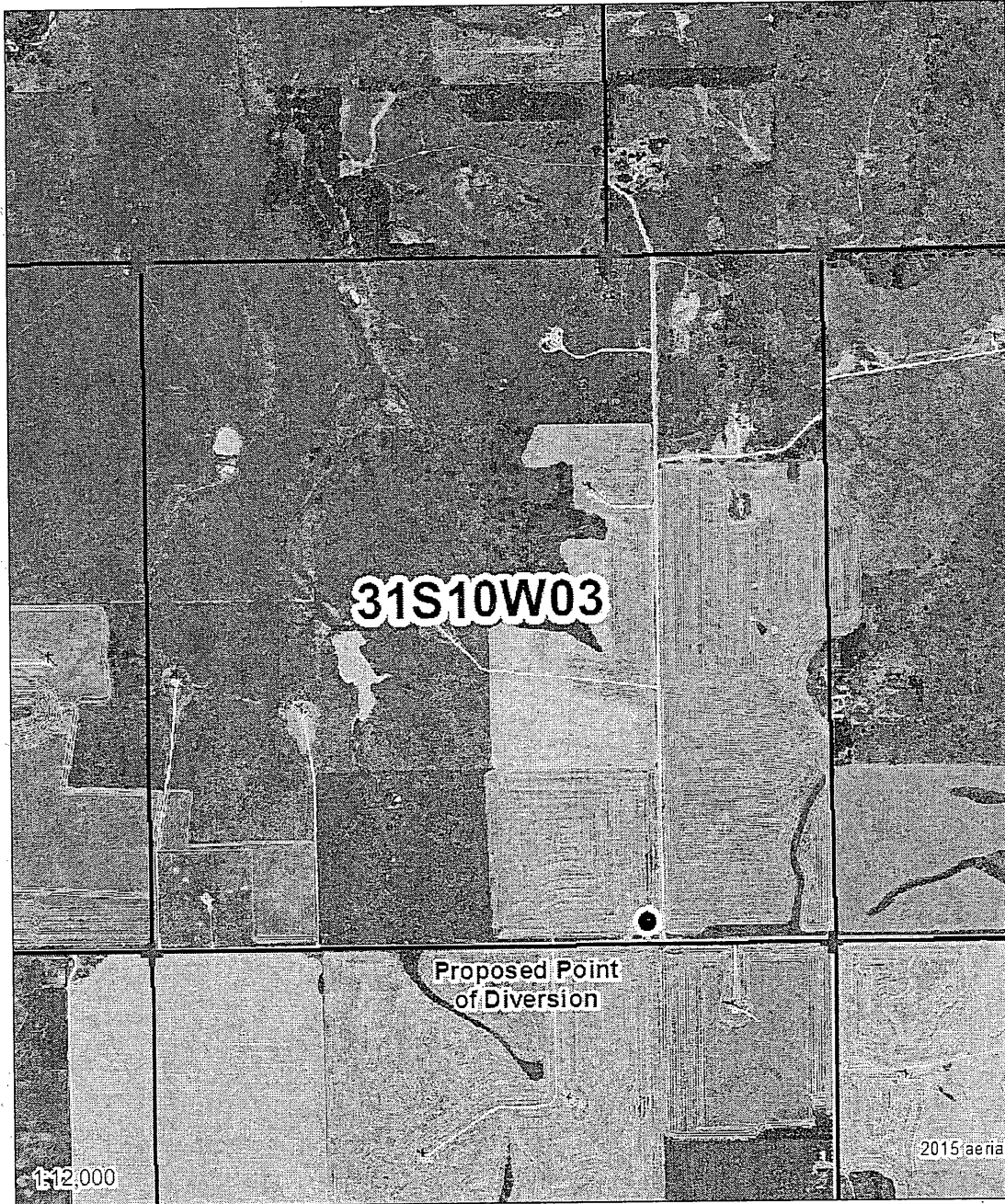
Kansas

Department of Agriculture
Division of Water Resources

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

Jackie McClaskey, Secretary
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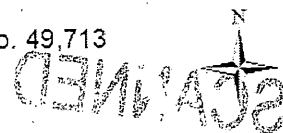


Legend

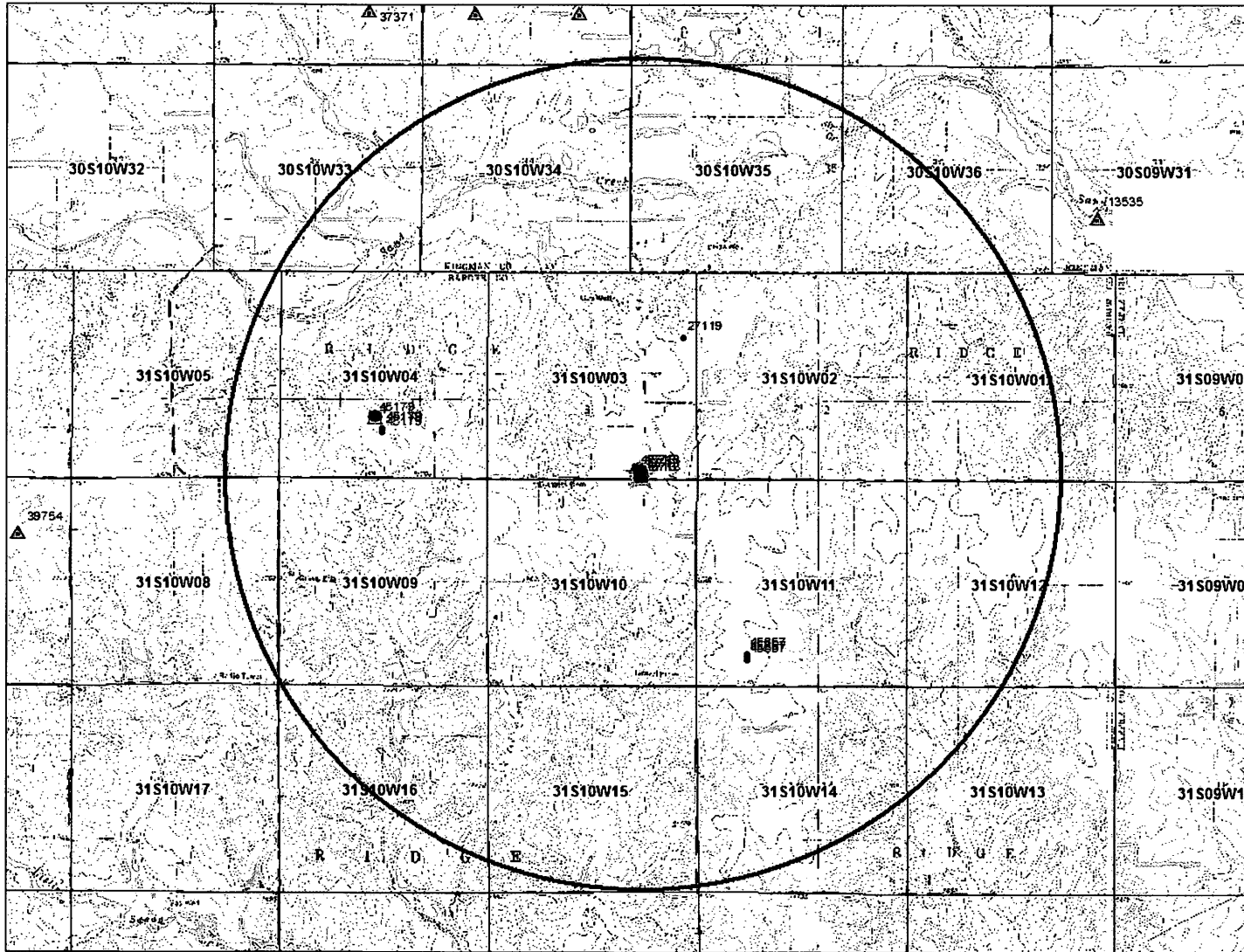
- + Section Corners
- ▭ Section Lines

MJM-DWR 8/23/17

Proposed Water Appropriation, File No. 49,713
3-31S-10W
Barber County



Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in SESESWSE 03-31S-10W



#19,713

Meets S.Y.

Analysis Results

The selected PD is in an area to new appropriations.

The safe yield, based on the variables listed below is 603.15 AF. $-177.8 = 425.35$

Total prior appropriation in the circle is 233.80 AF. $-56 = 177.8$

Total quantity of water available for appropriation is 369.35 AF.

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 50%.

Authorized Quantity values are as of 18-AUG-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 2 water right(s) and 6 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 45179	00	IRR	NK	G		SE	NE	SW	1578	2832	04	31	10W	3	WR	177.80	177.80	130.00	130.00
A 49713	00	IRR	AY	G		SE	SW	SE	50	1370	03	31	10W	3	WR	56.00	56.00	40.00	40.00
Same		IRR	AY	G		SE	SW	SE	150	1420	03	31	10W	4	WR				
Same		IRR	AY	G		SE	SW	SE	250	1370	03	31	10W	5	WR				
Same		IRR	AY	G		SE	SW	SE	50	1470	03	31	10W	6	WR				
Same		IRR	AY	G		SE	SW	SE	250	1470	03	31	10W	7	WR				

177.8 approved

Draft

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: September 26, 2017

FROM: Matt Meier

RE: Application, File No. 49,713

Phil Hellman has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 56 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 Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 3, more particularly described as being near a point 150 feet North and 1,420 feet West of the Southeast corner of said section, Township 31 South, Range 10 West, Barber County, in the Chikaskia River drainage basin within the boundaries of South-Central Kansas Designated Unit Area- CHK4. 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 zero domestic wells within one-half mile of the proposed well (although one was found via KGS website) and no existing non-domestic wells (which Wris confirmed). Nearby notification letters were sent out on August 23, 2017. A phone call was received from Lennis Rankin to obtain more information about the file. Based off WRIS, the nearest non-domestic well (Water Right # 45,179) is located 6,856 feet away. Based off the map submitted with the application, the nearest domestic well appears to be approximately 2,200 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.

The applicant is using an existing well for one of the battery of four 4 wells, which was drilled to a depth of 170 feet. Shale was located at 165 feet. A nearby well log was obtained from the KGS website which shows topsoil from 0 to 2 feet, silty sand 2 to 23 feet, fine to coarse sand from 23 to 59 feet, hard tan clay from 59 to 74 feet, fine to coarse sand from 74 to 107 feet, hard tan clay from 107 to 110 feet, fine to coarse sand with medium gravel from 110 to 136 feet, hard tan clay from 136 to 140 feet, fine to coarse sand from 140 to 156 feet, and red shale from 156 to 158 feet below ground. Static water level was 66 feet below ground surface which provides a saturated thickness of 90 feet.

The point of diversion is located within South Central Kansas Designated Unit Area CHK4 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 1.8 inches, and 50% of recharge available for appropriation, safe yield was determined to be 603.15 acre-feet. Existing water rights have appropriated 177.8 acre-feet, providing a difference of 425.35 acre-feet available for appropriation, and the application requesting 56 acre-feet complies with safe yield.

The requested quantity of water, 56 acre-feet, is reasonable to irrigate the proposed 40 acres identified in the application. This is the maximum reasonable quantity allowable of 1.4 acre-feet per acre for Barber 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.

Phil Hellman
Application, File No. 49,713
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.

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

2/27/17

Concur w Recommendation. Approve It

Jeff Cantor W.C.

#49713

Report Date Friday, August 18 2017

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

150 ft N and 1420 ft W of the SE Corner of Section 3, T 31S, R 10W

Located at: 98.390522 West Longitude and 37.369858 North Latitude

GROUNDWATER ONLY

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__ 45179 00 IRR NK G      6856 -- SE NE SW 1578 2832 4 31 10W 3      177.80 177.80 AF
A__ 49713 00 IRR AY G          0 -- SE SW SE 150 1420 3 31 10W 4 G 4      56.00 56.00 AF
Same          112 -- SE SW SE 50 1370 3 31 10W 3 B 4
Same          112 -- SE SW SE 250 1370 3 31 10W 5 B 4
Same          112 -- SE SW SE 50 1470 3 31 10W 6 B 4
Same          112 -- SE SW SE 250 1470 3 31 10W 7 B 4
=====

```

```

=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =      56.00      .00
Total Permitted Amount (AF) =      .00      .00
Total Inspected Amount (AF) =      .00      .00
Total Pro_Cert Amount (AF) =      .00      .00
Total Certified Amount (AF) =     177.80      .00
Total Vested Amount (AF) =      .00      .00
TOTAL AMOUNT (AF) =     233.80      .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:

98.390522 West Longitude and 37.369858 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number  Use ST SR
A__ 45179 00 IRR NK G
> JOHN C & SANDRA V SMITH
>
> 9238 NW RIVER RD
> MEDICINE LODGE KS 67104
>-----
A__ 49713 00 IRR AY G
> PHILLIP S HELLMAN
>
> PO BOX 7
> NASHVILLE KS 67112
>-----
=====

```


49,713

Subject Property: 0041110200000002000

QuickRef ID: R1598 [Click here to locate on Map](#)

Owner Name: LAWRENCE, KENT E TR No property photo available

Location: 12010 NE RIDGE RD, SHARON, KS 67138.

Legal Desc: RURAL PARCEL:NOT IN A SUBDIVSN , ACRES 477.0 , W2 SEC & SE4 LESS RD R/W SECTION 02 TOWNSHIP 31 RANGE 10.

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :

Mailing Address :

LAWRENCE, KENT E TR

Attn: WESTERMAN, KARRAN 2052 S US HWY 83 ZAPATA, TX 78076

Property Details

Property Type :	Property Status :	Taxing Unit :	Neighborhood Code :
Farm Homesite	Active	SHARON TWP-USD 254	001

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
			.2	

No Permit Details found.

Value Details

	Year :	2017
Current Final Value (Agricultural)	Land :	\$45,500
	Building :	\$2,240
	Total :	\$47,740

	Year :	2017
Current Final Value (Farm Homesite)	Land :	\$4,640
	Building :	\$29,690
	Total :	\$34,330

Deed Book/Page

Book / Page List and Misc Legal Description Info :

No Sale Details found. (Please log in to view this data.)

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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

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:

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).

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

WATER RESOURCES RECEIVED

SEP 29 2016

KS DEPT OF AGRICULTURE

SCANNED

09/26/2016

(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, 713

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.

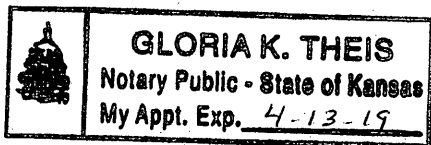
Phillip S. Hellman

Signature of Applicant

State of Kansas)
County of Kingman) ss

Phillip S. Hellman
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 26th day of September, 2016.



Gloria K. Theis
Notary Public

My Commission Expires: 4-13-19

WATER RESOURCES
RECEIVED

SEP 29 2016

Heavy Pole Masts
Telescoping Single & Double Derricks
Workover & Completions
Water & Vacuum Trucks
High Pressure Pump Truck



In Business Since 1946

Kenneth C. Gates, President
Kevin C. Gates, Vice President
P.O. Box 847
Pratt, KS 67124

Ridge

Company Fresh Water, LLC
Address P.O. Box 209
Medicine Lodge, KS 67104
ATTN: Anthony Farra

Invoice WW76317
Invoice Date: January 23, 2012
Job Date: January 3 - 4, 2012
Called By: Anthony Farra
P.O. #:
County: Barber

Lease BP Wind Farm
Unit E6

Operator Jon M.
Job Description Drilled Wells

January 3, 2012

To location, rigged up, dug pits, mixed mud, and drilled to shale at 165 ft, circulated hole and tripped out, then shut down.

(E6 - 11.5 hours)

January 4, 2012

To location, circulated into hole to 170, cleared hole, and tripped out, set casing, built well, and airlifted clean, then shut down.

(E6 - 9.5 hours)

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment (Water well Contractors) Topeka, Kansas 66620

1. Location of well:		County Barber	Fraction SE 1/4 SW 1/4 NE 1/4	Section number 3	Township number T 31 S R 10W	Range number 10W	X
2. Distance and direction from nearest town or city: 5S 1 3/4 E 1/2 N Street address of well location if in city: Nashville, Kansas			3. Owner of well: Kent Lawrence R.R. or street: City, state, zip code: Nashville, Kansas				
4. Locate with "X" in section below:		Sketch map:			6. Bore hole dia. 28 in. Completion date 15 July 76 Well depth 157 ft.		
					7. Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input checked="" type="checkbox"/> Reverse rotary		
5. Type and color of material		From	To	8. Use: Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input type="checkbox"/> <input checked="" type="checkbox"/> Irrigation Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other			
Soil		0	2	9. Casing: Material Stl Height Above or below Threaded <input type="checkbox"/> Welded <input checked="" type="checkbox"/> Surface 12 in. RMP <input type="checkbox"/> PVC <input type="checkbox"/> Weight 91.7 lbs./ft. Dia. 16 in. to 106 ft. depth Wall Thickness: inches or Dia. <input type="checkbox"/> in. to <input type="checkbox"/> ft. depth gage No. 188			
Sand, silty		2	23	10. Screen: Manufacturer's name W.A. Brown And Cook Type Freeflo Dia. 16" Slot gauze 1/8" Length 50' Set between 106 ft. and 126 Freeflo 126-136 Cook and 136-156 Freeflo Gravel pack? <input checked="" type="checkbox"/> Size range of material 2x1/8			
Sand, fine to coarse		23	59	11. Static water level: <input type="checkbox"/> mo./day/yr. 66 ft. below land surface Date 15 July 76			
Clay, tan Hard		59	74	12. Pumping level below land surfaces: 92 ft. after 1 hrs. pumping 556 g.p.m. 103 ft. after 1 hrs. pumping 708 g.p.m. Estimated maximum yield 900 g.p.m.			
Sand, fine to coarse		74	107	13. Water sample submitted: <input type="checkbox"/> mo./day/yr. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date			
Clay, tan Hard		107	110	<input checked="" type="checkbox"/> Well head completion: <input type="checkbox"/> Pitless adapter 12 inches above grade			
Sand, fine to coarse and medium gravel		110	136	15. Well grouted? <input checked="" type="checkbox"/> With: <input type="checkbox"/> Neat cement <input checked="" type="checkbox"/> Bentonite <input type="checkbox"/> Concrete Depth: From 0 ft. to 10 ft.			
Clay, tan Hard		136	140	16. Nearest source of possible contamination: Farm ft. 2600 Direction NW Type Stead Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Sand, fine to coarse		140	156	17. Pump: Manufacturer's name Floway Model number 10D01 HP 60 Volts Length of drop pipe 120' capacity 500 g.p.m. Type: <input type="checkbox"/> Submersible <input checked="" type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other			
Shale, red		156	158	20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Central Well & Pump 325 Business name 221 S. Taylor License No. Address 19 July 76 Signed Johnnomill Date 19 July 76 Authorized representative			
18. Elevation:		19. Remarks: A 5'x12'x1' concrete pump and engine base was poured at surface.		20. Water well contractor's certification:			
Topography: <input type="checkbox"/> Hill <input type="checkbox"/> Slope <input checked="" type="checkbox"/> Upland <input type="checkbox"/> Valley							

Forward the white, blue and pink copies to the Department of Health and Environment

Form WWC-5



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

September 30, 2016

FILE COPY

PHIL HELLMAN
PO BOX 7
NASHVILLE KS 67112

RE: Application
File No. 49713

Dear Sir or Madam:

Your application for permit to appropriate water in 3-31S-10W in Barber 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: dlw
pc: STAFFORD Field Office
GMD

SCANNED

File No. _____



Proposed Geo-Center:
150'N & 1,420'W

Domestic from
KGS website
NJM/FFU

1 inch = 2,000 feet



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.

- ★ Domestic Wells
- ⊕ Proposed PD
- ⚠ Water Rights
- ⊕ SEFCO corners

Charles S. Hollman

Signature

09/26/16

Date

WATER RESOURCES
RECEIVED

SEP 29 2016

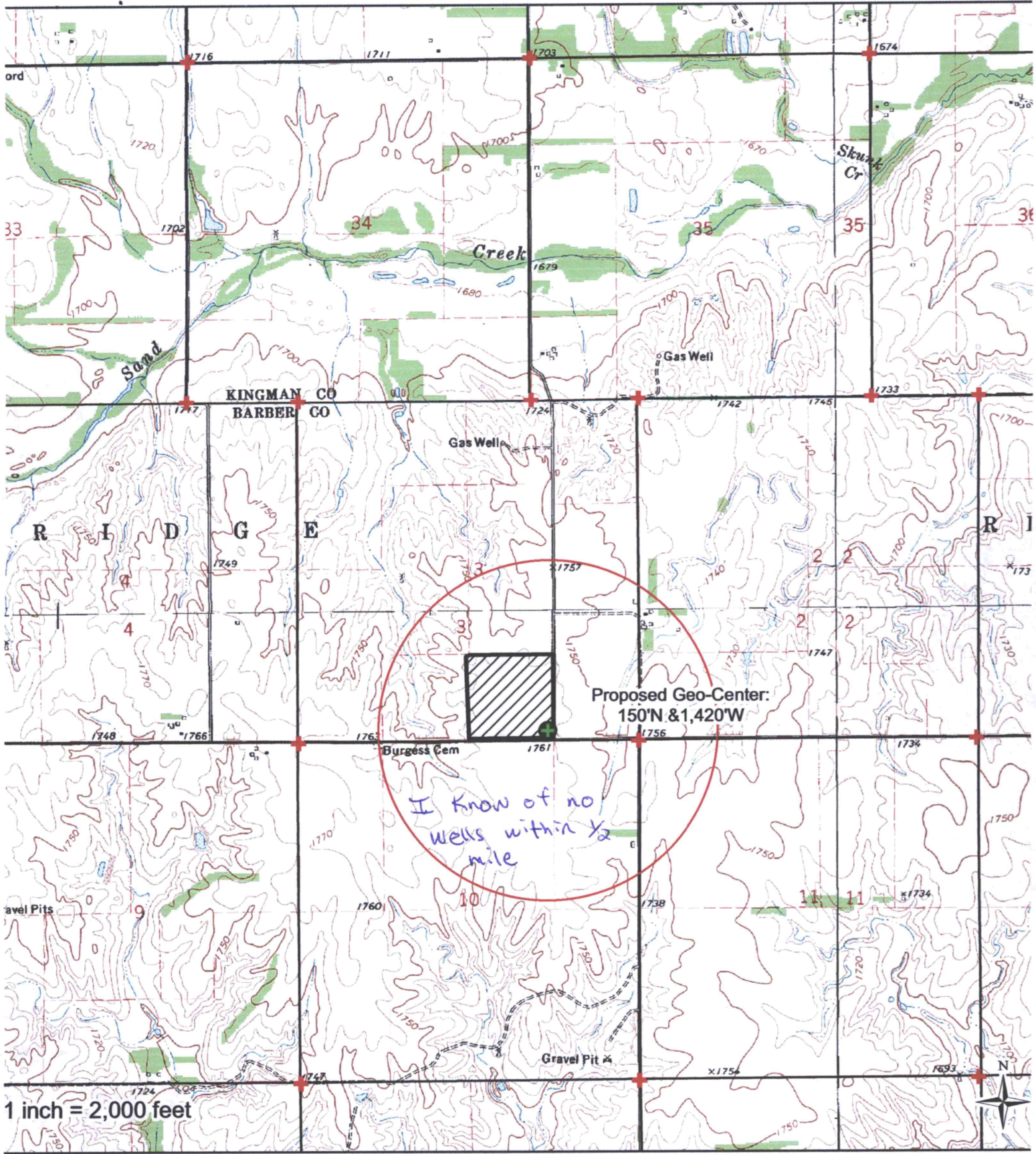
Created By: Matt Meier
P.O. 2
DATE: 09/29/16

SCANNED

KS DEPT OF AGRICULTURE

49,713

File No. _____



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. **WATER RESOURCES RECEIVED**

- ★ Domestic Wells
- Proposed PD
- ▲ Water Rights
- SEEO...

Cheryl S. Helman
Signature

09/26/16
Date

Created By: Matt Meier
FO. 2
Date: 09/26/16

SCANNED

KS DEPT OF AGRICULTURE