



File No. <b>49,888</b>	15. Formation Code: 112	Drainage Basin: Bluff Creek	County: CA	Special Use:	Stream:																																							
16. Points of Diversion T MOD DEL PDIV ENT Qualifier S T R ID 'N 'W			17. Rate and Quantity Authorized Additional Rate gpm Quantity af Rate gpm Quantity af Overlap PD Files																																									
<b>CHK 86294 SW NE SW 19 30S 23W 2 1423 3485</b>			<b>400 38.4 400 38.4 NONE</b>																																									
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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by <b>12/31/2019</b> Date Acceptable Meter Installed _____																																												
21. Place of Use T MOD DEL ENT PUSE S T R ID		<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <th colspan="4">NE¼</th> <th colspan="4">NW¼</th> <th colspan="4">SW¼</th> <th colspan="4">SE¼</th> <th>Total</th> <th>Owner</th> <th>Chg? NO</th> <th>Overlap Files</th> </tr> <tr> <th>NE¼</th><th>NW¼</th><th>SW¼</th><th>SE¼</th> <th>NE¼</th><th>NW¼</th><th>SW¼</th><th>SE¼</th> <th>NE¼</th><th>NW¼</th><th>SW¼</th><th>SE¼</th> <th>NE¼</th><th>NW¼</th><th>SW¼</th><th>SE¼</th> <th></th> <th></th> <th></th> </tr> </table>				NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
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<b>ENT 08842 19 30S23W 2</b>		<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td> <td><b>2</b></td><td><b>0.5</b></td><td><b>0.5</b></td><td><b>21</b></td> <td></td><td></td><td></td><td></td> <td><b>24</b></td> <td><b>7a</b></td> <td><b>NONE</b></td> </tr> </table>												<b>2</b>	<b>0.5</b>	<b>0.5</b>	<b>21</b>					<b>24</b>	<b>7a</b>	<b>NONE</b>																				
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<b>DEL 68502</b>		<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <tr> <td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td> <td></td> <td></td> <td></td> </tr> </table>																																										
Comments: <b>REMOVE OVERLAP IN PU WITH NEW APP 49887</b>																																												

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

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

**TO:** Files

**DATE:** April 4, 2018

**FROM:** Austin McColloch

**RE:** New Application,  
File No. 49,888

Jordan Amy has filed an application to appropriate groundwater for irrigation use, requesting a quantity of 38.4 acre-feet of water per calendar year, and a diversion rate of 400 gallons per minute. The proposed point of diversion is located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 19, more particularly described as being near a point 1,423 feet North and 3,485 feet West of the Southeast corner of said section, in Township 30 South, Range 23 West, Clark County, Kansas, within the Bluff Creek (Cimarron) drainage basin.

There are no other water rights overlapping the point of diversion or place of use. The applicant has signed the application form stating that they have legal access to the point of diversion.

The proposed place of use is 24 acres located in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 19, in Township 30 South, Range 25 West, Clark County, Kansas. This will provide 1.6 acre-feet per acre, making it within the reasonable quantity for Clark County (1.6).

Based off well information that was submitted with the pending application the source of supply for the well appears to be alluvium. The point of diversion is located within the South-Central Kansas Designated Unit Area – BLC 67 boundary which is currently open to new appropriations. Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, provided an area of consideration of 2,318 acres. With a potential annual recharge of 1.2 inches, and 50% of recharge available for appropriation, safe yield was determined to be 115.88 acre-feet. Existing water rights have appropriated 73.6 acre-feet, providing a difference of 42.28 acre-feet available for appropriation, and the application requesting a quantity of 38.4 acre-feet complies with safe yield.

According to the WRIS database, the nearest non-domestic point of diversion (File No. 49,887) is located 1,871 feet away and also owned by the applicant. The applicant identified zero nearby domestic well not owned by the applicant located within one-half mile of this existing well. WWC-5 database also shows no domestic wells in the area. No nearby well owner letters were sent out. Per K.A.R. 5-4-4 for all other aquifers, the application complies with minimum well spacing criteria to all existing wells.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

In an March 6, 2018, e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the application.

Based on the above discussion, the area is open to new appropriations, the application complies with safe yield and well spacing criteria, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. It is recommended that the referenced new application be approved.



Austin McColloch  
Environmental Scientist

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

**FILE COPY**

April 19, 2018

JORDAN AMY  
12946 113 RD  
MINNEOLA KS 67865

RE: Appropriation of Water, File No. 49,888

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time set forth in the permit to complete diversion works or to perfect an appropriation.

If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which establish the extent of your water right.

If you have any questions, please contact me at (785) 564-6627. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,

Handwritten signature of Kristen A. Baum in cursive.

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

KAB:am  
Enclosure(s)  
pc: Stafford Field Office

**KANSAS DEPARTMENT OF AGRICULTURE**  
 Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
 David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION**  
**and**  
**PERMIT TO PROCEED**  
 (This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,888** of the applicant

**JORDAN AMY**  
**12946 113 RD**  
**MINNEOLA KS 67865**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **August 9, 2017**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
19	30S	23W																	24.0

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW¼ NE¼ SW¼) of Section 19, more particularly described as being near a point 1,423 feet North and 3,485 feet West of the Southeast corner of said section, in Township 30 South, Range 23 West, Clark County, Kansas located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **400 gallons per minute (0.89 c.f.s.)** and to a quantity not to exceed **38.4 acre-feet** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

**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 17<sup>th</sup> day of April, 2018, in Topeka, Shawnee County, Kansas.

*Lane P. Letourneau*

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

State of Kansas                    )  
  ) SS  
County of Riley                    )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of April, 2018, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*

Notary Public



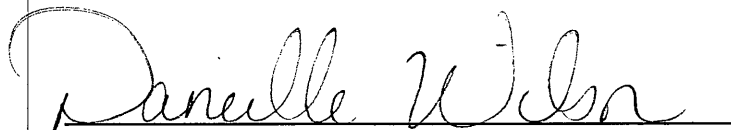
**CERTIFICATE OF SERVICE**

On this 18<sup>th</sup> day of April, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,888, dated April 17<sup>th</sup>, 2018 was mailed postage prepaid, first class, US mail to the following:

JORDAN AMY  
12946 113 RD  
MINNEOLA KS 67865

With photocopies to:

Stafford Field Office



Division of Water Resources

APPLICATION COMPLETE  
4/4/18  
Reviewer AM

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49888  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
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AUG 09 2017  
11:31  
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO  
APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

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

1. Name of Applicant (Please Print): Jordan Am  
Address: 12946 IP rd  
City: Maneola State KS Zip Code 67865  
Telephone Number: (620) 789-3478

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Bluff Creek (S.C. KS DUA - BLC67) Am (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 38.4 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 400 gallons per minute OR \_\_\_\_\_ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):

- (a)  Artificial Recharge
- (b)  Irrigation
- (c)  Recreational
- (d)  Water Power
- (e)  Industrial
- (f)  Municipal
- (g)  Stockwatering
- (h)  Sediment Control
- (i)  Domestic
- (j)  Dewatering
- (k)  Hydraulic Dredging
- (l)  Fire Protection
- (m)  Thermal Exchange
- (n)  Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:							
F.O. <u>2</u>	GMD <u>0</u>	Meets K.A.R. 5-3-1 (YES/NO) <u>(YES)</u>	Use <u>FRR</u>	Source <u>G/S</u>	County <u>CA</u>	By <u>Am</u>	Date <u>8/19/17</u>
Code _____	Fee \$ _____	TR # _____	Receipt Date _____	Check # _____			

SCANNED  
8/14/17 Dew

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 SW quarter of the NE quarter of the SW quarter of Section 19, more particularly described as being near a point 1423 feet North and 3485 feet West of the Southeast corner of said section, in Township 30 South, Range 23 West, Clark 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):

\_\_\_\_\_  
 (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 August 7, 2017. \_\_\_\_\_  
 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 one well & pump  
 \_\_\_\_\_  
 (number of wells, pumps or dams, etc.)  
 and (was)(will be) completed (by) ASAP  
 \_\_\_\_\_  
 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be ASAP  
 \_\_\_\_\_  
 (Mo/Day/Year)

WATER RESOURCES  
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AUG 09 2017

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  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WATER RESOURCES RECEIVED

AUG 09 2017 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

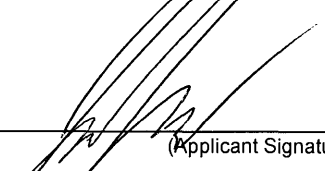
Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

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):  
\_\_\_\_\_  
(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 Manly, Kansas, this 6 day of April, 2017.  
(month) (year)

  
\_\_\_\_\_  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by \_\_\_\_\_ ESII \_\_\_\_\_ Date: 4/4/2017  
(office/title)

WATER RESOURCES  
RECEIVED

AUG 09 2017

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49888

Name of Applicant (Please Print): Jordan Amy

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: Jordan Amy  
 ADDRESS: 1446 N 121st Minnesota 67865

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
19	30S	23W										2	.5	.5	21					24

**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		

## McColloch, Austin [KDA]

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**From:** Lanterman, Jeff [KDA]  
**Sent:** Tuesday, March 6, 2018 10:57 AM  
**To:** McColloch, Austin [KDA]; Baum, Kristen; Conant, Cameron [KDA]  
**Subject:** FW: Recommendation New Apps 49,887 & 49,888  
**Attachments:** 49887\_Memo.doc; 49888\_Memo.doc; 49887 existing IRR log.pdf; 49887 app map.pdf; 49888 app map.pdf; zoomed out map.pdf

Austin;

The well log for file no. 32300 is located here: <http://www.kgs.ku.edu/Hydro/WWC5/W/30S23/7733.pdf>

We believe that file(32300) is a different source of supply than these files. We believe they will both be alluvial wells as evidenced by the 49887 existing irr log. (they dug a bit into the shale but I think that is just rathole and the source is alluvium) while 32300 is obviously bedrock.

If you look at the zoomed out map attached we were wondering if we should truncate out the "non alluvial areas" which would also take 32300 out of the safe yield.

Since 49887 is an existing well we don't believe we would (or should) require a measurement tube. 49888 will get a measurement tube that we can monitor. But if 49887 is going to drill a new well we need the measurement tube.

This looks like it is fine for approval and I don't think redoing the safe yield will kick these out. But these may set a precedent for others in the area who will decide they want a well as soon as they see these go in.

Copied Kristin to get her input on the safe yield for these. Our choice would be to truncate the circles.

Jeff

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**From:** Conant, Cameron [KDA]  
**Sent:** Tuesday, March 6, 2018 10:19 AM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>  
**Subject:** FW: Recommendation New Apps 49,887 & 49,888

Jeff, these new apps are for 2 separate irrigation projects, but are located near one another. One requests 73.6AF @ 500gpm and the other requests 38.4AF @ 400gpm. Both projects are proposing SDI on an appropriate amount of acreage for the quantities requested. This is about 8 miles SE of Minneola in an area that is really not developed with irrigation. There is only 1 nearby water right in the 2 mile circle for both of these. Spacing is adequate. There were no other wells within a ½ mile radius to notify that are not owned by the applicant. I agree with this assessment. The two nearest wells appear to be domestics located just under ¾ of a mile to the east along Bluff Creek. Both application maps have been attached. Also, a zoomed out map is included to give you a feel for area development with the alluvium overlay and 2 mile circles drawn in.

We have a well log for the south well (49887) and no log for the north well. I've attached the log we have on the south well which appears to be a well sourced in the alluvium, I would assume this would also be what the north well is sourced in. Oddly, this log appears to have been for an irrigation well drilled in 1975...no record of an irrigation app here?

We don't have great hydrographs in the area. We do have some water levels but it's not very consistent out here. The nearest hydrograph is from an irrigation well that has only been measured the last 2 years and is stable...but the well is twice as deep as these new apps. I don't see anything nearby hydrograph-wise that would be very applicable to these 2 alluvial wells. That said, in all the hydrographs I reviewed, there didn't seem to be a long term declining trend (for what that is worth in this case).

These new wells are proposed to be located ~700' - 800' on either side of Bluff Creek. It should be noted that Bluff Creek and all the nearby tributaries here are labeled "intermittent". If complaints arise from downstream domestic surface users after these wells begin use, it will be interesting to determine how much, if any, impact the irrigation wells have on this "intermittent" stream. Pat stream gages Bluff Creek just above Clark State Fishing Lake but this won't help us a great deal. Where Pat gages, the stream is no longer intermittent and is about 6 miles downstream of this location.

Also, I looked in the DUA spreadsheet dated 1/8/18. The DUA spreadsheet shows these 2 pending apps, if approved, will leave 107AF left in the entire DUA. This DUA is really close to being fully shut down.

Issues that I see that we may be able to move past in this case without requiring additional information:

- 1) No test log for 49888-based on the south well log and the mapped alluvium, the north well will likely be sourcing alluvium as well. This will be confirmed when they submit the N&P and provide the completed log.
- 2) No signed MDS forms for either file-Bluff Creek is not subject to MDS but I thought we had everyone sign the MDS sheet regardless of whether or not they are near an MDS stream

If you are good moving on with regard to the above 2 issues, I think these can be recommended for approval. If we have a complaint from a downstream domestic surface water user, we can address it accordingly.

Please pass on to Austin if you agree and also request that he confirm the 1/8/18 DUA spreadsheet is the most up to date version available and that it is an accurate tabulation of the quantities still available in BLC67. There is a lot here, let me know if you want to discuss anything in more detail.

Cameron

---

**From:** McColloch, Austin [KDA]  
**Sent:** Monday, February 12, 2018 12:57 PM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>  
**Cc:** Conant, Cameron [KDA] <Cameron.Conant@ks.gov>  
**Subject:** Recommendation New Apps 49,887 & 49,888

Jeff,

Attached are my draft memos for File Nos. 49,887 & 49,888 submitted by Jordan Amy. They are located in S.C. KS DUA BLC 67 which is open to new appropriations. Needed to be corrected in WRIS is the PU, there is no overlap in PU for these files. Looking through WWCS and the map there appears to be no nearby domestic wells either. Let me know if you have any questions.

Austin McColloch  
Environmental Scientist  
Ph: (785) 564-6643



Water Resources  
Received

3-27-18

(Date)

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

APR 04 2018

KS Dept Of Agriculture

Re: Application  
File No. 49,888

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.

[Signature]  
Signature of Applicant

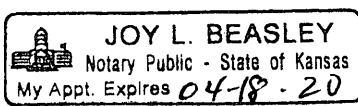
State of Kansas )  
County of Meade ) ss

Jordan Amy  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 28<sup>th</sup> day of March, 2018.

Joy L. Beasley  
Notary Public

My Commission Expires: 04-18-20



SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 8, 2018

**FILE COPY**

JORDAN AMY  
12946 113 RD  
MINNEOLA KS 67865

RE: New Application, File Nos. 49,887 & 49,888

Dear Sir or Madam:

Reference is made to the application for approval of the Chief Engineer to appropriate water for beneficial use under the referenced file numbers which were received in this office on August 9, 2017. Upon review of the applications it is found that additional information is needed.

For New Application, File No. 49,888, Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log.

Additionally, we require a signed form stating your understanding of Minimum Desirable Streamflow requirement that has been established by the legislature for the source of supply to which the above referenced application applies. This form must be notarized along with your signature. Two forms, one for each New Application, are enclosed for your signature. Please have a Notary Public agent present and sign the forms.

We are delaying any further action for a period of 60 days from the date of this letter to allow you time to submit the referenced additional information concerning these applications. Please submit the information within the allotted time, or any authorized extension of time thereof.

Should you need additional time in which to provide the information and you want to request additional time, you must do so in writing, before the 60 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 have any questions, please contact our office at 785-564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Austin McColloch  
Environmental Scientist  
Division of Water Resources

Enclosure(s)  
pc:

**SCANNED**

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
<u>Sandy loam</u>	<u>100</u>	<u>20-30</u>	<u>Sub-surface (Surtan)</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): 1 %  
 Estimate the maximum land slope in the field(s): 1 %

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: Sub-surface drip tape

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:

Alfalfa, corn, wheat

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).

weather influence, Agronomist Recommendation

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

WATER RESOURCES RECEIVED Page 2 of 2

AUG 09 2017

SCANNED KS DEPT OF AGRICULTURE

1320 Research Park Drive  
Manhattan, Kansas 66502  
Jackie McClaskey, Secretary



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

August 10, 2017

JORDAN AMY  
12946 113 RD  
MINNEOLA KS 67865

**FILE COPY**

RE: Application  
File No. 49888

Dear Sir or Madam:

Your application for permit to appropriate water in 19-30S-23W in Clark County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

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

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

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

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD

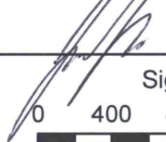
**SCANNED**

File No. \_\_\_\_\_



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

- Proposed PD
- Proposed Place of Use
- Domestic Wells
- Water Rights
- SFFOsec\_corners

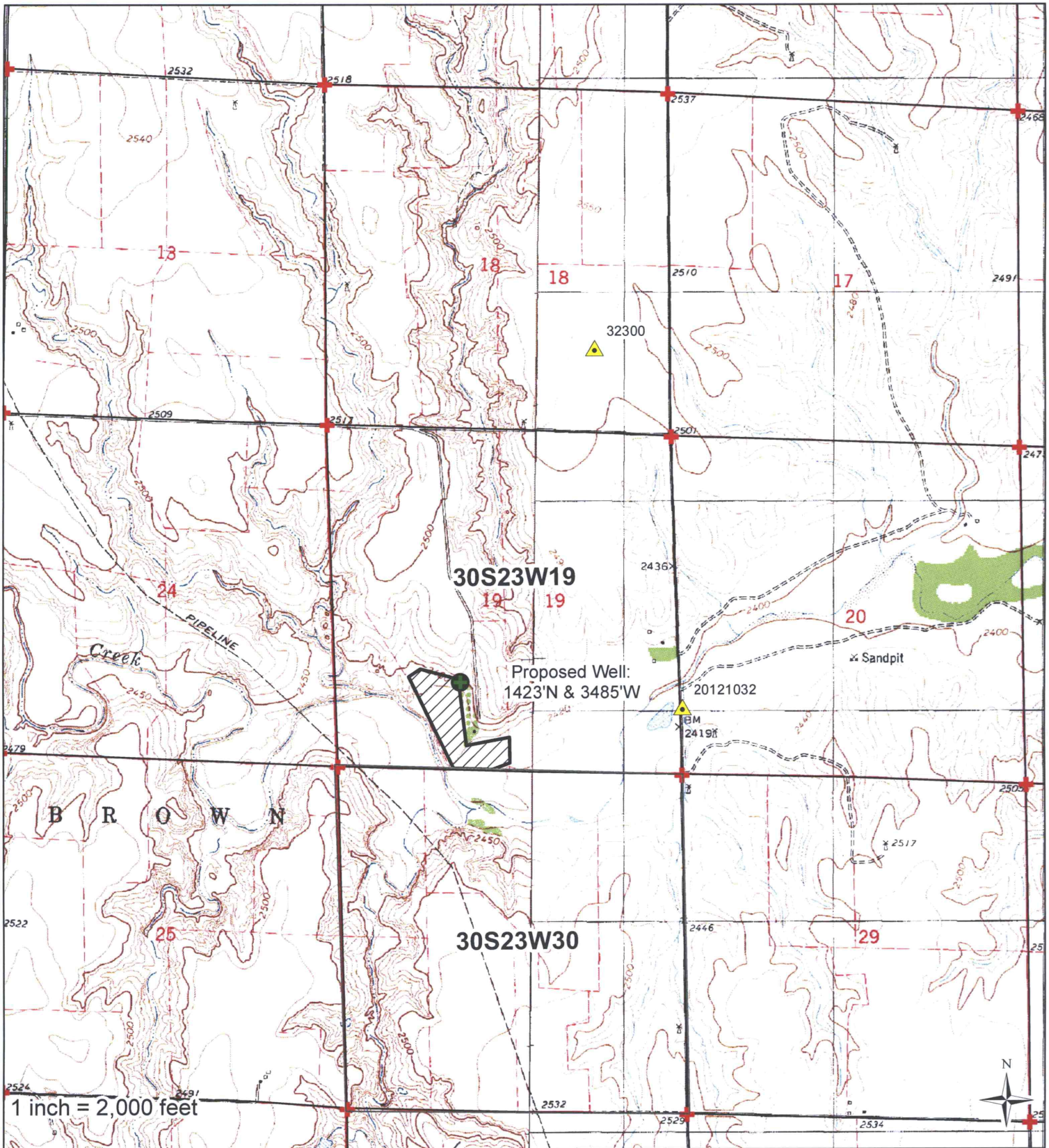
 \_\_\_\_\_ 4/6/17 \_\_\_\_\_  
 Signature Date  
 0 400 800 1,600 2,400 3,200 Feet

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Created By: Matt Meier  
AUG 6 9 2017  
Date: 4/4/2017

KS DEPT OF AGRICULTURE


File No. \_\_\_\_\_



1 inch = 2,000 feet

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

- Proposed PD
- Proposed Place of Use
- Domestic Wells
- Water Rights
- SFFOsec\_corners

 \_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date



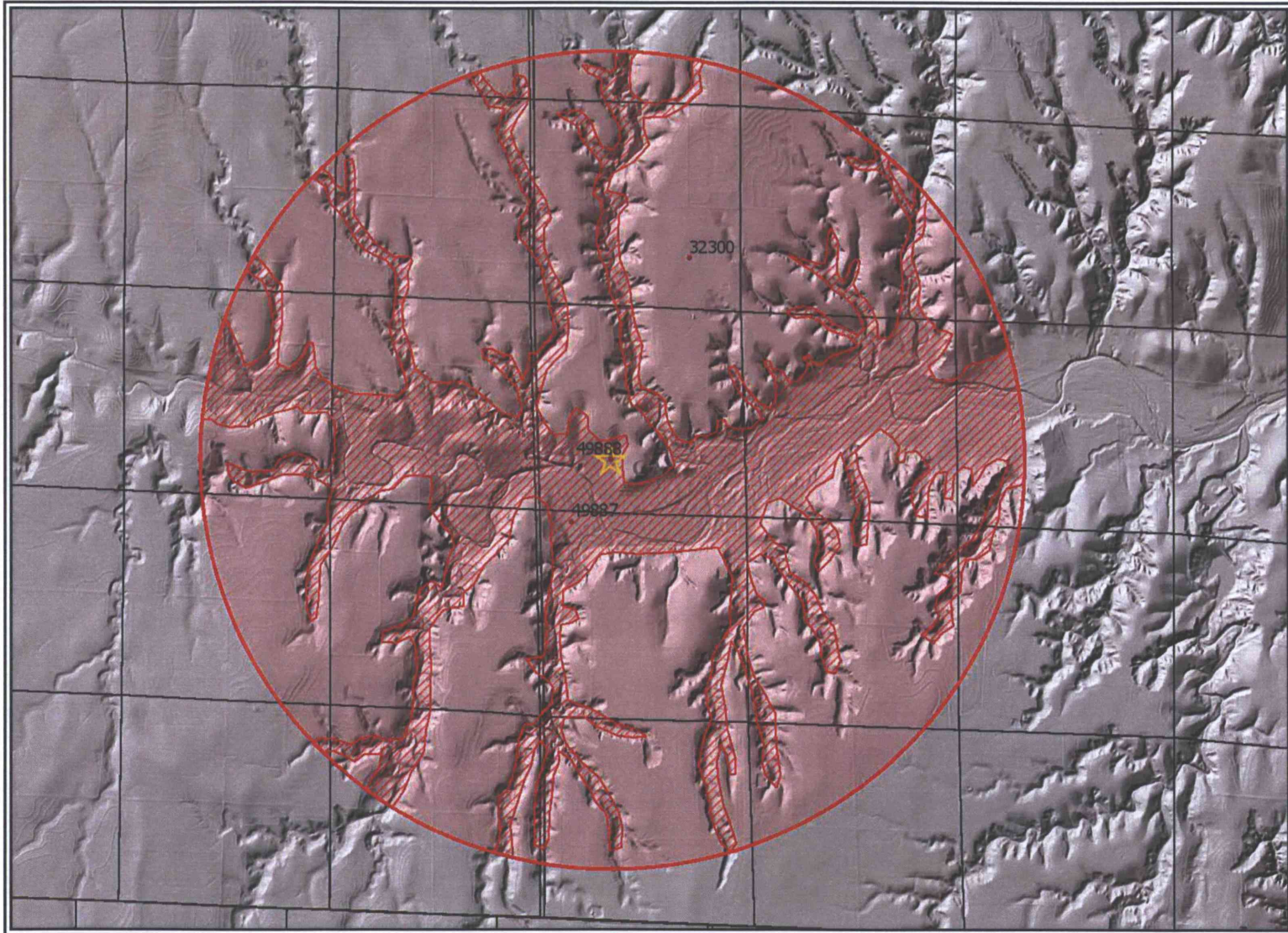
WATER RESOURCES RECEIVED

Created By: Matt Meier  
 AUG 2 2017  
 Date: 4/4/2017

KS DEPT OF AGRICULTURE

SCANNED

**Safe Yield Report Sheet**  
**Water Right- A4988800**  
**Point of Diversion in 19-30S-23W**  
**Footages from SE corner- 1,423 feet North 3,485 feet West**



## Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 115.88 AF.

Total prior appropriations in the circle is 112.00 AF.

Total quantity of water available for appropriation is 3.88 AF.

## Safe Yield Variables

The area used for the analysis is set at 2,318 acres.

The potential annual recharge at the circle center is estimated to be 1.2 inches.

The percent of recharge available for appropriation is 50%.

Authorized Quantity values are as of 14-MAR-2018 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 2 water rights and 2 points 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	Tot Acres	Net Acres
A 49887 0	IRR	AY	G		NW	NW	NW	5100	4569	30	30	23W	2	WR	73.60	73.60	46.00	46.00
A 49888 0	IRR	AY	G		SW	NE	SW	1423	3485	19	30	23W	2	WR	38.40	38.40	24.00	24.00