

Kansas Department of Agriculture  
Division of Water Resources  
**CHANGE: P/D WORKSHEET Dismiss Change App.**

Document Signature \_\_\_\_\_

|  |   |  |   |  |
|--|---|--|---|--|
| 1. File Number:<br><b>LG 001</b>   | 2. Status Change Date:<br><i>11/16/2017</i> | 3. Change Num:<br><b>C1</b>              | 4. Field Office:<br><b>2</b>  | 5. GMD:<br><b>5</b>                          |
| 6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input checked="" type="checkbox"/> Dismiss by Failure to Return   |   |  |   | 7. Filing Date of Change:<br><b>4/8/2009</b> |
| 8a. Applicant(s)<br>New to system <input type="checkbox"/><br><br><b>CITY OF OAKLEY<br/>CITY ADMINISTRATOR<br/>209 HUDSON AVE<br/>OAKLEY KS 67748-1725</b>   |   | Person ID <b>13097</b><br>Add Seq# _____ | 8c. Landowner(s)<br>New to system <input type="checkbox"/><br><br>Person ID _____<br>Add Seq# _____ |  |
| 8b. Landowner(s)<br>New to system <input type="checkbox"/><br><br><b>8a</b>  |   | Person ID _____<br>Add Seq# _____        | 8d. WUC<br>New to system <input type="checkbox"/><br><br><b>8a</b>                                  |  |
| 9. Documents and Enclosure(s): <input type="checkbox"/> DWR Meter(s) Date to Comply: _____ <input type="checkbox"/> N & P Date to Comply: _____  |   |  |   |  |
| <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter |   |  |   |  |
| <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____  |   |  |   |  |
| 10. Use Made of Water    From: _____    To: _____  |   |  |   |  |
| No information on the back   |   |  | Date Prepared: <b>9/18/2017</b> By: <b>AM</b><br>Date Entered: <i>11/27/2017</i> By: <i>UM</i>      |  |

File No. **LG 001**      11. County: **LG**      Basin: **HACKBERRY CREEK**      Stream:      Formation Code:      Special Use:

| 12. Points of Diversion<br>T<br>MOD<br>DEL PDIV<br>ENT | Qualifier | S | T | R | ID | 'N | 'W | Comment | Rate and Quantity |                    |                 |                    |                  |
|--|-----------|---|---|---|----|----|----|---------|-------------------|--------------------|-----------------|--------------------|------------------|
|  |           |   |   |   |    |    |    |         | Authorized        |                    | Additional      |                    |                  |
|  |           |   |   |   |    |    |    |         | Rate<br>gpm/cfs   | Quantity<br>af/mgy | Rate<br>gpm/cfs | Quantity<br>af/mgy | Overlap PD Files |

**NO CHANGE**

13. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

15. 5YR Allocation: Allocation Type \_\_\_\_\_ Start Year \_\_\_\_\_ 5 YR Amount \_\_\_\_\_ Amount Unit \_\_\_\_\_ Base Acres \_\_\_\_\_ Comment \_\_\_\_\_

| 16. Place of Use<br>T<br>MOD<br>DEL<br>ENT PUSE | S | T | R | ID | NE¼     |         |         |         | NW¼     |         |         |         | SW¼     |         |         |         | SE¼     |         |         |         | Total | Owner | Chg? | Overlap Files |
|---|---|---|---|----|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|-------|-------|------|---------------|
|   |   |   |   |    | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ |       |       |      |               |
| <b>NO CHANGE</b>                                |   |   |   |    |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |       |       |      |               |
|   |   |   |   |    |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |       |       |      |               |
|   |   |   |   |    |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |       |       |      |               |
|   |   |   |   |    |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |       |       |      |               |
|   |   |   |   |    |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |       |       |      |               |

Comments: **FAILURE TO RETURN**

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** November 16, 2017

**FROM:** Austin McColloch

**RE:** Dismissal of Application for Change  
Vested Right, File No. LG 001

The City of Oakley filed an application for change in the point of diversion under Vested Right, File No. LG 001, which was received on April 8, 2009.

On August 8, 2017, the referenced application was returned for additional information and he was afforded the deadline of September 8, 2017, to return the application or to request additional time to do so.

No request for additional time has been received, nor has the application been returned as of the date of this memo.

In accordance with K.S.A. 82a-710, K.A.R. 5-3-1, K.A.R. 5-3-1b and K.A.R. 5-3-4, the application for change, File No. LG-01, should be denied and dismissed for failure to return the application with the required information, within the time allowed.

A Findings and Order has been prepared to dismiss the application for change under the referenced file.



Austin McColloch  
Environmental Scientist

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

CITY OF OAKLEY  
CITY ADMINISTRATOR  
209 HUDSON AVE  
OAKLEY KS 67748-1725

November 30, 2017

**FILE COPY**

RE: Dismissal of Application for Change  
Vested Right, File No. LG 001

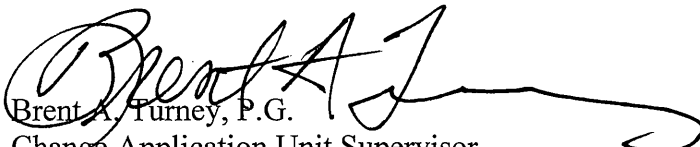
Dear Sir or Madam:

The referenced application was returned to you for additional information on August 8, 2017. Enclosed are the Findings and Orders by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application for Change in Point of Diversion, Vested Right, File No. LG 001, for failure to return the original application and provide the required information, prior to the final deadline of September 8, 2017.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner set forth in the enclosed order.

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

Sincerely,

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

BAT:am

Enclosures

pc: Stockton Field Office  
Groundwater Management District No. 4



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER  
IN THE MATTER OF THE  
DISMISSAL OF APPLICATION FOR APPROVAL TO CHANGE  
THE AUTHORIZED POINT OF DIVERSION  
UNDER  
VESTED RIGHT, FILE NO. LG 001**

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

**FINDINGS**

1. That on September 9, 1950, the Chief Engineer in accordance with K.S.A. 82a-714, issued a vested right order pursuant to Vested Right, File No. LG 001, for determining and establishing a vested right to continue the beneficial use of water.
2. That on June 23, 1964, an Application for Approval to Change the Authorized Point of Diversion was approved, under the vested right described in paragraph No. 1 of these findings.
3. That on August 21, 1980, an Application for Approval to Change the Authorized Point of Diversion was approved, under the vested right described in paragraph No. 1 of these findings.
4. That on November 3, 2008, a Findings and Order was issued in the matter of the actual location of the authorized points of diversion, under the vested right described in paragraph No. 1 of these findings.
5. That on April 8, 2009, an Application for Approval to Change the Authorized Point of Diversion was received at the Office of the Chief Engineer, under the vested right described in paragraph No. 1 of these findings.
6. That the applicant was sent a letter on August 8, 2017, returning the application listed in paragraph No. 1 and requested to supply additional information to complete the application for change and was notified that the application would be dismissed if it was not returned within the time allowed or within any authorized extension of time thereof.
7. That the Application was not returned and no additional written correspondence regarding the Application has been submitted to the office of Chief Engineer, prior to the deadline.
8. That based on the Findings, and as detailed in K.A.R. 5-3-4b, *Deadline for the return of documents*, the Application should be dismissed, and its priority forfeited

**ORDER**

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, the Application for Approval to Change the Point of Diversion Under an Existing Water Right, for Vested Right, File No. LG 001, received on April 8, 2009, is herewith dismissed and the priority assigned to it is considered to be forfeited.

In all other respects, the vested right order, determining and establishing a vested right to continue the beneficial use of water, identified in the office of the Chief Engineer as Vested Right, File No. LG 001, is as stated and set forth in the vested right order executed by the Chief Engineer on September 9, 1950, as modified and amended by the aforementioned orders.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77-601 et seq) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas.

Ordered this 10<sup>th</sup> day of November, 2017, at Topeka, Shawnee County, Kansas.

*Lane P. Letourneau*

Lane P. Letourneau, L.G.  
Program Manager  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas )  
                          )     SS  
County of Riley )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of November, 2017, by Lane P. Letourneau, L.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*  
Notary Public

**CERTIFICATE OF SERVICE**

On this 30<sup>th</sup> day of November, 2017, I hereby certify that the Findings and Order in the Matter of the Dismissal of Application for Approval to Change the Authorized Point of Diversion, for Vested Right, File No. LG 001, dated November 16, 2017 was mailed postage prepaid, first class, US Mail to the following:

CITY OF OAKLEY  
CITY ADMINISTRATOR  
209 HUDSON AVE  
OAKLEY KS 67748-1725

With a Photocopies sent to:

Stafford Field Office

Groundwater Management District No. 4

*Danielle Wilson*  
Division of Water Resource



1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 8, 2017

CITY OF OAKLEY  
CITY ADMINISTRATOR  
209 HUDSON AVE  
OAKLEY KS 67748-1725

**FILE COPY**

RE: Vested Right, File No. LG 001

Dear Sir or Madam:

Reference is made to the application for approval of the Chief Engineer to change the point of diversion under File No. LG 001, which was received in the office of the Chief Engineer on April 8, 2009. The application has been withheld from processing pending the outcome of the dismissal of Application to Change the Place of Use, Point of Diversion and Use Made of Water under Water Right, File No. 11,187, which was filed on April 8, 2009 and later dismissed.

The proposed changes in point of diversion under both water rights proposed to move to a common well to be located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 36, more particularly located near a point 3,530 feet North and 4,800 feet West of the southeast corner of said section, Township 10 South, Range 32 West, Thomas County, Kansas.

Because the change under Water Right, File No. 11,187 has been dismissed, we will resume processing the change in point of diversion under the referenced water right. Therefore, we are returning the application for your review and determination if you wish to proceed. If you wish to proceed please advise me and we will resume processing the application. If you no longer wish to pursue with the change, I have enclosed a form that will allow you to voluntarily withdraw the application.

The original application is being returned to you so that the requested information may be furnished. In order for the application to retain its priority of filing it must be completed and returned to this office on or before **September 8, 2017**. According to law, default in refileing of the completed application and attachments as outlined above within the time allowed or any authorized extension of time, shall cause dismissal of the application for change under the above referenced file number.

Should you need additional time in which to review and or provide the information and you want to request additional time, you must do so in writing, before the 30 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

If you plan to go to the Division of Water Resources Field Office in your area for assistance, please take this letter, your applications and attachments with you.

**SCANNED**

CITY OF OAKLEY

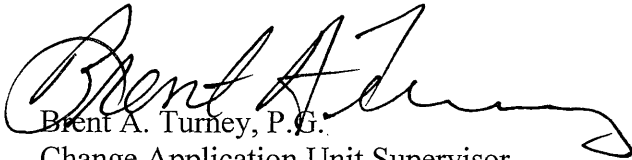
August 8, 2017

File No. LG 001

Page No. 2

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,

A handwritten signature in black ink, appearing to read "Brent A. Turney". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brent A. Turney, P.G.

Change Application Unit Supervisor  
Water Appropriation Program

BAT:am

Enclosures

pc: Stockton Field Office

GMD No. 4



## Turney, Brent

---

**From:** Titus, Kenneth  
**Sent:** Tuesday, May 16, 2017 3:03 PM  
**To:** Barfield, David  
**Cc:** Metzger, Susan; Letourneau, Lane; Turney, Brent  
**Subject:** City of Oakley v. DWR

I just confirmed today that the city attorney did file a motion to dismiss, which was approved by the court, so this matter is concluded.

**Kenneth B. Titus | Chief Counsel**  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
Phone: (785) 564-6717 | Fax: (785) 564-6777  
[kenneth.titus@ks.gov](mailto:kenneth.titus@ks.gov) | [www.agriculture.ks.gov](http://www.agriculture.ks.gov)

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THE CITY TREASURER OF THE CITY OF OAKLEY  
209 HUDSON AVENUE  
OAKLEY, KANSAS 67748-1725  
PHONE 785-672-3611

83-479/1011

No. 032838

FARMERS STATE BANK  
OAKLEY, KANSAS 67748

April 7, 2009

\$200.00

\*\*\*\*\*PAY EXACTLY TWO HUNDRED DOLLARS AND 00/100 CENTS\*\*\*\*\*

PAY TO THE KANSAS DEPARTMENT OF AGRICULTURE  
ORDER OF

*James Wessell*  
MAYOR  
*Rose Wessel*  
CITY CLERK  
*Kathleen A. Hally*  
DEPUTY CITY CLERK

⑈032838⑈ ⑆101104795⑆ 300 896 7⑈

April 8, 2009

CITY OF OAKLEY  
209 HUDSON  
OAKLEY KS 67748

RE: File No. LG 01

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use
- point of diversion
- use made of water

You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

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

Sincerely,



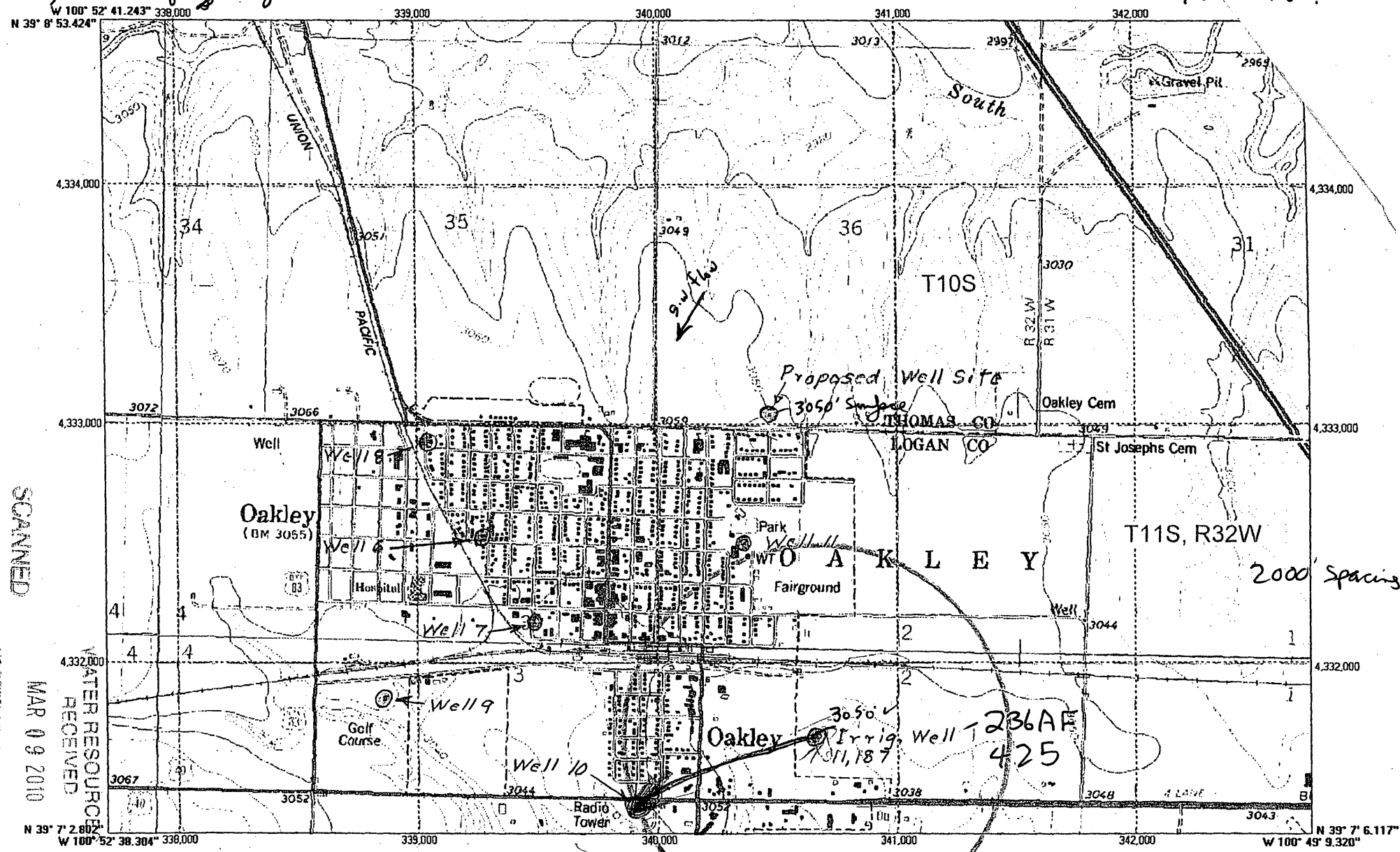
William J. Gilliland, L.G.  
Permits Unit Head  
Water Appropriation Program

WJG: arh  
pc: STOCKTON Field Office  
Groundwater Management District No. 4

① No Definition of "Local Source" of supply.  
 Obviously same aquifer Ogallala

② why not move it to well #10  
 why not leave it where it

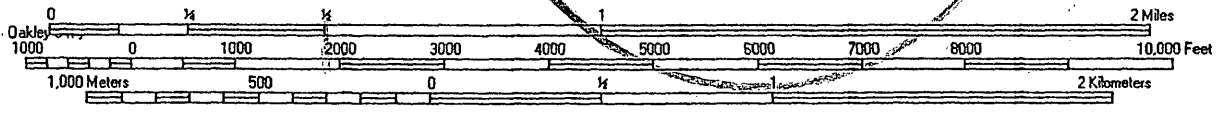
If contamination  
 is downtown why aren't  
 city wells hot?



SCANNED  
 MAR 09 2010  
 WATER RESOURCES  
 RECEIVED

KS DEPT OF AGRICULTURE

1927 North American Datum; 1,000-meter UTM grid zone 14  
 Generated by BigTopo (www.igage.com)  
 Map compiled from USGS Quads: Spica; KS Oakley North; KS Oakley  
 KS Oakley South; KS



1" = 1852'



City of Oakley

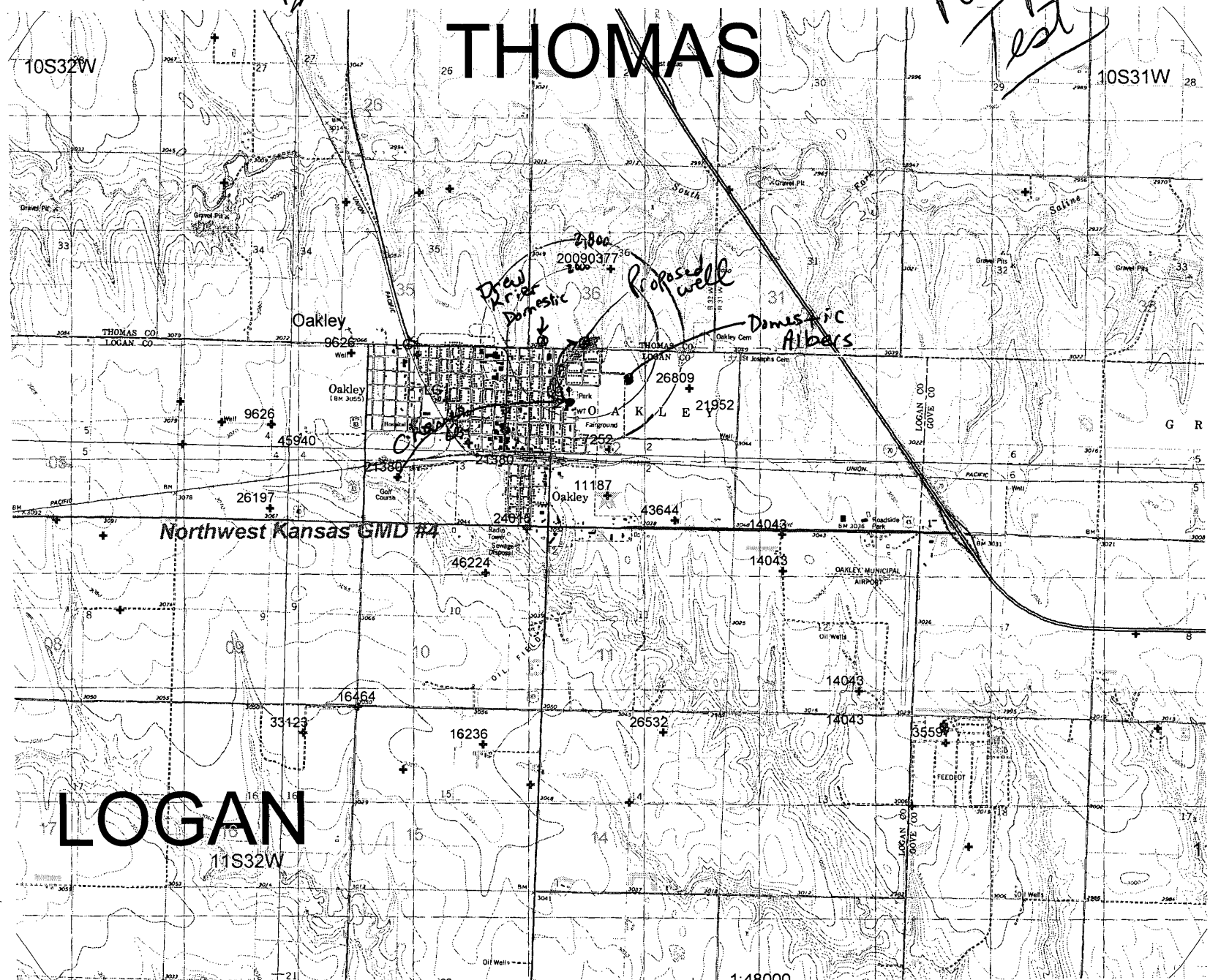
Figure 1

Close to other water rights & upgradient

# Water Right Number, 11187-00, With A 4 Mile Buffer

Pump est

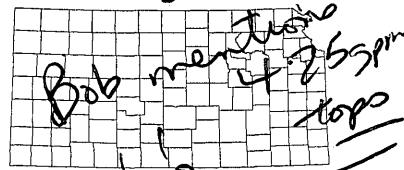
Don't meet spacing to LG-1 - but pd charge was filed.



- PD moving; it to new
- + Ground Water well
  - ★ Queried PD(s) also
  - Subbasins
  - △ Hydrology
  - Special Areas
    - ⊠ Closed
    - ⊠ Restricted
    - PLSS
  - + Section Corners
  - Townships
  - ▒ Cities
  - ▒ Towns
  - ▒ Lakes
  - ▒ County
  - ▒ GMD

LG-1  
368 AF  
1400 gpm

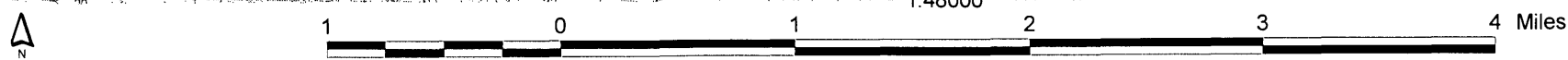
Index Map



368  
f 236  
104 AF

This map was created by WIMAS on Mar 10, 2010 and represents water right conditions as of 03/10/2010.

2,800' spacing



**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**MEMORANDUM**

**TO:** Files  
**FROM:** Leslie Ireland

**DATE:** October 28, 2008  
**RE:** Water Right  
File No. 21,380  
Vested Right  
File No. LG 001

Frank Munk with the City of Oakley, owners of the referenced files, filed an application for approval to change the point of diversion under File No. 21,380, authorized for municipal use, which was received in the office of the chief engineer on August 6, 2008. The applicant was assisted by Ray Lumhan, Assistant Manager, Northwest Kansas Groundwater Management District No. 4, (GMD 4).

A review of the reported water use finds that the water right has utilized water, but not under both wells. This could be due to the contamination in this area. The water right appears to meet the requirements of K.S.A. 82a-718 and 82a-732.

The referenced file has a partial overlap in point of diversion with Vested Right, LG 001, the place of use overlaps with Water Right, File No. 24,015 and Vest Right, File No. LG 001. The application for change is proposing to reallocate the quantities under the two point of diversion that are authorized under File No. 21,380 due to water quality problems. There will be no new wells drilled.

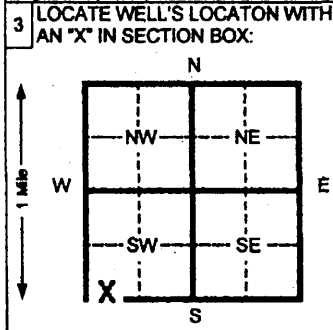
The city is requesting to move 39.637 million gallons (121.64 AF) from the well located in the (NE $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 3 to the well located in the (NW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 3, both in Township 11 South, Range 32 West, Logan. The proposed existing well overlaps with one (1) of the three (3) existing wells under Vested Right, File No. LG 001. Currently, the well in the SW $\frac{1}{4}$  (ID 4) is authorized 47.78 million gallons per year (mgy) and the well in the SE $\frac{1}{4}$  is authorized 15.94 mgy. This will result in the well located in the SW  $\frac{1}{4}$  to be authorized 8.146 mgy (170.55 AF) and the well in the SE  $\frac{1}{4}$  to be authorized 55.574 mgy (25 AF). The applicant did not request any rate to be moved as proposed total quantity can be pumped by the 560 gallons per minute authorized at the proposed existing well. The current limitation on the rate at 560 gpm will remain. I review of the certificate found that the wells under this right were limited to 1000 gpm. This limitation will be added to the database. The total combined quantity of 63.722 mgy (195.55 AF) under File No. 21,380, will not increase.

The proposal will move the quantity approximately 2,300 feet to the Northeast. It appears that the proposal meets K.A.R. 5-24-6 *Changes in points of diversion*. The change will not alter the historical local source of supply for the referenced file. They have been determined to be the Ogallala Formation (Code 112).

The applicant indicated that there are no domestic wells located within one-half ( $\frac{1}{2}$ ) mile of the proposed existing point of diversion. There are two of the city's other municipal wells located within one-half ( $\frac{1}{2}$ ) mile, one under the same right and one under LG 001. A public notice that ran from August 6 through August 26, 2008, in the weekly paper The Oakley Graphic was submitted with the application. No comments were received.

1 LOCATION OF WATER WELL: Fraction **SW 1/4 SW 1/4 SW 1/4** Section Number **36** Township Number **T 10 S** Range Number **R 32 E**  
 County: **Thomas**  
 Distance and direction from nearest town or city street address of well if located within city?

2 WATER WELL OWNER: **Drew Krier**  
 RR#, St. Address, Box #: **P O BOX 32** Board of Agriculture, Division of Water Resources  
 City, State, ZIP Code: **GRINNELL, KS 67738** Application Number:



4 DEPTH OF COMPLETED WELL **225** ft. ELEVATION:  
 Depth(s) Groundwater Encountered 1 **134** ft. 2 \_\_\_\_\_ ft. 3 \_\_\_\_\_ ft.  
 WELL'S STATIC WATER LEVEL **134** ft. below land surface measured on mo/day/yr  
 Pump test data: Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_ gpm  
 Est. Yield \_\_\_\_\_ gpm: Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_ gpm  
 Bore Hole Diameter **8** in. to **225** ft. and \_\_\_\_\_ in. to \_\_\_\_\_ ft.  
 WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well  
 1 Domestic 3 Feed lot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)  
 2 Irrigation 4 Industrial 7 Lawn and garden (domestic) 10 Monitoring well  
 Was a chemical/bacteriological sample submitted to Department? Yes \_\_\_\_\_ No  If yes, mo/day/yr sample was submitted  
 Water Well Disinfected? Yes  No \_\_\_\_\_

5 TYPE OF BLANK CASING USED: 5 Wrought Iron 8 Concrete tile CASING JOINTS: Glued  Clamped  
 1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded \_\_\_\_\_  
 2 PVC 4 ABS 7 Fiberglass Threaded \_\_\_\_\_  
 Blank casing diameter **4.5** in. to **185** ft. Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft. Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft.  
 Casing height above land surface **18** in., weight **2.38** lbs./ft. Wall thickness or gauge No. **248**  
 TYPE OF SCREEN OR PERFORATION MATERIAL:  7 PVC 10 Asbestos-cement  
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify) \_\_\_\_\_  
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)  
 SCREEN OR PERFORATION OPENINGS ARE: 5 Gauzed wrapped  8 Saw cut 11 None (open hole)  
 1 Continuous slot 3 Mill slot 6 Wire wrapped 9 Drilled holes  
 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify) \_\_\_\_\_  
 SCREEN-PERFORATED INTERVALS: From **185** ft. to **225** ft. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 From \_\_\_\_\_ ft. to \_\_\_\_\_ ft. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 GRAVEL PACK INTERVALS: From **20** ft. to **225** ft. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 From \_\_\_\_\_ ft. to \_\_\_\_\_ ft. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout  3 Bentonite 4 Other \_\_\_\_\_  
 Grout intervals From **0** ft. to **20** ft. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 What is the nearest source of possible contamination:  
 1 Septic tank  4 Lateral lines  7 Pit privy  10 Livestock pens  14 Abandoned water well  
 2 Sewer lines  5 Cess pool  8 Sewage lagoon  11 Fuel storage  15 Oil well/ Gas well  
 3 Watertight sewer lines  6 Seepage pit  9 Feedyard  12 Fertilizer storage  16 Other (specify below)  
 13 Insecticide storage **NONE**  
 Direction from well? \_\_\_\_\_ How many feet? \_\_\_\_\_

| FROM | TO  | CODE | LITHOLOGIC LOG                | FROM | TO  | PLUGGING INTERVALS            |
|------|-----|------|-------------------------------|------|-----|-------------------------------|
| 0    | 3   |      | Surface                       | 120  | 137 | Med sd & gravel fairly loose  |
| 3    | 20  |      | Loess                         | 137  | 145 | Sticky sandy clay             |
| 20   | 32  |      | Clay & caliche                | 145  | 147 | Med sand & gravel             |
| 32   | 35  |      | Fine sand                     | 147  | 150 | Sandy clay                    |
| 35   | 45  |      | Med sand & gravel w/caliche   | 150  | 163 | Sticky sandy clay             |
|      |     |      | Strks                         | 163  | 174 | Med sd & gravel, fairly loose |
| 45   | 60  |      | Cemented sand, clay & caliche | 174  | 176 | Sticky clay                   |
| 60   | 73  |      | Tight fine to med sand        | 176  | 180 | Med sand                      |
| 73   | 78  |      | Sandy clay                    | 180  | 185 | Sticky clay                   |
| 78   | 88  |      | Med sand & gravel             | 185  | 194 | Med sd fairly loose           |
| 88   | 99  |      | Sandy clay                    | 194  | 201 | Sticky clay                   |
| 99   | 110 |      | Med sd & gravel w/clay strks  | 201  | 218 | Fine to med sd w/clay         |
| 110  | 111 |      | Hard cemented sand            | 218  | 223 | Med sand & gravel, loose      |
| 111  | 120 |      | Sandy clay                    | 223  | 225 | shale                         |

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/yr) **4-18-05** and this record is true to the best of my knowledge and belief. Kansas  
 Water Well Contractor's License No. **654** This Water Well Record was completed on (mo/day/yr) **6-10-05**  
 under the business name of **Woofter Pump & Well Inc.** by (signature) *[Signature]*

INSTRUCTIONS: Please fill in blanks and circle the correct answers. Send three copies to Kansas Department of Health and Environment, Bureau of Water, 1000 S W Jackson St., Ste. 420, Topeka, Kansas 66612-1367. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY

T  
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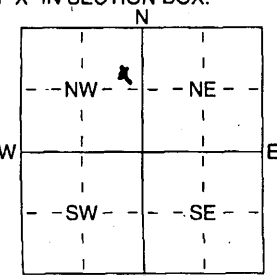
SEC

89'

1 LOCATION OF WATER WELL: Fraction SE 1/4 NE 1/4 NW 1/4 Section Number 2 Township Number T 11 S Range Number R 32 E  
 County: LOGAN

Distance and direction from nearest town or city street address of well if located within city?  
In Oakley, KS

2 WATER WELL OWNER: Julian Albers  
 RR#, St. Address, Box # :  
 City, State, ZIP Code : Oakley, KS 67278  
 Board of Agriculture, Division of Water Resources  
 Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:  
  
 4 DEPTH OF COMPLETED WELL 224 ft. ELEVATION:  
 Depth(s) Groundwater Encountered 1 134 ft. 2 ..... ft. 3 ..... ft.  
 WELL'S STATIC WATER LEVEL 134 ft. below land surface measured on mo/day/yr .....  
 Pump test data: Well water was ..... ft. after ..... hours pumping ..... gpm  
 Est. Yield 20 gpm: Well water was ..... ft. after ..... hours pumping ..... gpm  
 WELL WATER TO BE USED AS:  
 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)  
 2 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well .....  
 Was a chemical/bacteriological sample submitted to Department? Yes ..... No ..... If yes, mo/day/yr sample was submitted  
 Water Well Disinfected?  Yes No

5 TYPE OF BLANK CASING USED:  
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS:  Glued ..... Clamped .....  
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded .....  
 7 Fiberglass Threaded .....  
 Blank casing diameter ..... in. to 204 ft., Dia ..... in. to ..... ft., Dia ..... in. to ..... ft.  
 Casing height above land surface 12 250 in., weight 250 lbs./ft. Wall thickness or guage No. 250  
 TYPE OF SCREEN OR PERFORATION MATERIAL:  
 1 Steel 3 Stainless Steel 5 Fiberglass  8 RMP (SR) 10 Asbestos-Cement  
 2 Brass 4 Galvanized Steel 6 Concrete tile 9 ABS 11 Other (Specify) .....  
 12 None used (open hole)  
 SCREEN OR PERFORATION OPENINGS ARE:  
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 None (open hole)  
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes  
 7 Torch cut 10 Other (specify) ..... ft.  
 SCREEN-PERFORATED INTERVALS: From 204 ft. to 224 ft., From ..... ft. to ..... ft.  
 GRAVEL PACK INTERVALS: From 130 ft. to 224 ft., From ..... ft. to ..... ft.  
 From ..... ft. to ..... ft., From ..... ft. to ..... ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout  Bentonite 4 Other .....  
 Grout Intervals: From 4 ft. to 24 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.  
 What is the nearest source of possible contamination:  
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well  
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well  
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)  
 13 Insecticide storage .....  
 Direction from well? West How many feet? 200

| FROM | TO  | LITHOLOGIC LOG | FROM | TO | PLUGGING INTERVALS |
|------|-----|----------------|------|----|--------------------|
| 0    | 22  | Top soil       |      |    |                    |
| 22   | 40  | M GRAVEL       |      |    |                    |
| 40   | 150 | S CLAY         |      |    |                    |
| 150  | 170 | GRAVEL         |      |    |                    |
| 170  | 196 | S CLAY         |      |    |                    |
| 196  | 212 | SSTONE         |      |    |                    |
| 212  | 223 | FS M GRAVEL    |      |    |                    |
| 223  | 224 | SHALE          |      |    |                    |

89' saturation

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was  (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 11-12-06 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's Licence No 376 This Water Well Record was completed on (mo/day/yr) 12-4-06 under the business name of B + B Drilling LLC by (signature) Joseph Beckner



LG 001

**Ireland, Leslie**

---

**From:** Ireland, Leslie  
**Sent:** Monday, January 26, 2009 10:10 AM  
**To:** Means, David  
**Cc:** Turney, Brent  
**Subject:** RE: City of Oakley

David,

Thank you for the information. It does look 100 feet east.. ☺

I understand that the city is planning on moving this well in the near future so it doesn't seem like we need to issue another order for this GPS location at this time unless you know otherwise?

***Leslie Ireland***

Environmental Scientist II  
Change Unit - Division of Water Resources  
Kansas Department of Agriculture  
(785) 296-5271  
[Leslie.Ireland@kda.ks.gov](mailto:Leslie.Ireland@kda.ks.gov)  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

---

**From:** Means, David  
**Sent:** Friday, January 23, 2009 2:36 PM  
**To:** Ireland, Leslie  
**Subject:** City of Oakley

Hey Leslie, I have the GPS Coordinates for Well #11 for the City of Oakley, Vested Right No. LG01.

39.12895 100.84641

Let me know if you need anything else.

DAVID MEANS  
Environmental Scientist  
Stockton FO  
820 South Walnut, PO Box 192  
Stockton, KS 67669-0192  
Voice: 785-425-6787  
New Email: [david.means@kda.ks.gov](mailto:david.means@kda.ks.gov)  
DWR Website: [www.ksda.gov/dwr](http://www.ksda.gov/dwr)

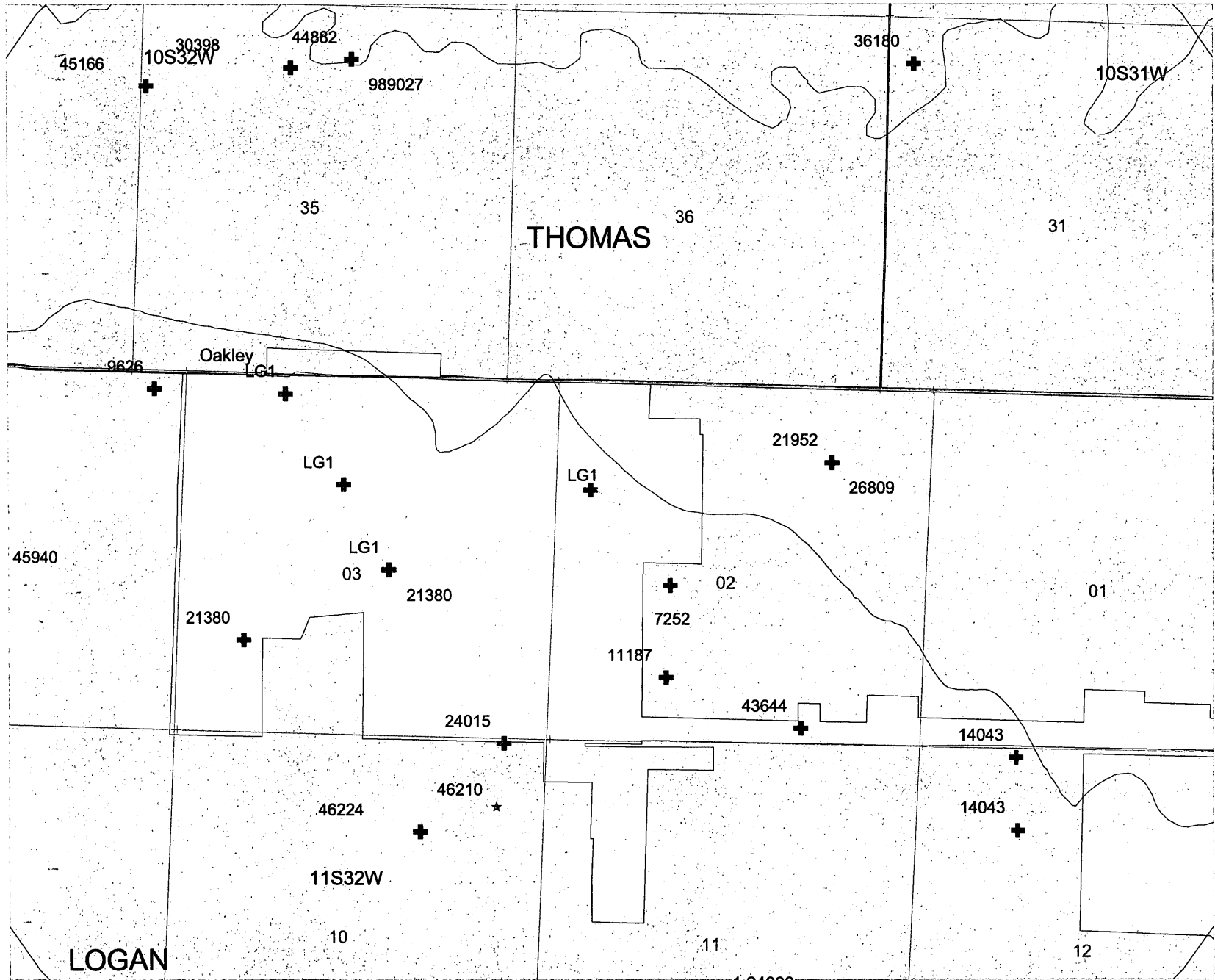


LG 001

CURRENT

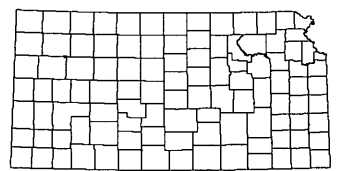
# Proposed Point Of Diversion (-100.846w,39.129n)

IO# 1 PDIV# 22277

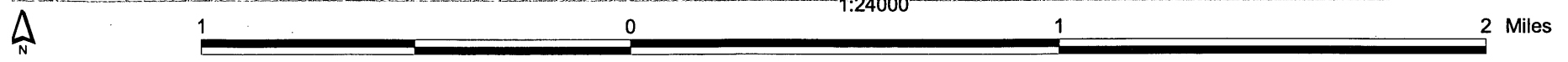


- PD**
- + Ground Water
  - \* Surface Water
  - ▭ Subbasins
  - ∩ Hydrology
  - Special Areas**
  - ▨ Closed
  - ▩ Restricted
  - ▭ PLSS
  - + Section Corners
  - ▭ Townships
  - ▭ Cities
  - Towns
  - ▨ Lakes
  - ▭ County
  - ▭ GMD

Index Map



This map was created by WIMAS on Jan 26, 2009 and represents water right conditions as of 01/26/2009.



# City Of Oakley

209 Hudson Avenue  
Oakley KS 67748  
discoveroakley.com

Phone 785-671-3611  
Fax 785-671-3324



April 7, 2009

Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture  
109 SW 9<sup>th</sup> St, 2<sup>nd</sup> Floor  
Topeka KS 66612-1283

Enclosed are signed copies for the Point of Diversion for File No. Vested LG-001 and Place of Use, Point of Diversion and Use Made of Water for File No. 11187. Also enclosed are checks in the amount of \$200.00 and \$500.00 respectively to cover the cost of application fees for the above.

If you have any questions, you may contact me at 785-671-3135 or Brandon Buchanan, City Administrator at 785-671-3136.

Thank you.

Sincerely,

Rose Wessel  
City Clerk

Enclosures

WATER RESOURCES  
RECEIVED  
APR 08 2009  
KS DEPT OF AGRICULTURE

LG 001  
 ID 1 ♂ in sec 2  
 ID 1 ♀ in sec 3

# City of Oakley

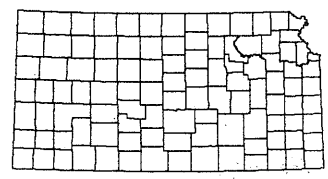
Well # 7 move

WESSEL  
 Change for Municipal Well  
 Rose 12-1PM 1-785-672-3135  
 Mayor Frank Munk City of Oakley  
 Public Works - Rodney Halfonay -  
 Need to change wells for  
 municipal use due to  
 contamination of well #10.  
 WATER RIGHTS (STOKILTON GMD 4) -  
 LG 001 - 120 mgd 368AF  
 11187 JKA 230 AF(?) 425 gpm  
 21380 - 15.94 mgd 500 0- Lm LG01.  
 47.78 mgd 515 515  
 24015 - well #10 97.03 mgd @ 810 gpm  
 TOTAL 280 mgd.  
 Loss 34.5% of water due to contamination.  
 1070-05

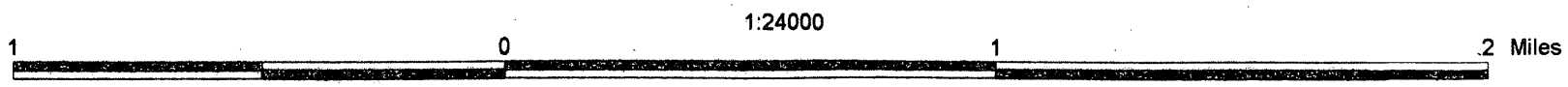
OPTIONS  
 MOVE 24,015  
 CUG 11187 use → MUN 44.6 mgd  
 TERM - COVER OVER PUMPING .31

- PD
- ⊕ Ground Water Queried PD(s)
  - ▭ Subbasins
  - ▽ Hydrology
  - Special Areas
  - ▨ Closed
  - ▩ Restricted
  - PLSS
  - ⊕ Section Corners
  - ▭ Townships
  - ▨ Cities
  - ⊕ Towns
  - ▨ Lakes
  - ▭ County
  - ▨ GMD

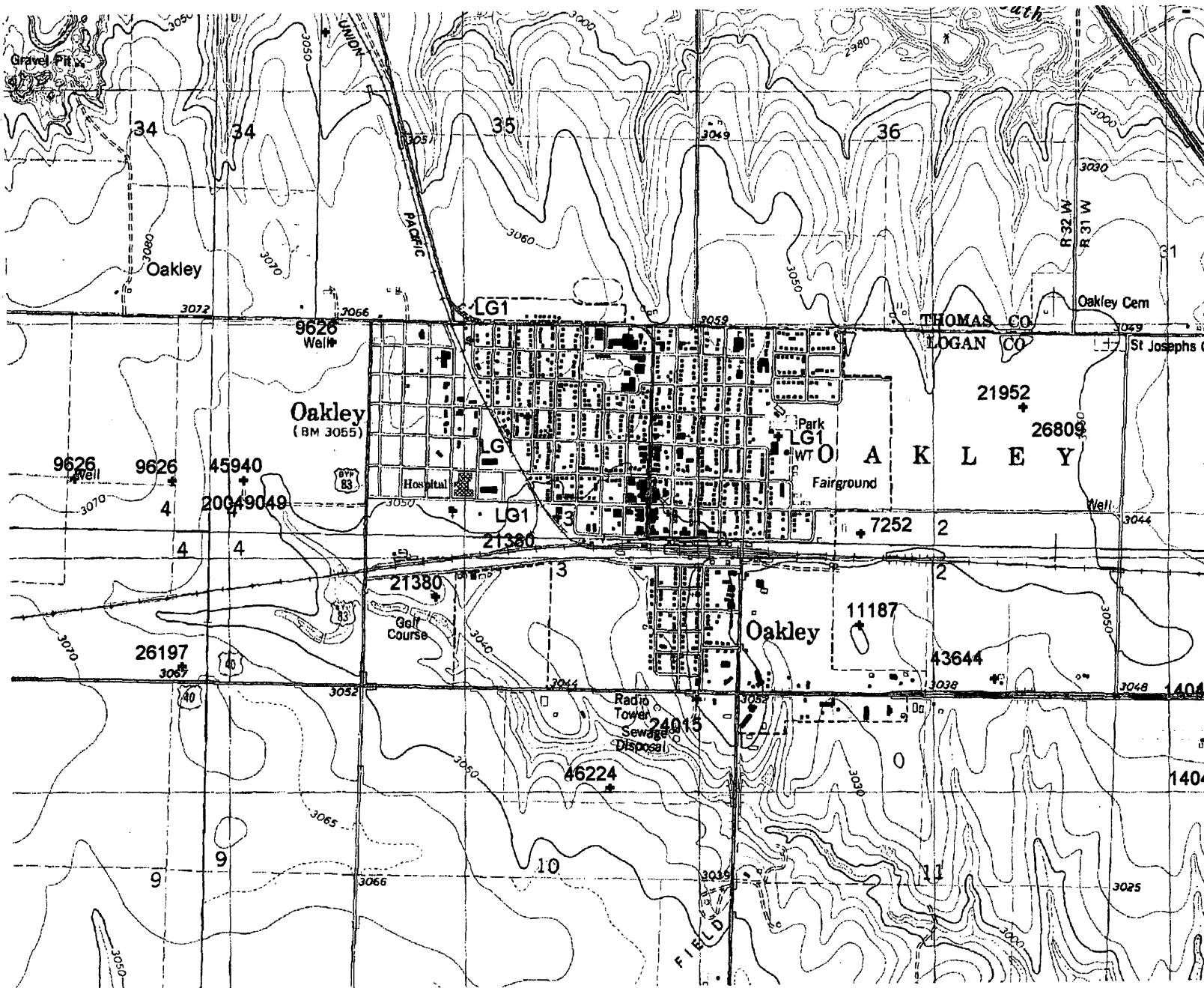
Index Map



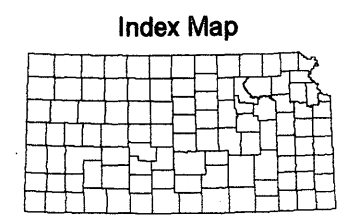
This map was created by WIMAS on Oct 10, 2005 and represents water right conditions as of Oct 10, 2005.



# City of Oakley



- PD  
 + Ground Water  
 Queried PD(s)
- Subbasins
  - Hydrology
  - Special Areas
  - Closed
  - Restricted
  - PLSS
  - Section Corners
  - Townships
  - Cities
  - Towns
  - Lakes
  - County
  - GMD



This map was created by WIMAS on Oct 10, 2005 and represents water right conditions as of Oct 10, 2005.

