

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

1. File Number: 49,398	2. Status Change Date: <i>3/5/2018</i>	3. Field Office: 02	4. GMD:
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

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

7a. Applicant(s) New to system Person ID **21224**
Add Seq# **1**

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

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

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

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

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

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. **49,398** 15. Formation Code: Drainage Basin: County: Special Use: Stream:

16. Points of Diversion										
T	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W
DEL	84414	NW	20	28S	1W	1	3960	3960		

17. Rate and Quantity				
Authorized			Additional	
Rate gpm	Quantity af	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
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. 49,398

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.

The source of water supply for the proposed irrigation well would be Lower Arkansas River Alluvium based on a 2004 Kansas Geological Survey report. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. Based on the area of consideration, the calculated recharge and the percent of the calculated recharge that can be considered to be available for appropriation, safe yield was determined to be 2,714.18 acre-feet, and that prior appropriations within this same area of consideration have appropriated 3,048.08 acre-feet, leaving no additional water available for appropriation.

The applicant was sent a letter on October 24, 2017 explaining the safe yield evaluation and stating that it would be recommended to the Chief Engineer that pending application, File No. 49,398 be denied and dismissed due to the failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11. The applicant was provided 15 days (until November 8, 2017) to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. As of this date, no additional information has been submitted.

Based on the above discussion, the referenced file 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. 49,398

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. 49,398 for failure to meet safe yield criteria in K.A.R. 5-3-11.

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

Enclosure(s)

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. 49,398**

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. 49,398, proposing the appropriation of 224.9 acre-feet of water for irrigation use from a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.
2. That the source of water for the pending application is the Lower² Arkansas River Alluvial Aquifer based on the 2004 Kansas Geological Survey report.
3. That the specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-10 and K.A.R. 5-3-11.
4. That based on the area of consideration (extent of the unconfined aquifer), the calculated recharge, and the percent of the calculated recharge that can be considered to be available for appropriation, safe yield was determined to be 2,714.18 acre-feet. Prior water rights within this same area of consideration have appropriated 3,048.08 acre-feet, leaving no additional water available for appropriation.
5. That on October 24, 2017, a letter was mailed to the applicant stating that the application did not comply with the safe yield requirements of K.A.R. 5-3-10 and K.A.R. 5-3-11, and that the application would be submitted to the Chief Engineer with a recommendation that it be denied and dismissed, for failure to meet safe yield criteria. The applicant was provided 15 days, until November 8, 2017 to either submit additional information to our office or request additional time, prior to final action on the application.
6. That on October 30, 2017, the applicant called to discuss the application, and ultimately decided not to pursue the project any further.
7. That the applicant has not submitted additional information for consideration, nor requested an extension of time, for Application, File No. 49,398, thus the application should be denied and dismissed and its priority forfeited for failure to comply with K.S.A. 82a-711, K.A.R. 5-3-9, K.A.R. 5-3-10 and K.A.R. 5-3-11.

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

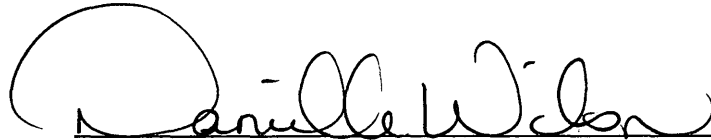
Notary Public

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". The signature is written in a cursive style with a large, prominent loop at the beginning.

Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,398
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

JUN 06 2016

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.)

WATER RESOURCES RECEIVED

MAY 29 2015

10:27 am
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): 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 D 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 # 1500000 Receipt Date 5-15-15 Check # 6591

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 quarter of Section 20, more particularly described as being near a point 5100 feet North and 5249 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 Bergland
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, possible P.U. overlap with another pending application.

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JUN 06 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

MAY 29 2015

KS DEPT OF AGRICULTURE

SCANNED

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

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

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

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

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 BERCHAMP
(Applicant Signature)

By Tom Bergamy
(Agent or Officer Signature)

(Agent or Officer - Please Print)

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

RECEIVED
 WATER RESOURCES
 DIVISION
 MAY 27 2015
 KS DEPT OF AGRICULTURE

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49398

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		

**WATER RESOURCES
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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.

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WATER RESOURCES

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MAY 1 1981

MAY 3 1981

DEPT OF AGRICULTURE

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

5100 ft N and 5244 ft W of the SE Corner of Section 20, T 28S, R 1W

Located at: 97.461734 West Longitude and 37.606779 North Latitude

GROUNDWATER ONLY

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File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__ 18294 00 IND NK G      9207 -- NW NE NE 5338 1280 21 28 1W 1      662.27      .00 AF
A__ 20456 00 IND NK G      8414 -- SW SW NE 2650 2600 16 28 1W 1      683.75     683.75 AF
A__ 32127 00 IND NK G      7844 -- NW SE NW 3940 3890 16 28 1W 2      584.32     20.56 AF
A__ 33499 00 IRR NK G      7472 -- SE NE SW 1396 3204 16 28 1W 3      139.00     139.00 AF
Same          9292 -- -- NC SE 1320 1320 16 28 1W 4      135.00     135.00 AF
A__ 34716 00 IRR NK G      9345 -- NW SE NE 4000 1340 25 28 2W 4      168.00     168.00 AF
A__ 35172 00 IRR NK G      7640 -- NW NW NW 5240 4860 28 28 1W 7      132.00     132.00 AF
A__ 35336 00 IRR NK G      1461 -- NE SE NE 3680   80 19 28 1W 1      102.00     102.00 AF
A__ 35868 00 IND NK G      6414 -- NE SW SW   800 4240  8 28 1W 2        40.28     40.28 AF
A__ 37939 00 IRR NK G     10021 -- SE SW NW 2660 4070 28 28 1W 3      120.00     120.00 AF
A__ 38151 00 IRR NK G      8691 -- NC W2 NW 3950 4620 28 28 1W 4      120.00     120.00 AF
A__ 38567 00 IRR NK G      9199 -- SE NW NE 4000 1340 21 28 1W 2      190.00     190.00 AF
A__ 39175 00 IRR NK G     10126 -- SW SE SW   51 3380 24 28 2W 12      100.00     100.00 AF
A__ 42255 00 IRR NK G      6193 -- SW NE NE 4260 1000 17 28 1W 4*       13.00     13.00 AF
A__ 45650 00 MUN KE G      7332 -- SE NE SW 1526 2760  7 28 1W 7 G 2       50.02     50.02 AF
Same          7196 -- SE NE SW 1329 2891  7 28 1W 5 B 2
Same          7474 -- SW NW SE 1724 2627  7 28 1W 6 B 2
A__ 49061 00 IRR HK G      7873 -- SW NW NW 4270 4730 30 28 1W 5 G 4      185.00     185.00 AF
Same          7917 -- SE NW NW 4070 4530 30 28 1W 1 B 4
Same          7593 -- SW NW NW 4470 4530 30 28 1W 2 B 4
Same          8153 -- SE NW NW 4070 4930 30 28 1W 3 B 4
Same          7839 -- SW NW NW 4470 4930 30 28 1W 4 B 4
A__ 49286 00 IRR GY G      7263 -- NW SE SE 1182  694 24 28 2W 7 G 4      187.20     187.20 AF
Same          7118 -- SW NE SE 1450  703 24 28 2W 8 B 4
Same          7418 -- NW SE SE   921  694 24 28 2W 9 B 4
Same          7062 -- NE SE SE 1182  444 24 28 2W 10 B 4
Same          7468 -- NW SE SE 1182  944 24 28 2W 11 B 4
A__ 49397 00 IRR AY G      3992 -- -- -- SW 1320 3960 20 28 1W 1      224.90     224.90 AF
A__ 49398 00 IRR AY G      1717 -- -- -- NW 3960 3960 20 28 1W 2      224.90     224.90 AF
T__20129408 00 CON GY G      8702 -- NE SE NE 3350   80  7 28 1W 8       91.66     91.66 AF
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Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      449.80           .00
Total Permitted Amount (AF) =      513.88           .00
Total Inspected Amount (AF) =         .00           .00
Total Pro_Cert Amount (AF) =         .00           .00
Total Certified Amount (AF) =     1963.59           .00
Total Vested Amount (AF) =          .00           .00
TOTAL AMOUNT (AF) =      2927.28           .00
=====

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An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

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

97.461734 West Longitude and 37.606779 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 18294 00 IND NK G
> OCCIDENTAL CHEMICAL CORPORATION
> MIKE E GANNAWAY
> PO BOX 12283
> WICHITA KS 67277

A__ 20456 00 IND NK G
> OCCIDENTAL CHEMICAL CORPORATION
> MIKE E GANNAWAY
> PO BOX 12283
> WICHITA KS 67277

A__ 32127 00 IND NK G
> OCCIDENTAL CHEMICAL CORPORATION
> MIKE E GANNAWAY
> PO BOX 12283
> WICHITA KS 67277

A__ 33499 00 IRR NK G
> KRIS E & SUE C NOLAND TRUST
>
> 12624 W 95TH ST S
> CLEARWATER KS 67026

> GARY WOODS
>
> 5960 S 135TH ST W
> CLEARWATER KS 67026

A__ 34716 00 IRR NK G
> DAVID & DEBRA KLAUSMEYER
>
> 8135 S 119TH ST W
> CLEARWATER KS 67026

A__ 35172 00 IRR NK G
> THOMAS G & FLORENCE A BERGKAMP
>
> 8231 W 55TH ST S
> CLEARWATER KS 67026

A__ 35336 00 IRR NK G
> CATHERINE SIMON
>
> 4961 S MAIZE RD
> CLEARWATER KS 67026

A__ 35868 00 IND NK G

> MID CONTINENT INDUSTRIAL PARK
> BETTY J EVANS-PRESIDENT
> 9231 E WILSON ESTATES CT
> WICHITA KS 67206

>-----

A__ 37939 00 IRR NK G
> THOMAS G & FLORENCE A BERGKAMP
>
> 8231 W 55TH ST S
> CLEARWATER KS 67026

>-----

A__ 38151 00 IRR NK G
> THOMAS G & FLORENCE A BERGKAMP
>
> 8231 W 55TH ST S
> CLEARWATER KS 67026

>-----

A__ 38567 00 IRR NK G
> THOMAS G & FLORENCE A BERGKAMP
>
> 8231 W 55TH ST S
> CLEARWATER KS 67026

>-----

A__ 39175 00 IRR NK G
> KRIS E & SUE C NOLAND TRUST
>
> 12624 W 95TH ST S
> CLEARWATER KS 67026

>-----

A__ 42255 00 IRR NK G
> ROGER M & SHERRYL HUBBLE
>
> 9227 W MACARTHUR RD
> WICHITA KS 67215

>-----

A__ 45650 00 MUN KE G
> CATHOLIC DIOCESE OF WICHITA
>
> 11010 SW BLVD
> WICHITA KS 67215

>-----

A__ 49061 00 IRR HK G
> ROBERT D HAY TRUST
>
> 9171 S WEST ST
> HAYSVILLE KS 67060

>-----

A__ 49286 00 IRR GY G
> DENNIS W WOODS REV TRUST
>
> 5201 S 119TH ST W
> CLEARWATER KS 67026

>-----
A__ 49397 00 IRR AY G
> THOMAS G & FLORENCE A BERGKAMP
>
> 8231 W 55TH ST S
> CLEARWATER KS 67026

>-----
A__ 49398 00 IRR AY G
> THOMAS G & FLORENCE A BERGKAMP
>
> 8231 W 55TH ST S
> CLEARWATER KS 67026

>-----
T__20129408 00 CON GY G
> KANSAS CORPORATION COMMISSION
> DISTRICT II GEOLOGIST
> 3450 N ROCK RD BLDG 600 STE 601
> WICHITA KS 67226
>-----

=====

Near by Well Owners

RE File # 49398

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

(over)

WATER RESOURCES
RECEIVED

JUN 06 2016

KS DEPT OF AGRICULTURE

~~###~~
Additional Nearby owners Notified AJW/PWR

Healy Biodiesel Inc
11130 W 47th St S
Clearwater KS 67026

John Murray LN Trust
9345 W 47th St S
Clearwater KS 67026

Ben & Hollie Healy
11114 W 47th St S
Clearwater KS 67026

Mary Grogan
567 S Tyler
Clearwater KS 67026

Nicolas Simon
11111 W 47th St S
Clearwater KS 67026

William Wright
11201 W 47th St S
Clearwater KS 67026

Alice Andra
11225 W 47th St S
Clearwater KS 67026

Kenneth McGill
9631 W 47th St S
Clearwater KS 67026

RECEIVED
WATER RESOURCES

APR 11 2006

KS DEPT OF AGRICULTURE

File # 49398



10 Mar 2016

Bergkamp

TH 6-16 280' S & 80' E of NW cor. Section 20, T28S, R1W Elev 1320'
 GPS N 37° 36.396' W 97° 27.705' (datum: NAD27)
 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

(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

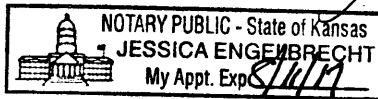
State of Kansas)
County of Stafford) ss

Tom BERGHAMP
(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

KS DEPT OF AGRICULTURE

SCANNED

**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

W. M. ...

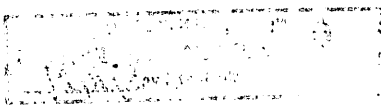
...

...

...

...

...



...

...

...

Whitesell, Alex [KDA]

From: Whitesell, Alex [KDA]
Sent: Friday, February 02, 2018 10:43 AM
To: 'Allen Thome'
Subject: File Nos. 49,397 and 49,398

Dear Mr. and Mrs. Thome:

This will acknowledge receipt of your email, received in our office on August 27, 2017 in which you expressed objections to the proposed appropriation of groundwater by Tom Bergkamp under the above referenced File Nos. The applications were proposing to appropriate groundwater for irrigation use.

Please note that after further review of the applications, File No. 49,397 is being voluntarily withdrawn by the applicant and 49,398 is being denied and dismissed for failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11.

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
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov

Whitesell, Alex [KDA]

From: Whitesell, Alex [KDA]
Sent: Friday, February 02, 2018 10:45 AM
To: 'Nick Simon'
Subject: File nos. 49,397 and 49,398

Dear Mr. Simon:

This will acknowledge receipt of your email, received in our office on August 30, 2017 in which you expressed objections to the proposed appropriation of groundwater by Tom Bergkamp under the above referenced File Nos. The applications were proposing to appropriate groundwater for irrigation use.

Please note that after further review of the applications, File No. 49,397 is being voluntarily withdrawn by the applicant and 49,398 is being denied and dismissed for failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11.

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Sincerely,

Alex Whitesell
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov

Whitesell, Alex [KDA]

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Sent: Friday, February 02, 2018 10:43 AM
To: 'Allen Thome'
Subject: File Nos. 49,397 and 49,398

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Please note that after further review of the applications, File No. 49,397 is being voluntarily withdrawn by the applicant and 49,398 is being denied and dismissed for failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11.

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Sincerely,

Alex Whitesell
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov

Whitesell, Alex [KDA]

From: Whitesell, Alex [KDA]
Sent: Friday, February 02, 2018 10:40 AM
To: 'drg9311@gmail.com'; 'mary185grogan@gmail.com'
Subject: File Nos. 49,397 and 49,398

Dear Mr and Mrs. Grogan:

This will acknowledge receipt of your email, received in our office on September 07, 2017 in which you expressed objections to the proposed appropriation of groundwater by Tom Bergkamp under the above referenced File Nos. The applications were proposing to appropriate groundwater for irrigation use.

Please note that after further review of the applications, File No. 49,397 is being voluntarily withdrawn by the applicant and 49,398 is being denied and dismissed for failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11.

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
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov



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

October 24, 2017

TOM BERGKAMP
8231 W 55TH ST S
CLEARWATER KS 67026

FILE COPY

RE: Pending Application, File No. 49,398

Dear Mr. Bergkamp:

We have conducted a preliminary review of your application referenced above based on the information received in our office on March 10, 2016. The proposed point of diversion would be located in the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW¹/₄ NW¹/₄ NW¹/₄) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas. The application is requesting to appropriate 224.9 acre-feet of groundwater for irrigation use.

The source of water for the pending application is alluvial deposits, based on the geographical location of the well, and the test hole log lithology. Based on a review of the 2004 United States Geological Survey report, the Division of Water Resources has established a value of 5.4 inches for calculated recharge, with 75% of the calculated recharge available for appropriation within the Lower Arkansas River valley. Per K.A.R. 5-3-11(d)(1), the safe yield area of consideration represents the portion of the two-mile circle located within the limit of the unconfined aquifer expressed in acres (8,042 acres for this file). Calculated recharge is 5.4 inches, and as noted above within the Lower Arkansas River Valley 75 percent of the calculated recharge can be considered to be available for appropriation. The safe yield determination is summarized below.

Safe Yield = Area of Consideration x potential annual recharge x percent of recharge available	
8,042 acres x 5.4 inches x 75% = 32,570.1 acre-inches / 12 =	2,714.18 acre-feet
Prior Appropriations within the area of consideration =	<u>3,048.08</u> acre-feet
Total quantity of water available =	<u>0 acre-feet</u>

Therefore, it will be recommended to the Chief Engineer that pending application, File No. 49,398 be denied and dismissed due to the failure to meet safe yield criteria, as required by K.A.R. 5-3-11.

(over)

We are advising you of this recommendation in order to allow you an opportunity to submit additional information to show why our evaluation should be reconsidered. You have a period of 15 days (**until November 8, 2017**) to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. If you wish to request additional time, you must do so **in writing**, before the 15 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 do not request more time within the 15 day period, or if your request is not granted, the above- referenced application will be submitted to the Chief Engineer for final decision based on the recommendation stated above. Any relevant credible information submitted within the time allowed will be given due consideration, prior to final action on the application. 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
Division of Water Resources

pc:

Analysis Results

 The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 2,714.18 AF.
 Total prior appropriation in the circle is 3,048.08 AF.
 Total quantity of water available for appropriation is 0.00 AF.

Safe Yield Variables

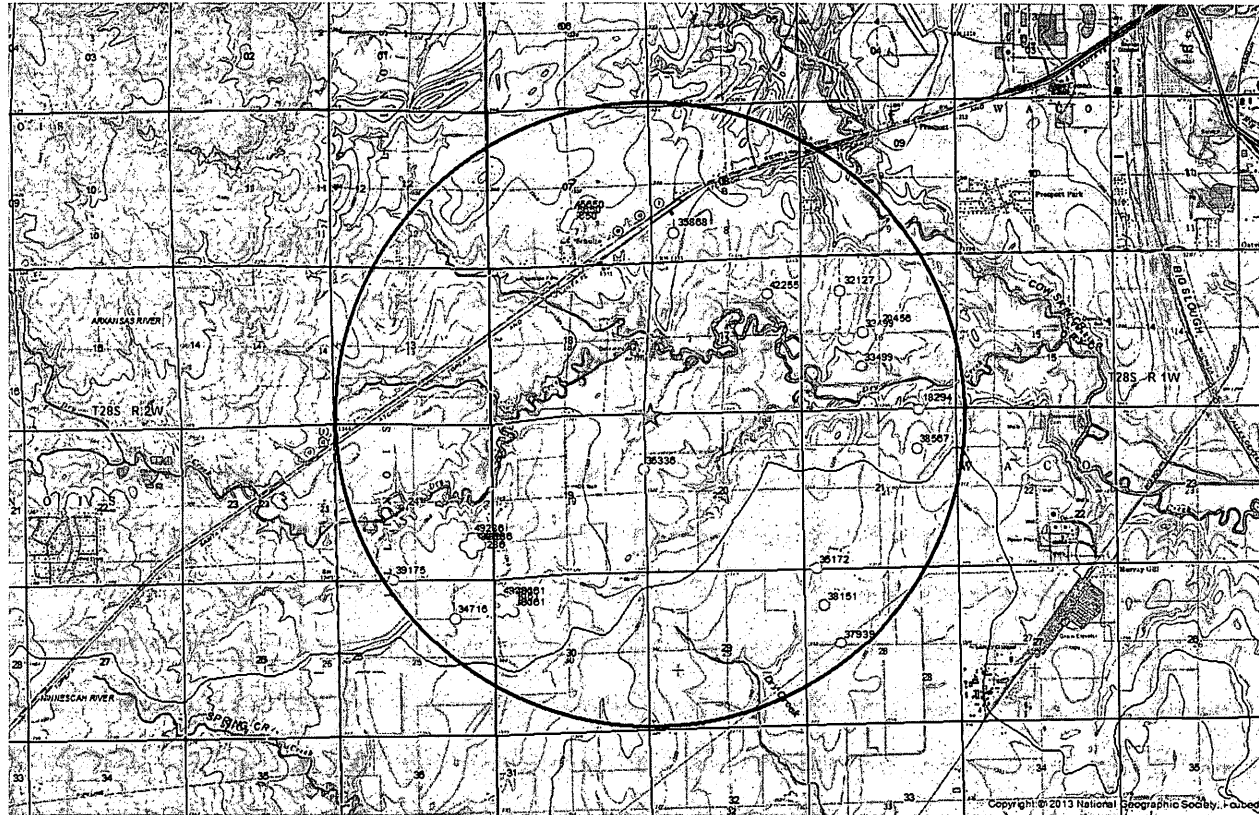
 The area used for the analysis is set at 8,042 acres.
 Potential annual recharge of the area is estimated to be 5.4 inches.
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 23-OCT-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 16 water right(s) and 27 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres	
A	18294	00	IND	NK	G	NW	NE	NE	5338	1280	21	28	01W	1	WR	662.27	662.27		
A	20456	00	IND	NK	G	SW	SW	NE	2650	2600	16	28	01W	1	WR	683.75	683.75		
A	32127	00	IND	NK	G	NW	SE	NW	3940	3890	16	28	01W	2	WR	584.32	20.56		
A	33499	00	IRR	NK	G		NC	SE	1320	1320	16	28	01W	4	PD	135.00	135.00	305.00	305.00
Same			IRR	NK	G		SE	NE	1396	3204	16	28	01W	3	PD	139.00	139.00		
A	34716	00	IRR	NK	G	NW	SE	NE	4000	1340	25	28	02W	4	WR	168.00	168.00	145.00	145.00
A	35172	00	IRR	NK	G	NW	NW	NW	5240	4860	28	28	01W	7	WR	132.00	132.00	317.00	317.00
A	35336	00	IRR	NK	G		NE	SE	3680	80	19	28	01W	1	WR	102.00	102.00	127.90	127.90
A	35868	00	IND	NK	G		NE	SW	800	4240	08	28	01W	2	WR	40.28	40.28		
A	37939	00	IRR	NK	G		SE	SW	2660	4070	28	28	01W	3	WR	120.00	120.00	317.00	0.00
A	38151	00	IRR	NK	G		NC	W2	3950	4620	28	28	01W	4	WR	120.00	120.00	317.00	0.00
A	38567	00	IRR	NK	G		SE	NW	4000	1340	21	28	01W	2	WR	190.00	190.00	140.00	140.00
A	39175	00	IRR	NK	G		SW	SE	51	3380	24	28	02W	12	WR	100.00	100.00	72.50	72.50
A	42255	00	IRR	NK	G		SW	NE	4260	1000	17	28	01W	4	WR	13.00	13.00	49.00	49.00
A	45650	00	MUN	KE	G		SE	NE	1329	2891	07	28	01W	5	WR	50.02	50.02		
Same			MUN	KE	G		SW	NW	1724	2627	07	28	01W	6	WR				

Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in NWNWNWNW 20-28S-01W



Same		MUN KE G	SE NE SW	1526	2760	07	28	01W	7	WR				
A	49061	00 IRR HK G	SE NW NW	4070	4530	30	28	01W	1	WR	185.00	185.00	142.38	142.38
Same		IRR HK G	SW NW NW	4470	4530	30	28	01W	2	WR				
Same		IRR HK G	SE NW NW	4070	4930	30	28	01W	3	WR				
Same		IRR HK G	SW NW NW	4470	4930	30	28	01W	4	WR				
Same		IRR HK G	SW NW NW	4270	4730	30	28	01W	5	WR				
A	49286	00 IRR GY G	NW SE SE	1182	694	24	28	02W	7	WR	187.20	187.20	144.00	144.00
Same		IRR GY G	SW NE SE	1450	703	24	28	02W	8	WR				
Same		IRR GY G	NW SE SE	921	694	24	28	02W	9	WR				
Same		IRR GY G	NE SE SE	1182	444	24	28	02W	10	WR				
Same		IRR GY G	NW SE SE	1182	944	24	28	02W	11	WR				

Whitesell, Alex

From: Danielle Grogan <drg9311@gmail.com>
Sent: Thursday, September 07, 2017 8:50 AM
To: Whitesell, Alex
Subject: File Ref #49398

Dear Alex or to whom it may concern,

In reference to the proposed well site above. My 6 sisters families and my family own some ground right across the road from where the new wells would go. We are all opposed to putting in these wells at the proposed site. First off water is a Precious commodity and we need to conserve it now and for the future generations. All the families around this proposed site get their water from their own wells and have no access to any alternative city waters. There are more than 5 irrigation systems within a 5 mile radius pulling water. We already have enough water being consumed from this area.

Also, if all families are opposed to putting water wells at this site, does it mean that the applicants request is denied. If not what are the deciding factors and do you let us know to contest it or do you people make the decision on your own,

The number to reach us at is the following:

Cell # 316-208-6491 or Home# 316-524-2835 and e-mail is maryl85grogan@gmail.com.

File No. 49,398

Sincerely,

Tim & Mary Grogan
9 Thome Girls, LLC

Whitesell, Alex

From: Allen Thome <allenthome@hotmail.com>
Sent: Sunday, August 27, 2017 8:45 PM
To: Whitesell, Alex
Subject: Application File No. 49,398

Dear Alex,

My wife and I are against the approval of an irrigation well, File No. 49,398 by Mr. Bergkamp. We are concerned that it could deplete our two wells, one well 90' and the other 35' deep. We use the 35' well for our use and the 90' well for the farm (cattle). The well at 35' is used for the house because it is better water, but in dry years if I use it to water the grass the pump sucks air. My concern is that these wells could deplete my wells and there is a lot more expense than just drilling a new well. I would have the cost of getting power and laying new water line to the well.

In the last couple of years, two new irrigation wells have gone in within a 2 mile area, one just this year has not been used yet. We would like to see how these newer wells will effect the Aquifer. My concern is that Mr. Bergkamp may have to put down 4 wells to get enough water to irrigate his crops, the other two irrigation wells that I talked about, had to put down more than one well. My question is, is there enough water to keep me and my neighbors in our same wells in a drought year? I worked construction on a job for the city of Wichita where they are trying to help from depleting the Aquifer because the city is also concerned about running out of water. They are looking at new sources of getting water for the city.

Mr. Bergkamp already has many other irrigation wells in the area. I realize that irrigated cropland benefits Mr. Bergkamp, but it could be a great expense for us. If irrigated ground is so beneficial to Mr. Bergkamp, we feel he did not have to trade irrigated ground for this dry land. I am also concerned about overwatering or misuse of the irrigation wells.

These are our concerns and we hope that you and the committee will look very carefully at this permit.

Please respond with an email or letter so we can be assured that you have received our concerns.

Thank you,
Allen & Pat Thome

Neighbors well put in 97

145'

Water dropped 17'

~~Dave Klausmeyer~~

15' of water in Allen's well

Dear Alex:

In response to File No. 49,398, we would like to say that we are opposed to the approval of the application by Thomas Bergkamp. There are many concerns that we have in this matter. We are worried that the pumping by Mr. Bergkamp will deplete the water resources in the area. The fact that we are so close to the metropolitan area of Wichita adds to this concern. Mr. Bergkamp already has many irrigation wells in our area, and we realize that there are many benefits to irrigating cropland, but feel that these benefits should be weighed against the depletion of our natural resources. There have been at least two other irrigation systems installed in a two-mile radius of this location in the last couple years; one which has been pumping for approximately two years, and another which has yet to be pumped. We believe that the effects of these wells on the aquifer shall be followed before any other wells are approved. We also would not like to have the problems that have occurred with the Ogallala Aquifer because of past drought and over pumping to become an issue in our area. We are also concerned about the effects on our own water supplies. We have one irrigation well and several domestic wells that are in use today. Our concern lies in whether the pumping by Mr. Bergkamp will cause the performance of these wells to diminish, and the costs associated with the drilling a new well if this does occur. We also feel that there is no great need for irrigation in our area and throughout the country to grow crops, which has been made clear by the piles of grain in outdoor storage scattered across the area and the very low commodity prices caused by this oversupply. It has also been brought to our attention that Mr. Bergkamp traded irrigated ground that he had owned for this dryland ground. We feel that if Mr. Bergkamp was concerned with having irrigated instead of dryland crop acres, he should have kept ownership of this irrigated land. These are just a few of the issues that we would like to bring to the attention of the board that looks into water permit applications.

Sincerely,



Catherine Simon



Nicholas Simon

08/28/17

Mr. Whitesell

We are writing in regards to Tom Burkamp's application for an irrigation system, File No. 49,398.

We strongly oppose this permit. Listed below are the reasons why.

Within two miles of our property there are nine irrigation systems and one flood irrigation system. When we built our house twenty plus years ago, were told we had a well but it wasn't a good well. They had to dig one hundred and twenty to twenty-five feet to hit water and that water is hard. Our concern is what happens to us if this irrigation system sucks us dry? We do not have another water source for example rural water.

When we were settling the estate of our folks Tom approached us wanting to buy the water rights to our property. We heard he had not found a good source of water on his ground, across the street from us, where he wants to put this irrigation system. We did not get an aerial map of were exactly he wants to put these wells, so we are going by where he had test wells dug.

We also feel with the surplus of grain on the ground, the Co-ops have in their possession there should be no need to tax the water source.. It wasn't more than a decade ago the City of Wichita hired a company, Utility Contractors to try and replenish the low aquifer.

In closing we would like to say, our families have been dry land farmers on this ground for several decades and have made a living (a hard one but a living). Of the above mentioned irrigation systems Mr. Berkamp owns three of the above ground systems and the flood irrigation. Is it really necessary for this one man to take so much from one area?

Sincerely,

Ricky J Thome

Bonita J Thome



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 18, 2017

FILE COPY

HEALY BIODIESEL INC
11130 W 47TH ST S
CLEARWATER KS 67026

Re: Application
File No. 49,398

Dear Sir or Madam:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄ NW¹/₄) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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

If you have any questions, please contact me at (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

AJW:
Enclosure(s)
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

August 18, 2017

FILE COPY

BEN AND HOLLIE HEALY
11114 W 47TH ST S
CLEARWATER KS 67026

Re: Application
File No. 49,398

Dear Sir or Madam:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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

If you have any questions, please contact me at (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

AJW:

Enclosure(s)

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

August 18, 2017

FILE COPY

NICK SIMON
11111 W 47TH ST S
CLEARWATER KS 67026

Re: Application
File No. 49,398

Dear Sir or Madam:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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

If you have any questions, please contact me at (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

AJW:
Enclosure(s)
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

August 18, 2017

WILLIAM WRIGHT
11201 W 47TH ST S
CLEARWATER KS 67026

FILE COPY

Re: Application
File No. 49,398

Dear Sir or Madam:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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

If you have any questions, please contact me at (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

AJW:
Enclosure(s)
pc: Stafford Field Office

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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 18, 2017

FILE COPY

ALICE ANDRA
11225 W 47TH ST S
CLEARWATER KS 67026

Re: Application
File No. 49,398

Dear Sir or Madam:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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If you have any questions, please contact me at (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

AJW:
Enclosure(s)
pc: Stafford Field Office

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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 18, 2017

FILE COPY

KENNETH MCGILL
9631 W 47TH ST S
CLEARWATER KS 67026

Re: Application
File No. 49,398

Dear Sir or Madam:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄ NW¹/₄) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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If you have any questions, please contact me at (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

AJW:
Enclosure(s)
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

August 18, 2017

JOHN MURRAY LIV TRUST
9345 W 47TH ST S
CLEARWATER KS 67026

FILE COPY

Re: Application
File No. 49,398

Dear Sir or Madam:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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If you have any questions, please contact me at (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

AJW:
Enclosure(s)
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

August 18, 2017

FILE COPY

MARY GROGAN
567 S TYLER RD
CLEARWATER KS 67026

Re: Application
File No. 49,398

Dear Sir or Madam:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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If you have any questions, please contact me at (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

AJW:

Enclosure(s)

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

August 14, 2017

CATHERINE SIMON
4961 S MAIZE RD
CLEARWATER KS 67026

FILE COPY

Re: Application
File No. 49,398

Dear Ms. Simon:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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If you have any questions, please contact me at (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

AJW:
Enclosure(s)
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

August 14, 2017

FILE COPY

ALLEN THOME
4542 S MAIZE R
CLEARWATER KS 67026

Re: Application
File No. 49,398

Dear Mr. Thome:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄ NW¹/₄) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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If you have any questions, please contact me at (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

AJW:
Enclosure(s)
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

August 14, 2017

FILE COPY

RICKY THOME
9900 W 47TH ST S
CLEARWATER KS 67026

Re: Application
File No. 49,398

Dear Mr. Thome:

This is to advise you that Tom Bergkamp has filed the application referred to above for permit to appropriate 224.9 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 5,100 feet North and 5,244 feet West of the Southeast corner of said section, in Township 28 South, Range 1 West, Sedgwick County, Kansas.

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

If you have any questions, please contact me at (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

AJW:
Enclosure(s)
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

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 re-filing 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

Telray 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
8231 W. 55th St S
Clearwater, FL 34626

(316) 522-6270

316-655-8845 call Tom

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

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

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

FILE COPY

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 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 **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

Thomas Borgang

Thank you
Thomas and Florence Borgang

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. Whiteseil
Environmental Scientist

RE Pending Applications
File Nos 49397 and 49398

Water Appropriation Program
Division of Water Resources
Kansas Dept of Agriculture

To Alex Whiteseil

January 14, 2016

page 1 of 2

From Thomas and Florence Bergkamp
8231 W. 55th St. S.
Clearwater - \$6000

Mr. Alex Whitesell
Environmental Scientist
Division of Water Resources

To

January 14, 2016

For To 1-785-564-6778

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

JOHN BOUCEK
BOX 201
SOLOMON KS 67480

FILE COPY

Re: Pending Application,
File No. 49,399

Dear Mr. Boucek:

The Division of Water Resources returned the above referenced application 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 application 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 refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **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: Stockton Field Office

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. 49,397 and 49,398

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 316 650-0361



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,

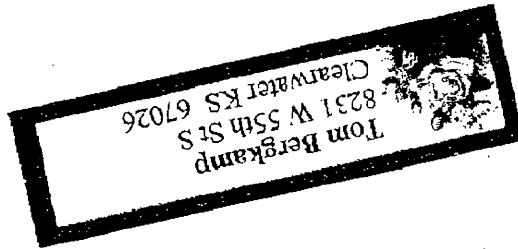
A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
Environmental Scientist -
Water Appropriation Program

SCANNED

SCANNED

10/2



from
 Thomas
 Bergkamp
 Florence

To Kristen Baum
 Kansas Department of Agriculture
 Division of Water Resources

9-29-13

SCANNED

Thomas and Florence Bergkamp

Thank you

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) 533-6270

Dear Kristen

PE Reading Applicants Files Also 493979nd 49398

Kansas Department of Agriculture
Division of Water Resources
@ Fax # 785-564-6778

To Kristen A. Beatin

Sept 29-2015

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

Fax 785 504-6778

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

Thankyou

Tom and Florence Bergkamp

Florence Bergkamp

home (316) 532-6270
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

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



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. 49398

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.

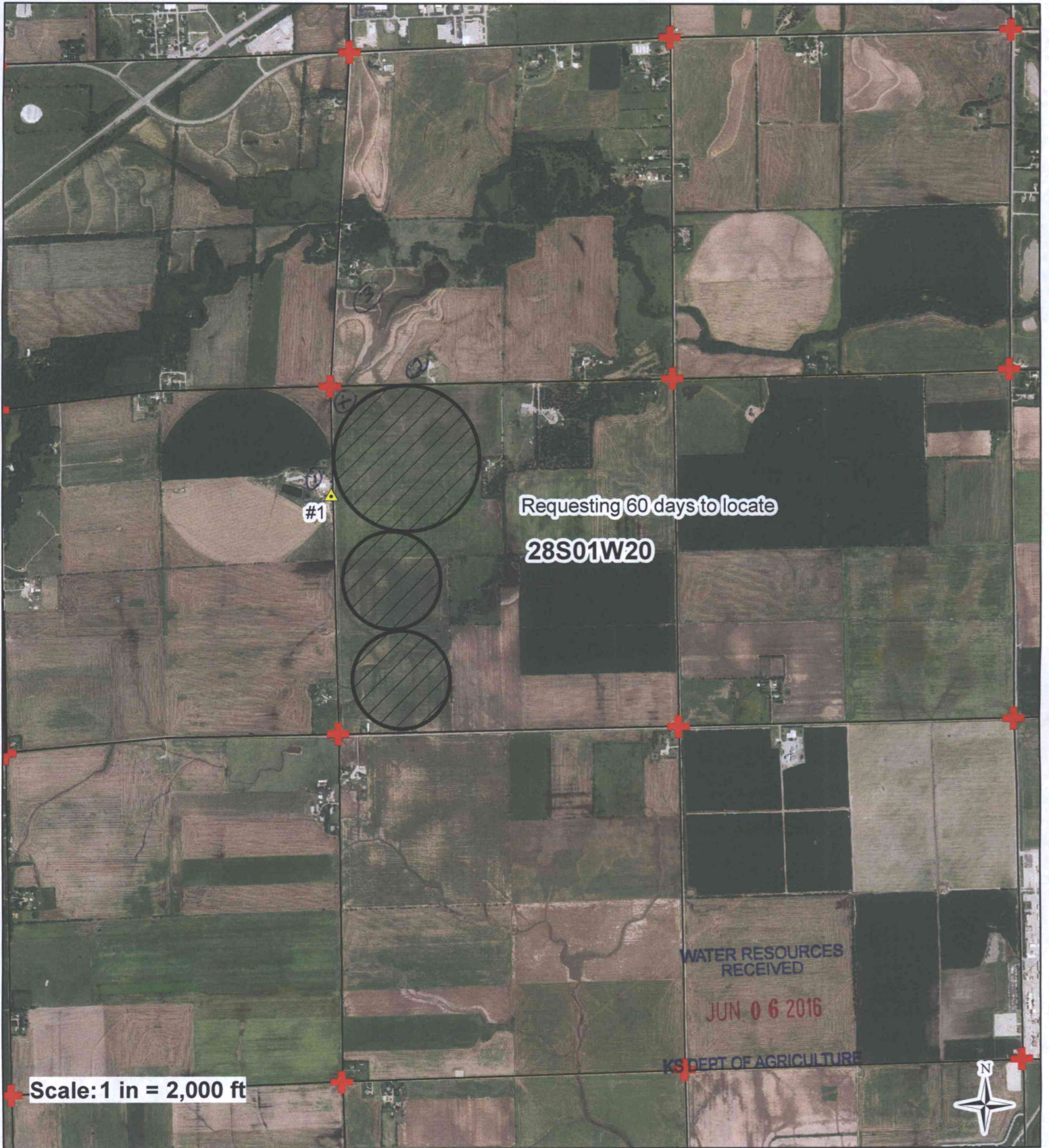
If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT: dlw
pc: STAFFORD Field Office
GMD

SCANNED



Requesting 60 days to locate
28S01W20

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.

① ② ③ Domestic

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

Tom Burkamp

Signature

6-2-16

Date

WATER RESOURCES
 RECEIVED

MAY 29 2015

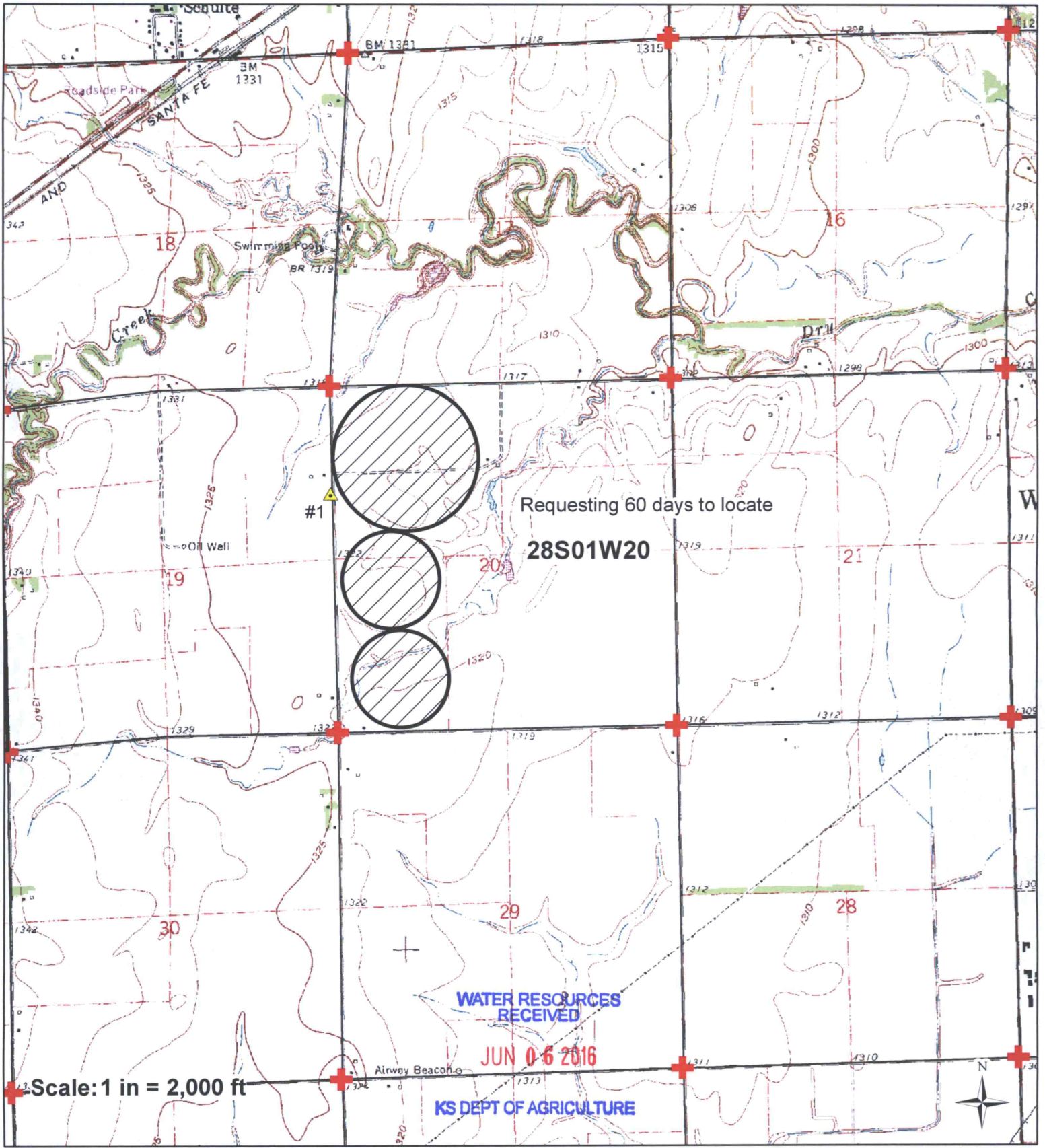
Created By: Matt Meier

Date: 5/27/2015

0 1,550 3,100 6,200 Feet

KS DEPT OF AGRICULTURE

SCANNED



Requesting 60 days to locate

28S01W20





WATER RESOURCES RECEIVED

JUN 06 2016

KS DEPT OF AGRICULTURE

Scale: 1 in = 2,000 ft

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.

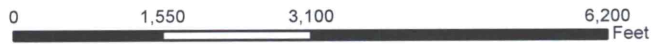
-  Proposed Point of Diversion
-  Proposed Place of Use
-  Water Rights
-  Section Corner

Signature

Date

MAY 29 2015

Created By: Matt Meier
O. 2
Date: 5/27/2015



WATER RESOURCES RECEIVED

June 2-2016

Nearby Well Owners

3 [REDACTED]
#1 WATER RIGHT # 35 336
KYLE O LEWIS
700 WALNUT BOX 233
FOWLER KS 67844

TODD W & TRENDA K LEWIS
[REDACTED]
FOWLER KS 67844

DONALD W & ARDITH M LEWIS
[REDACTED]
FOWLER KS 67844

Water Right # 35 336

Catherine Simon
4961 S. Maize RD
Clearwater, Ks 67026

WATER RESOURCES
RECEIVED

JUN 06 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

MAY 29 2015

KS DEPT OF AGRICULTURE

SCANNED