

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

1. File Number: <div style="text-align: center; font-size: 1.2em; font-weight: bold;">49,397</div>	2. Status Change Date: <div style="text-align: center; font-size: 1.2em; font-family: cursive;">3/5/2018</div>	3. Field Office: <div style="text-align: center; font-size: 1.2em; font-weight: bold;">02</div>	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 **21224**
New to system Add Seq# **1**

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

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

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

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

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

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: _____

10. Completion Date: _____ 11. Perfection Date: _____ 12. Exp Date: _____

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

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

Date Prepared: **1/4/18** By: **AJW**
Date Entered: **3/7/2018** By: **UM**

File No. **49,397** 15. Formation Code: Drainage Basin: County: Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity				
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized Rate gpm	Quantity af	Additional Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
DEL	84413	SW	20	28S	1W	1	1320	3960		800	224.9			

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 _____ Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	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	NE ¼	NW ¼	SW ¼	SE ¼								
DEL	66951	20	28	1W						22	34	30	13.5	5	30.5	29.5	8.5					173							

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: January 4, 2018

FROM: Alex Whitesell

RE: Application, File No. 49,397

Tom Bergkamp had filed the above referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 224.9 acre-feet of groundwater for irrigation use in Sedgwick County, Kansas.

During the period of 60 days to locate the point of diversion the applicant indicated the proposed well(s) would be located in the Southwest (SW) quarter of Section 20, Township 28 South, Range 1 West. After drilling test wells, it was determined that the SW¼ would not work. K.A.R. 5-3-1(5) requires the point of diversion to be located within a specifically described, nominal legal quarter section that cannot be change. Therefore, the applicant submitted a Voluntary Waiver of Hearing and Dismissal of Water Right contingent on the approval of File No. 49,398.

On January 4, 2018, the applicant came to headquarters to discuss a location located in the Southwest Quarter of section 20. After some discussion, no feasible point was found. The applicant modified the Voluntary Dismissal Form to no longer be contingent on the approval of 49,398 which is being dismissed for Failure to Meet Safe Yield.

Based on the above information, the application should be dismissed.



Alex Whitesell
Environmental Scientist
Water Appropriation Program



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

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

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

March 8, 2018

FILE COPY

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

RE: Dismissal of Application
File No. 49,397

Dear Mr. and Mrs. Bergkamp:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,397 as you requested in the voluntary dismissal received on July 31, 2017.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth 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,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:ajw
Enclosures
pc: Stafford Field Office



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
FILE NO. 49,397**

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 May 29, 2015, the Chief Engineer received an application from Tom Bergkamp for permit to appropriate groundwater for beneficial use, assigned File No. 49,397, proposing the appropriation of 224.9 acre-feet of water for irrigation use, at a maximum requested diversion rate of 800 gallons per minute from a point of diversion located in the Southwest Quarter (SW ¼) of Section 20, Township 28 South, Range 1 West, Sedgwick County, Kansas.
2. That in accordance with K.A.R. 5-3-1, the application was accepted for filing provided that the applicant submit a more specific location of the point of diversion within 60 days of receipt of the new application.
3. That in accordance with K.S.A. 82a-710 and K.A.R. 5-3-1b, the application was returned to the applicant on June 10, 2015, with a letter requesting additional information, including the specific location for the proposed point of diversion, in order to complete the application.
4. That during the process of locating the point of diversion, the applicant was unable to find adequate water within the Southwest Quarter (SW ¼) of said section.
5. That on July 31, 2017 the Division of Water received a Voluntary Dismissal from the applicant contingent on the approval of File No. 49,398.
6. That on January 4, 2018 the dismissal form was modified by the applicant such that it was no longer contingent upon the approval of File No. 49,398, which is being dismissed for failure to meet safe yield.
7. That the application described in Paragraph No. 1 shall be dismissed and its priority forfeited.

(over)

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, KS 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, KS 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.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 – 6777.

Ordered this 5th day of March, 2018, 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 5th day of March, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

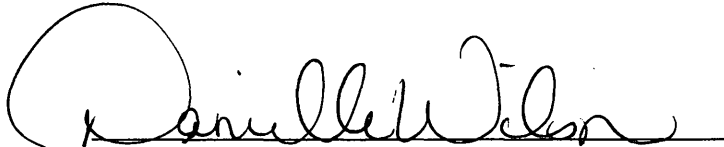
Notary Public

CERTIFICATE OF SERVICE

On this 8th day of March, 2018, I hereby certify that the foregoing Dismissal of Application, File No. 49,398, dated March 5th, 2018 was mailed postage prepaid, first class, US mail to the following:

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026
With photocopies to:

Stafford Field Office

A handwritten signature in black ink, appearing to read "Danielle Wilson", written over a horizontal line.

Division of Water Resources

VOLUNTARY WAIVER OF HEARING & DISMISSAL OF WATER RIGHT

To: Kansas Department of Agriculture
Division of Water Resources (DWR)
1320 Research Park Drive
Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

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JUL 31 2017

KS DEPT OF AGRICULTURE

Re: Appropriation of Water
Water Right
Vested Right
Term Permit
(Check Appropriate Box Above)
File No. 49,397

~~*Contingent on the approval of application file no. 49,398*~~

Thomas Bergkamp 1-4-18

The undersigned owner(s) and/or authorized agent(s) of the above referenced water right, or permit, freely and voluntarily request that the file be dismissed and its priority forfeited. By signing this waiver, I am indicating my understanding and agreement that I am relinquishing all right, title and interest in said water right.

The signature(s) below represent all present owners (or an authorized agent) for the file number shown above (attach duplicate copies of this document as necessary).

The signature(s) below also indicate(s) a waiver of any right to a hearing or an appeal that I/we may have had regarding the dismissal and termination of the above referenced file. I/we recognize that if this closure request is submitted to the Division of Water Resources, it will terminate this water right and forfeit any priority associated with it forever.

Indicate here if you wish to retain the well(s) for domestic use (DWR water right not required):

Tom Bergkamp
(Signature of Owner or Authorized Agent)

Florence Bergkamp
(Signature of Spouse or Title of Authorized Agent)

Tom Bergkamp
(Please print name here)

Florence Bergkamp
(Please print name here)

8231 W. 55th St S
(Mailing Address)

8231 W 55th St S
(Mailing Address)

Clearwater KS 67026
(City, State, Zip)

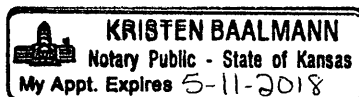
Clearwater KS 67026
(City, State, Zip)

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick)

This instrument was acknowledged before me this 26th day of July, 2017 by
(owners:) _____
(Seal)

My appointment expires:
5-11-2018



Kristen Baalman
Notary Public

DWR Initials

THE STATE OF KANSAS



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JAN 04 2018

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

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JUN 06 2016

KS DEPT OF AGRICULTURE

File Number 49397
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

MAY 29 2015

10:26 am
KS DEPT OF AGRICULTURE

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): Tom Bergkamp
Address: 8231 W 55th ST S
City: Clearwater State KS Zip Code 67026
Telephone Number: (316) 655-8845 Home 316-522-6270

2. The source of water is: surface water in _____ (stream)
OR groundwater in Arkansas River (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 224.9 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. 2 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source (G) S County SG By KAB Date 5/29/15
Code RE2 Fee \$ 300 TR # 1501100 Receipt Date 5-26-15 Check # 6871

requesting 60 days to locate

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.

(A) One in the NW quarter of the NW quarter of the ^{NW}SW quarter of Section 20, more particularly described as being near a point 5100 feet North and 5244 feet West of the Southeast corner of said section, in Township 28S South, Range 1 W, Sedgwick County, Kansas

(B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

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

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

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

Same 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 May 27, 2015. Tom Bergant
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 Battery of 4 wells
(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)

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 _____

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, PU overlap possibly with another pending application

WATER RESOURCES RECEIVED

JAN 04 2018

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SCANNED

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

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

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

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

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 Stafford, Kansas, this 27 day of May, 2015.
(month) (year)

Tom BERCKAMP
(Applicant Signature)

By Tom Bergamp
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by MJM ESII Date: 5/27/2015
(office/title)

MAY 29 2015

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IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49 397

Name of Applicant (Please Print): Tom Bergkamp

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: Tom Bergkamp

ADDRESS: 8231 W 55th ST S Clearwater, KS 67026

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20	28S	1W					22	34	22	13									91
20	28S	1W							8	.5	5	27.5							41
20	28S	1W										3	29.5	8.5					41
																	Combined Total	173	

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		

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DWR 1-100.23 (7/7/2004)
JAN 04 2018

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MAY 29 2015

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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.

RECEIVED

RECEIVED

MAY 3 1981

Nearby Well Owners

#1 Water Right # [REDACTED] 35336

[REDACTED] LEWIS
700 WALNUT BOX 233
[REDACTED] FOWLER KS 67844

[REDACTED] W & BRENDA K LEWIS
[REDACTED] RD
[REDACTED] FOWLER KS 67844

[REDACTED] W & ARBITHEM LEWIS
[REDACTED] RD
[REDACTED] FOWLER KS 67844

Water Right # 35336

Catherine Simon

4961 S. Maize RD

Clearwater, KS 67026

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RECEIVED

MAY 29 2015

KS DEPT OF AGRICULTURE

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Near by Well Owners

① Water Right # 35386

Catherine Simon
4961 S. Maize RD
Clearwater, KS 67026

① House Well Domestic

Catherine Simon
4961 S. Maize RD
Clearwater, KS 67026

② Ricky Thome
9900 W. 47th St S

Clearwater, KS 67026

③ Allen Thome

4542 S. Maize Rd
Clearwater, KS 67026

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JAN 04 2018

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10 Mar 2016

Bergkamp

TH 6-16 280' S & 80' E of NW cor. Section 20, T28S, R1W
GPS N 37° 36.396' W 97° 27.705' (datum: NAD27)

Elev 1320'

SWL 30

- 0 - 1' Top Soil
- 2 - 10 Clay gy
- 10 - 20 Sand gy/br f - c, gravel f - m
- 20 - 25 Sand br, f - c, gravel f - c
- 25 - 26 Clay br & gy
- 26 - 27 Clay tan
- 27 - 40 Sand br, f-m
- 40 - 42 Sand br, f-m
- 42 - 45 Sand br, f-m
- 45 - 55 Sand br, f-c
- 55 - 57 Sand br, f-m, clay streaks
- 57 - 75 Clay gy, so. vf sand
- 75 - 77 Sand gy/br f-m, loose
- 77 - 90 Clay br & gy
- 90 - 96 Sand br, f-c
- 96 - 98 Shale gy/gn

Logged by Brad Vincent, Ground Water Associates

**WATER RESOURCES
RECEIVED**

JUN 06 2016

KS DEPT OF AGRICULTURE

**WATER RESOURCES
RECEIVED**

JAN 04 2018

KS DEPT OF AGRICULTURE

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

July 10, 2017

FILE COPY

TOM BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

Re: Application
File No. 49,397

Dear Mr. Bergkamp:

As we discussed on the phone, enclosed is a Voluntary Waiver of Hearing & Dismissal of Water Right. This dismissal will be contingent on the approval of file no. 49,398. Please sign and notarize this form where indicated and return to the following address:

Alex Whitesell
Division of Water Resources
1320 Research Park Dr.
Manhattan, KS 66502

If you have any questions, please contact me a 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)
pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

May 12, 2016

THOMAS G BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67025

Re: Pending Applications,
File Nos. 49,397 and 49,398

Dear Mr. Bergkamp:

The Division of Water Resources returned the above referenced applications to you for additional information on June 10, 2015, and the current deadline for your response is June 10, 2016. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **June 10, 2016**. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

In our letter to you dated March 29, 2016, you were informed that K.S.A. 82a-710 of the Kansas Water Appropriation Act states in part, that "no application shall lose its priority of filing on account of such defects, provided acceptable data, proofs, maps, plats, plans and drawings are filed in the office of the chief engineer within thirty days following the date of the posting of the return of such application or such further time **not exceeding one year** as may be given by the chief engineer". Therefore, failure to return the completed applications and attachments within one year of the original posting date of the returned applications (June 10, 2016) shall constitute forfeiture of priority date and dismissal of the applications. Thus, **June 10, 2016 is your final deadline**.

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **June 10, 2016**. No further extensions of time are allowable per the statute noted above. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

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

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

March 29, 2016

THOMAS G BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67025

Re: Pending Applications,
File Nos. 49,397 and 49,398

Dear Sir or Madam:

In response to your written request by mail received in this office on March 21, 2016, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced files. The original applications were returned to you on June 10, 2015, and with this extension of time, the revised deadline will be **June 10, 2016**.

Furthermore, section 82a-710 of the Kansas Water Appropriation Act states in part, that "no application shall lose its priority of filing on account of such defects, provided acceptable data, proofs, maps, plats, plans and drawings are filed in the office of the chief engineer within thirty days following the date of the posting of the return of such application or such further time **not exceeding one year** as may be given by the chief engineer". Therefore, failure to return the completed applications and attachments within one year of the original posting date of the returned applications (June 10, 2016) shall constitute forfeiture of priority date and dismissal of the applications. Thus, **June 10, 2016 will be your final deadline**. No further extensions of time are allowable per the statute noted above.

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **June 10, 2016**. According to law, default in refileing of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

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

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

SCANNED

pc: Stafford Field Office

Tofay 785-564-6778

March 21, 2016

Kansas Department of Agriculture

Alex Whitesell
Environmental Scientist
Water Appropriation Program

SCANNED

Re: Pending Applications
File Nos 49,397 and 49,398

We are requesting an extension of time to do
a few more test holes a sixty day extension would be most
helpful. If you have any questions please call
Florence @ (316) 522-6270.

Thank you
Thomas Bergkamp
Thomas Bergkamp
8231 W. 55th St S
Clearwater, KS 67026
(316) 522-6270
316-655-8845 cell Tom

3-21-16

To Alex Whitesell

From Tom Bergkamp



Tom Bergkamp
8231 W 55th St S
Clearwater, KS 67026-8506

p 1 of 2

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

March 10, 2016

THOMAS G BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

Re: Pending Applications,
File Nos. 49,397 and 49,398

Dear Sir or Madam:

The Division of Water Resources returned the above referenced applications to you for additional information on June 10, 2015, and the current deadline for your response is April 11, 2016. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **April 11, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **April 11, 2016**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

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

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

January 15, 2016

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

FILE COPY

Re: Pending Applications,
File Nos. 49,397, 49,398

Dear Mr. and Mrs. Bergkamp:

In response to your written request by fax received in this office on January 14, 2016, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced files. The original applications were returned to you on June 10, 2015, and with this extension of time, the revised deadline will be **April 11, 2016**.

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **April 11, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

Please be aware, section 82a-710 of the Kansas Water Appropriation Act states in part, that "no application shall lose its priority of filing on account of such defects, provided acceptable data, proofs, maps, plats, plans and drawings are filed in the office of the chief engineer within thirty days following the date of the posting of the return of such application or such further time not exceeding one year as may be given by the chief engineer". Therefore, failure to return the completed applications and attachments within one year of the original posting date of the returned applications (June 10, 2016) shall constitute forfeiture of priority date and dismissal of the applications.

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

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

Fax To 1-785-564-6778

January 14, 2016

To Mr Alex Whitesell
Environmental Scientist
Division of Water Resources

From Thomas and Florence Bergkamp
8231 W. 55th St S.
Clearwater - FL 34622

page 1 of 2



Florence Bergkamp



Thank you
Thomas and Florence Bergkamp

We are requesting an extension of time to supply the requested information due to weather conditions. Extension of time would be most helpful. If you have any questions please call Florence @ (316) 522-6276. Good Vincent has been helping us to try for good location.

Dear Mr. Whitese II
Environmental Scientist

RE Pending Applications
File Nos 49397 and 49398

Kansas Dept of Agriculture
Division of Water Resources
Water Appropriation Program

To Alex Whitese II

January 14, 2016



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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

January 11, 2016

THOMAS BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

FILE COPY

Re: Pending Applications,
File Nos. 49,397 and 49,398

Dear Mr. Bergkamp:

The Division of Water Resources returned the above referenced applications to you for additional information on June 10, 2015, and the current deadline for your response is February 10, 2016. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **February 10, 2016**, or within any authorized extension of time thereof. According to law, default in refileing of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **February 10, 2016**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

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

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

November 18, 2015

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

FILE COPY

Re: Pending Applications,
File Nos. 49,397, 49,398

Dear Mr. and Mrs. Bergkamp:

In response to your written request by mail received in this office on November 17, 2015, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced files. The original applications were returned to you on June 10, 2015, and with this extension of time, the revised deadline will be **February 10, 2016**.

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **February 10, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

Please be aware, section 82a-710 of the Kansas Water Appropriation Act states in part, that "no application shall lose its priority of filing on account of such defects, provided acceptable data, proofs, maps, plats, plans and drawings are filed in the office of the chief engineer within thirty days following the date of the posting of the return of such application or such further time not exceeding one year as may be given by the chief engineer". Therefore, failure to return the completed applications and attachments within one year of the original posting date of the returned applications (June 10, 2016) shall constitute forfeiture of priority date and dismissal of the applications.

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Kristen A. Baum
Environmental Scientist
Water Appropriation Program

SCANNED

785 564-6778

11-17-15

To Karen A Baum

Environmental Scientist
Water Appropriation Program
Kansas Department of Agriculture

WATER RESOURCES
RECEIVED

NOV 17 2015

KS DEPT OF AGRICULTURE

Pending Applications File Nos. 49397 and 49398

Dear Kristen A Baum

We are requesting an extension of time to supply requested information for file # 49,397 and 49,398. Tom is going in for knee cap. 11-19-15 and just had a heart cath (turned out OK). We would appreciate additional time, by then files ahead of us also would be granted - or not also. Weather has put us behind. We would appreciate another 60 days.

Thank you

Florence Bergkamp

Florence Bergkamp

home 316 522-6270

cell 316 650-0301



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

November 10, 2015

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

Re: Pending Applications,
File Nos. 49,397 and 49,398

Dear Sir or Madam:

The Division of Water Resources returned the above referenced applications to you for additional information on June 10 2015, and the current deadline for your response is December 10, 2015. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **December 10, 2015**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Kristen A. Baum
Environmental Scientist
Water Appropriation Program



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 30, 2015

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

Re: Pending Applications, File Nos. 49,397 and 49,398

Dear Sir or Madam:

In response to your written request by fax received in this office on September 29, 2015, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced files. The original applications were returned to you on June 10, 2015, and with this extension of time, the revised deadline will be **December 10, 2015**.

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

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **December 10, 2015**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Kristen A. Baum
Environmental Scientist -
Water Appropriation Program

SCANNED

9-29-13

To Kristen Baum
Kansas Department of Agriculture
Division of Water Resources

From Thomas "Florence" Bergkamp



p. 1 of 2

SCANNED

11/23/13

Sept 29 - 2015

To Kristen A. Baam
Kansas Department of Agriculture
Division of Water Resources
© Fax # 785-564-6778

Dear Kristen

RE Pending Applications Files Nos 49397 and
49398

We are requesting an extension of time to supply the
requested information due to various reasons one that
a crop is still yet to be harvested and a 60 day
extension would be most helpful. If you have any
questions please call Florence @ (316) 532-6270

Thank you

Thomas and Florence Bergkamp

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 23, 2015

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

Re: Pending Applications, File Nos. 49,397 and 49,398

Dear Sir or Madam:

The Division of Water Resources returned the above referenced applications to you for additional information on June 10, 2015, and the current deadline for your response is October 10, 2015. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **October 10, 2015**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **October 10, 2015**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
Environmental Scientist
Water Appropriation Program

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

July 24, 2015

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

Re: Pending Applications, File Nos. 49,397 and 49,398

Dear Sir or Madam:

In response to your written request by fax received in this office on July 23, 2015; the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced files. The original applications were returned to you on June 10, 2015, and with this extension of time, the revised deadline will be **October 10, 2015**.

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

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **October 10, 2015**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
Environmental Scientist
Water Appropriation Program

SCANNED

Fax 785 564-6778

7-23-15

To Kristen A. Baum
Environmental Scientist
Water Appropriation Program
Kansas Department of Agriculture

Pending Applications . File Nos. 49397 and 49398

Dear Kristen A. Baum

We are requesting an extension of time to supply requested information for file # 49397 and #49398. Due to weather conditions after wheat was taken off. We would appreciate 60 days

Thank you

Tom and Florence Bergkamp

Florence Bergkamp

home (316) 522-6270
cell (316) 650-0301

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

July 13, 2015

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

Re: Pending Applications, File Nos. 49,397 and 49,398

Dear Sir or Madam:

The Division of Water Resources returned the above referenced applications to you for additional information on June 10, 2015, and the current deadline for your response is August 10, 2015. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **August 10, 2015**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **August 10, 2015**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
Environmental Scientist
Water Appropriation Program

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

June 10, 2015

THOMAS G & FLORENCE A BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

Re: Pending Applications, File Nos. 49,397 and 49,398

Dear Sir or Madam:

After a preliminary review of your above referenced applications for permits to appropriate water received in this office on May 29, 2015, they are being returned to you for additional information. In your original applications, you requested a 60-day period of time in which to determine the precise locations for your points of diversion within specified quarter section tracts of land located in Section 20, in Township 28 South, Range 1 West, Sedgwick County, Kansas. Your 60-day period of time will start as of the date of this letter.

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

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

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

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **August 10, 2015**, or within any authorized extension of time thereof. According to law, default in refileing of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

(over)

Tom Bergkamp
June 10, 2015
Page 2 of 2

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
Environmental Scientist
Water Appropriation Program

enclosures

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application
File No. _____

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.

Tom Bergkamp
Signature of Applicant

State of Kansas)
County of Stafford) ss

Tom BERGKAMP
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 27th day of May, 2015.

Jessica Engelbrecht
Notary Public

My Commission Expires:



WATER RESOURCES
RECEIVED

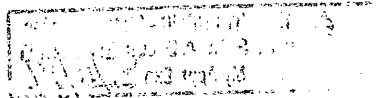
MAY 29 2015

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

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

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

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



10-10-1984

10-10-1984

10-10-1984



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

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

June 4, 2015

TOM BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

RE: Application
File No. 49397

Dear Sir or Madam:

Your application for permit to appropriate water in 20-28S-1W in Sedgwick 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.

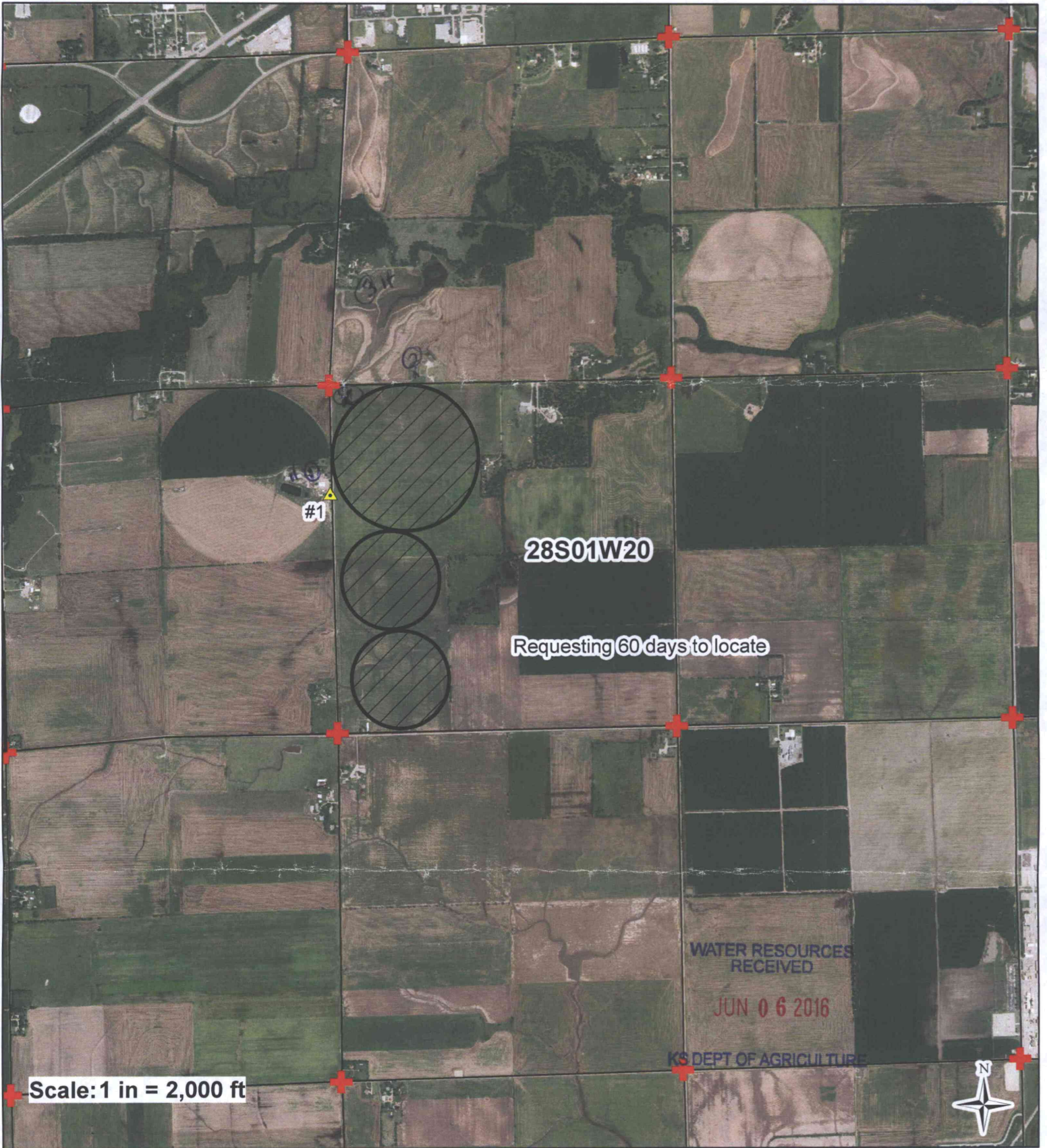
If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT: dlw
pc: STAFFORD Field Office
GMD

SCANNED



Scale: 1 in = 2,000 ft

WATER RESOURCES RECEIVED
JUN 06 2016
KS DEPT OF AGRICULTURE

I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.



Proposed Point of Diversion



Proposed Place of Use



Water Rights



Section Corner

① ② ③ Domestic

JAN 04 2018

KS DEPT OF AGRICULTURE

Tom Bergkamp

Signature

6-2-16

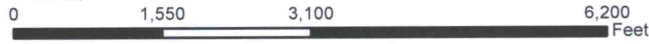
Date

MAY 29 2015

Created By: Matt Meier

F.O. 2

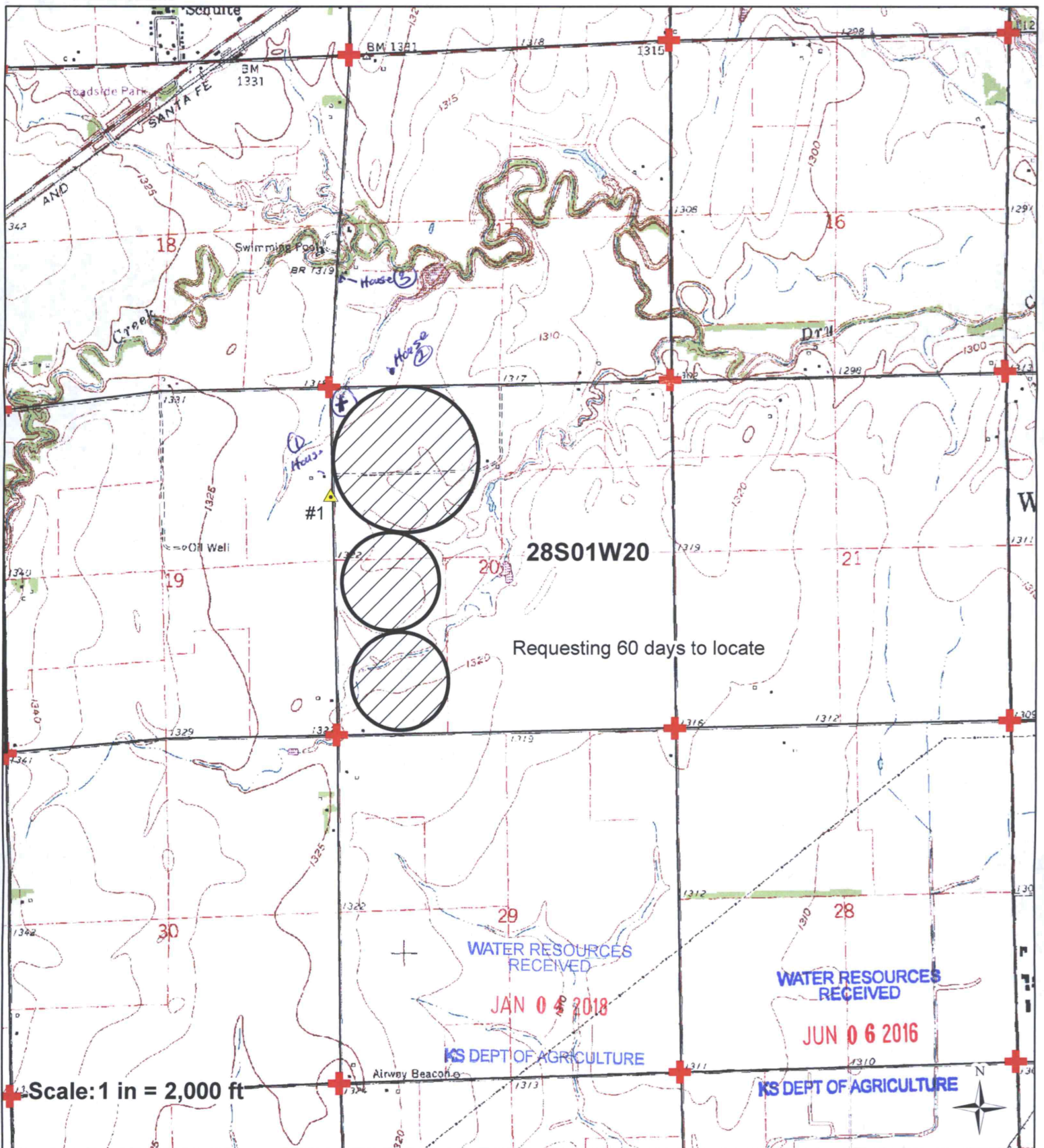
Date: 5/27/2015



Feet

KS DEPT OF AGRICULTURE

SCANNED



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- Proposed Point of Diversion
- Proposed Place of Use
- Water Rights
- Section Corner

Tom Bergkamp
 Signature _____ Date *6-2-16*

WATER RESOURCES RECEIVED
 Created By: Matt Meier
 Date: 5/27/2015
MAY 29 2015

