

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,960</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">8/31/2018</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">2</p>	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

<p>7a. Applicant(s) Person ID <u>65917</u> New to system <input type="checkbox"/> Add Seq# <u>1</u></p> <p>CLINT TYLER 8861 NW FALCON RD SAWYER KS 67134</p>	<p>7c. Landowner(s) Person ID <u>65918</u> New to system <input type="checkbox"/> Add Seq# <u>1</u></p> <p>CHARLES SWONGER 8747 NW FALCON RD SAWYER KS 67134</p>
<p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>

<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: **12/31/2019** 11. Perfection Date: **12/31/2023** 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: **8/21/2018** By: **AM**
Date Entered: **9/6/2018** By: **LLM**

File No. 49,960	15. Formation Code: 112	Drainage Basin: Medicine Lodge R	County: BA	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														
CHK 86512 NW NW NW 10 30S 13W 5 42696 4664			400	51.8	400	51.8	NONE														
18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																					
19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																					
Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																					
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2019 Date Acceptable Meter Installed _____																					
21. Place of Use T MOD DEL ENT PUSE S T R ID		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
		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				
CHK 68684 10 30S13W 6						8											8	7a	NONE		
CHK 68683 10 30S13W 5						2	28										30	7b	NONE		
Comments:																					

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 21, 2018

FROM: Austin McColloch

RE: New Application,
File No. 49,960

Clint Tyler has filed an application to appropriate groundwater for irrigation use, requesting a quantity of 51.8 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 Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼ NW¼) of Section 10, more particularly described as being near a point 4,696 feet North and 4,664 feet West of the Southeast corner of said section, in Township 30 South, Range 13 West, Barber County, Kansas, within the Medicine Lodge River basin 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 38 acres located in the Northwest Quarter (NW¼) of Section 10 in Township 30 South, Range 13 West, Barber County, Kansas. This will provide 1.36 acre-feet per acre, making it within the reasonable quantity for Barber County (1.4).

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 – MED 21 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 8,042 acres. With a potential annual recharge of 1.8 inches, and 50% of recharge available for appropriation, safe yield was determined to be 603.19 acre-feet. Existing water rights within the area of consideration have appropriated 15 acre-feet, the application requesting a quantity of 51.8 acre-feet complies with safe yield.

According to the WRIS database, the nearest non-domestic point of diversion (File No. 47,756) is located 7,025 feet away. The applicant identified four (4) nearby domestic wells not owned by the applicant located within one-half mile of the proposed well. Nearby well owner letters were sent out on July 9, 2018. No response has been received. Per K.A.R. 5-4-4 for all other aquifers, the application does not comply with minimum well spacing criteria to all existing wells. The two (2) domestic wells located within 660 feet of the proposed point of diversion are owned by Clint Tyler – applicant and Chuck Swonger – partial landowner of the place of use. Both owners have signed a domestic well spacing consent form, submitted with the application.

A well log submitted with the application shows a sand and gravel layer from 5-90 feet and a shale from 95-100 feet. Static water level was determined to be at 17 feet. The source of supply appears to be alluvium. Based on other well logs in the area, the aquifer appears to be similar in the north and west while the saturated thickness of the sand and gravel layer to the east becomes less prevalent.

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 August 21, 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 have been addressed through consent forms, 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

September 7, 2018

CLINT TYLER
8861 NW FALCON RD
SAWYER KS 67134

RE: Appropriation of Water, File No. 49,960

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,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:am

Enclosure(s)

pc: Charles Swonger
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. 49,960** of the applicant

**CLINT TYLER
8861 NW FALCON RD
SAWYER KS 67134**

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 **January 2, 2018**.

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	
10	30S	13W					10.0	28.0											38.0

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 Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼ NW¼) of Section 10, more particularly described as being near a point 4,696 feet North and 4,664 feet West of the Southeast corner of said section, in Township 30 South, Range 13 West, Barber 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 **51.8 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 31st day of August, 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 31st day of August, 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

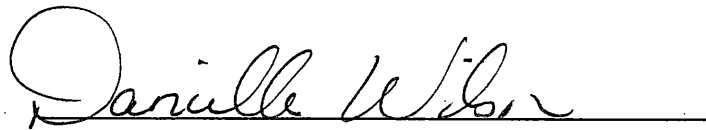
On this ~~7th~~ day of September, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,960, dated August 31st, 2018 was mailed postage prepaid, first class, US mail to the following:

CLINT TYLER
8861 NW FALCON RD
SAWYER KS 67134

With photocopies to:

CHARLES SWONGER
8747 NW FALCON RD
SAWYER KS 67134

Stafford Field Office



Division of Water Resources

APPLICATION COMPLETE

8/21/18
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 49900
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

JAN 02 2018
12:12
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): Clint Tyler
Address: 8861 NW Falcon
City: Sawyer State KS Zip Code 67137 Telephone
Number: (620) 594-2555

2. The source of water is: surface water in _____ (stream)
OR groundwater in Medicine Lodge River (S.C. KS DUA: MED21) (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.

* CT
12-28-17
3. The maximum quantity of water desired is 51.8 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. 2 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use FR Source G S County BA By ASW Date 12/18
Code REG Fee \$ 200 TR # _____ Receipt Date 1/2/18 Check # 2403

SCANNED
1/8/2018 LM

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 10, more particularly described as being near a point 4696 feet North and 4664 feet West of the Southeast corner of said section, in Township 30 South, Range 13 West, Barber 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 -

(name, address and telephone number)

- Same -

(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 12-28, 2017. CTJ
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 1 Well & Pump
(number of wells, pumps or dams, etc.)

and will be completed (by) ASAP
(Month/Day/Year - each was or will be completed)

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

WATER RESOURCES RECEIVED

SCANNED

JAN 02 2018

KS DEPT OF AGRICULTURE

- 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

JAN 02 2018

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 See _____

Total depth of well Attached _____

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):

Clint Tyler 8861 NW Falcon Sawyer KS 620-594-2525
(name, address and telephone number)

Charles Swager 8747 NW Falcon Sawyer KS 620-594-2526
(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 28 day of December, 2017
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

Clint Tyler

(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 12/27/2017
(office/title)

WATER RESOURCES
RECEIVED

JAN 02 2018

SCANNED

KS DEPT OF AGRICULTURE

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49960

Name of Applicant (Please Print): Clint Tyler

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: Charles Swonger

ADDRESS: 8747 NW Falcon, Sawyer KS 67134

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10	30S	13W						2	28										30

Landowner of Record NAME: Clint Tyler

ADDRESS: 8861 NW Falcon, Sawyer KS 67134

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10	30S	13W						8											8

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	

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
Sandy Loam	20		
Clay Loam	80		
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: 15 psi
- (2) What is the sprinkler package design rate? 400 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:

Potatoes and sweet potatoes

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.

I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my domestic well or to secure water to satisfy my domestic water right.

[Signature]
Signature

8861 NW Falcon
Address (please print)
Sawyer, Kansas
City/Town, State (please print)

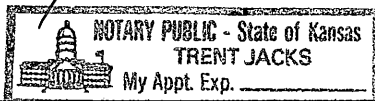
(620) 594-2526
Phone

State of KANSAS

County of KIOWA

Signed or attested before me on December 28th by CLINT TYLER
(Please print name of signatory)

[Signature]



Notary Public 8-30-21

[My appointment expires: _____]

WATER RESOURCES RECEIVED

JAN 02 20 SCANNED

499100

To: Kansas Department of Agriculture
Division of Water Resources
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283
Telephone: (785) 296-3717

Re: Domestic Well Spacing
Consent Form

I, Charles Swonger, own a well in the NE
Quarter of the NW Quarter of the NW Quarter of Section 10,
Township 30 South, Range 13 W West/East, Barber County, Kansas.

Water from this well is used only for domestic purposes as follows:

- * household use;
- * watering of livestock, poultry, farm and domestic animals used in operating a farm; and/or
- * irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns.

I understand that an application for a permit to appropriate water, Application, File No. _____, has been filed with the Division of Water Resources and that the applicant seeks to use water from Water well located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R.

_____. I hereby give my permission to the applicant to install Water well at a location approximately 600 feet from my domestic well if the same is allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my domestic water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

WATER RESOURCES
RECEIVED
JAN 02 2018
SCANNED
KS DEPT OF AGRICULTURE

49960

I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my domestic well or to secure water to satisfy my domestic water right.

Charles Swonger
Signature

8747 NW Falcon
Address (please print)
Sawyer, Kansas
City/Town, State (please print)

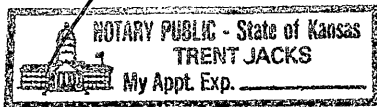
(620) 594-2526
Phone

State of KANSAS

County of KLAWA

Signed or attested before me on December 28th by Charles Swonger
(Please print name of signatory)

Trent Jacks



Notary Public 8-30-21

[My appointment expires: _____]

WATER RESOURCES
RECEIVED

JAN 02 2018

SCANNED

December, 28, 2017
(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. 49960

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 of Applicant

State of Kansas)
County of Stafford) ss

Clint Tyler
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 28th day of December, 2017.




Notary Public

My Commission Expires:

WATER RESOURCES
RECEIVED

JAN 02 2018

49960

**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

WATER RESOURCES
RECEIVED

JAN 02 2008 **SCANNED**

McColloch, Austin

From: Lanterman, Jeff [KDA]
Sent: Tuesday, August 21, 2018 10:39 AM
To: McColloch, Austin
Subject: FW: Recommendation New Application File No. 49,960
Attachments: 49960 Memo.doc; 49960 map.pdf; 49960 test hole.pdf

Austin this one looks OK to approve with the well spacing consent forms included.

Thanks

Jeff

From: Conant, Cameron [KDA]
Sent: Monday, August 20, 2018 3:52 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation New Application File No. 49,960

From: Conant, Cameron [KDA]
Sent: Thursday, August 16, 2018 11:27 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation New Application File No. 49,960

Jeff,

This is located 1 mile south of the GMD#5 boundary. The p/d location falls within the Elm Creek North Branch/South Branch alluvium and squarely within MED 21 which shows water available in the DUA. Looking at the updated DUA summary, MED21 has ~1409 AF available based on a 12/26/17 update.

The 2 mile evaluation was rand with a full circle @ 50% available and shows that 603.19 is available to be appropriated with only 15 AF being used at this time. There were only 5 domestic wells with ½ mile of the proposed well, 2 of which are within 660' of the proposed irrigation well, both of the ones that do not meet spacing are owned by the owners of land proposed under the water right. Both domestic well owners provided a signed spacing consent form. The other 3 domestic well owners were notified and did not respond.

51.8AF on 38 acres at 400 gpm seems like a reasonable irrigation project on this property.

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=372555098410501 (located about 3 miles SE) (*similar depth well-seems more indicative of the local area water levels so this is the most appropriate hydrograph*)
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=372838098470601 (located about 3.5 miles NW in GMD#5) (*unknown depth-not in line with reported SWL on test log-probably not indicative of the local water level at the proposed site*)

There is also a GMD well nest about 3 miles to the NE that states "Saltwater Density Well-affects WLS" so I didn't include those hydrographs for review, they seemed like deeper wells with a SWL in the 60's – 70's, so again, probably not that applicable to what we have on this application.

In summary, the owners of the water right submitted domestic well spacing consent forms. Based on the similar depth well hydrograph and the test hole log, water levels seems fairly stable and their appears to be a decent amount of water available for this project without impairing any nearby domestics not owned by the owners of this water right.

If you are comfortable with the domestic spacing consent forms submitted by the owners of the water right, I think this application can be approved. Please pass on to Austin if you agree.

Cameron

From: McColloch, Austin [KDA]
Sent: Wednesday, July 25, 2018 2:45 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: Recommendation New Application File No. 49,960

Jeff and Cameron,

Attached is my draft memo for File No. 49,960 submitted by Clint Tyler. This is located in DUA MED 21 currently open. Let me know if you have any questions or need more information.

Thanks,

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

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

JAMES NIXON
8691 NW FALCON RD
SAWYER KS 67134

RE: Application
File No. 49,960

Dear Sir or Madam:

This is to advise you that Clint Tyler has filed the application referred to above for permit to appropriate 51.8 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 400 gallons per minute from a well located as follows:

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄ NW¹/₄) of Section 10, more particularly described as being near a point 4,696 feet North and 4,664 feet West of the Southeast corner of said section, in Township 30 South, Range 13 West, Barber 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 our office at 785-564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Handwritten signature of Austin McColloch in black ink.

Austin McColloch
Environmental Scientist
Division of Water Resources

Enclosure(s)
pc: Stafford Field Office

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

NEIL & VIVAN FISHER & SHARON DICKSON
PO BOX 182
JOHNSON KS 67855

RE: Application
File No. 49,960

Dear Sir or Madam:

This is to advise you that Clint Tyler has filed the application referred to above for permit to appropriate 51.8 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 400 gallons per minute from a well located as follows:

one (1) well 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 10, more particularly described as being near a point 4,696 feet North and 4,664 feet West of the Southeast corner of said section, in Township 30 South, Range 13 West, Barber County, Kansas.

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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,

A handwritten signature in black ink, appearing to read "Austin McColloch".

Austin McColloch
Environmental Scientist
Division of Water Resources

Enclosure(s)
pc: Stafford Field Office

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

MARTIN & TWYLA DUBOIS TRUST ETAL
1112 N 1712 RD
LAWRENCE KS 66049

RE: Application
File No. 49,960

Dear Sir or Madam:

This is to advise you that Clint Tyler has filed the application referred to above for permit to appropriate 51.8 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 400 gallons per minute from a well located as follows:

one (1) well 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 10, more particularly described as being near a point 4,696 feet North and 4,664 feet West of the Southeast corner of said section, in Township 30 South, Range 13 West, Barber 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 our office at 785-564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Austin McColloch".

Austin McColloch
Environmental Scientist
Division of Water Resources

Enclosure(s)
pc: Stafford Field Office

SCANNED

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

January 4, 2018

CLINT TYLER
8861 NW FALCON
SAWYER KS 67137

FILE COPY

RE: Application
File No. 49960

Dear Sir or Madam:

Your application for permit to appropriate water in 10-30S-13W in Barber County, was received and has been assigned the file number noted above.

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

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

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

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

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

If you have any questions, please contact me at (785) 564-6637. 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

WATER WELL RECORD Form WWC-5

Division of Water Resources App. No. Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: Barber	Fraction SE 1/4 NW 1/4 NW 1/4 NW 1/4	Section Number 10	Township Number T 30 S	Range Number R 13 <input type="checkbox"/> E <input checked="" type="checkbox"/> W
--	---	----------------------	---------------------------	---

2 WELL OWNER: Last Name: Tyler First: Clint Business: _____ Address: 8861 NW Falcon Address: _____ City: Sawyer State: Kansas ZIP: 67134	Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input checked="" type="checkbox"/>
---	--

3 LOCATE WELL WITH "X" IN SECTION BOX: <div style="text-align: center;"> <table border="1" style="margin: auto;"> <tr><td style="text-align: center;">X</td><td style="text-align: center;"> </td><td style="text-align: center;"> </td></tr> <tr><td style="text-align: center;">-- NW --</td><td style="text-align: center;">-- NE --</td><td style="text-align: center;"> </td></tr> <tr><td style="text-align: center;"> </td><td style="text-align: center;"> </td><td style="text-align: center;"> </td></tr> <tr><td style="text-align: center;">W</td><td style="text-align: center;"> </td><td style="text-align: center;">E</td></tr> <tr><td style="text-align: center;"> </td><td style="text-align: center;"> </td><td style="text-align: center;"> </td></tr> <tr><td style="text-align: center;">-- SW --</td><td style="text-align: center;">-- SE --</td><td style="text-align: center;"> </td></tr> <tr><td style="text-align: center;"> </td><td style="text-align: center;"> </td><td style="text-align: center;"> </td></tr> <tr><td style="text-align: center;">S</td><td style="text-align: center;"> </td><td style="text-align: center;"> </td></tr> </table> <p>-----1 mile-----</p> </div>	X			-- NW --	-- NE --					W		E				-- SW --	-- SE --					S			4 DEPTH OF COMPLETED WELL: 95 ft. Depth(s) Groundwater Encountered: 1) 17 ft. 2) ft. 3) ft., or 4) <input type="checkbox"/> Dry Well WELL'S STATIC WATER LEVEL: 17 ft. <input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr) 12/20/2017 <input type="checkbox"/> above land surface, measured on (mo-day-yr) Pump test data: Well water was 36 ft. after 2 hours pumping 100 gpm Well water was ft. after hours pumping gpm Estimated Yield: 500 gpm Bore Hole Diameter: 15 in. to 100 ft. and in. to ft.	5 Latitude: 37.454965 (decimal degrees) Longitude: 98.736378 (decimal degrees) Datum: <input checked="" type="checkbox"/> WGS 84 <input type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27 Source for Latitude/Longitude: <input checked="" type="checkbox"/> GPS (unit make/model: Samsung 7) (WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No) <input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map <input type="checkbox"/> Online Mapper:
X																										
-- NW --	-- NE --																									
W		E																								
-- SW --	-- SE --																									
S																										
		6 Elevation: 1826 ft. <input checked="" type="checkbox"/> Ground Level <input type="checkbox"/> TOC Source: <input type="checkbox"/> Land Survey <input type="checkbox"/> GPS <input type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Other KOLAR																								

7 WELL WATER TO BE USED AS:

1. Domestic: <input type="checkbox"/> Household <input checked="" type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock 2. <input type="checkbox"/> Irrigation 3. <input type="checkbox"/> Feedlot 4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID 6. <input type="checkbox"/> Dewatering: how many wells? 7. <input type="checkbox"/> Aquifer Recharge: well ID 8. <input type="checkbox"/> Monitoring: well ID 9. Environmental Remediation: well ID <input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease 11. Test Hole: well ID <input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical 12. Geothermal: how many bores? a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water 13. <input type="checkbox"/> Other (specify):
--	--	---

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted: _____
 Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded
 Casing diameter 8 in. to 95 ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface 30 in. Weight SDR 17 lbs./ft. Wall thickness or gauge No. SDR 17
TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel Fiberglass PVC Other (Specify)
 Brass Galvanized Steel Concrete tile None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify)
 Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)
SCREEN-PERFORATED INTERVALS: From 75 ft. to 95 ft., From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 29 ft. to 95 ft., From ft. to ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other
 Grout Intervals: From 4 ft. to 29 ft., From ft. to ft., From ft. to ft.

Nearest source of possible contamination:

<input type="checkbox"/> Septic Tank	<input checked="" type="checkbox"/> Lateral Lines	<input type="checkbox"/> Pit Privy	<input type="checkbox"/> Livestock Pens	<input type="checkbox"/> Insecticide Storage
<input type="checkbox"/> Sewer Lines	<input type="checkbox"/> Cess Pool	<input type="checkbox"/> Sewage Lagoon	<input type="checkbox"/> Fuel Storage	<input type="checkbox"/> Abandoned Water Well
<input type="checkbox"/> Watertight Sewer Lines	<input type="checkbox"/> Seepage Pit	<input type="checkbox"/> Feedyard	<input type="checkbox"/> Fertilizer Storage	<input type="checkbox"/> Oil Well/Gas Well
<input type="checkbox"/> Other (Specify)				

Direction from well? East Distance from well? 600 ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	5	Topsoil & Sandy Clay			
5	35	Sand Medium			
35	84	Sand Medium to Coarse			
84	90	Sand and Gravel			
90	92	Clay			
92	95	Sand			
95	100	Shale			
Notes:					

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 11/01/2017 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 473 This Water Well Record was completed on (mo-day-year) 12/26/2017 under the business name of Tyler Water Well, Inc.

Send one copy to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well.
 KS Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1307 Telephone 785-296-3565.
 Visit us at <http://www.kdheks.gov/waterwell/index.html> KSA 82a-1212

44700

Nearby Well Owner List
(see application map for locations)

- #1: Domestic Well
James A Nixon
8691 NW Falcon RD
Sawyer, KS 67134

- #2: Domestic Well
Neil L & Vivian M Fisher & Sharon G Dickson
PO Box 182
Johnson, KS 67855

- #3: Domestic Well
Martin & Twyla Dubois Trust ETAL
1112 N 1712 RD
Lawrence, KS 66049

- #4: Domestic Well
Chuck Swonger-applicant

- #5: Domestic Well
Clint Tyler-applicant

WATER RESOURCES
RECEIVED

JAN 02 2018 **SCANNED**

49960

To: Kansas Department of Agriculture
Division of Water Resources
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283
Telephone: (785) 296-3717

Re: Domestic Well Spacing
Consent Form

I, Clint Tyler, own a well in the SE
Quarter of the NW Quarter of the NW Quarter of Section 10,
Township 30 South, Range 13 W West/East, Barber County, Kansas.
Water from this well is used only for domestic purposes as follows:

- * household use;
- * watering of livestock, poultry, farm and domestic animals used in operating a farm; and/or
- * irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns.

I understand that an application for a permit to appropriate water, Application, File No. _____, has been filed with the Division of Water Resources and that the applicant seeks to use water from Water well located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R. _____. I hereby give my permission to the applicant to install Water well at a location approximately 500 feet from my domestic well if the same is allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my domestic water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

WATER RESOURCES
RECEIVED

JAN 02 2018

SCANNED
KS DEPT OF AGRICULTURE

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49960 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49960 00 IRR

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

4696 Feet North and 4664 Feet West of the Southeast Corner of Section 10 T 30S R 13W

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__ 47756 00 IRR LO G      7025 -- NW SE SE 1100 730 33 29 13W 1      15.00 15.00 AF
A__ 49960 00 IRR AY G      0 -- NW NW NW 4696 4664 10 30 13W 5      51.80 51.80 AF
=====

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Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      51.80      .00
Total Permitted Amount (AF) =       .00      .00
Total Inspected Amount (AF) =      15.00      .00
Total Pro_Cert Amount (AF) =       .00      .00
Total Certified Amount (AF) =       .00      .00
Total Vested Amount (AF) =         .00      .00
TOTAL AMOUNT (AF) =                66.80      .00
=====

```

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under 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:

4696 Feet North and 4664 Feet West of the Southeast Corner of Section 10 T 30S R 13W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number      Use ST SR
A__ 47756 00 IRR LO G
> GERALD L & SANDRA L HIRT
>
> PO BOX 77
> SAWYER KS 67134
>-----
A__ 49960 00 IRR AY G
> CLINT TYLER
>
> 8861 NW FALCON RD
> SAWYER KS 67134
>-----
=====

```

#####

Analysis Results

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

The safe yield based on the variables listed below is 603.19 AF.

Total prior appropriations in the circle is 66.80 AF.

Total quantity of water available for appropriation is 536.39 AF.

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 1.8 inches.

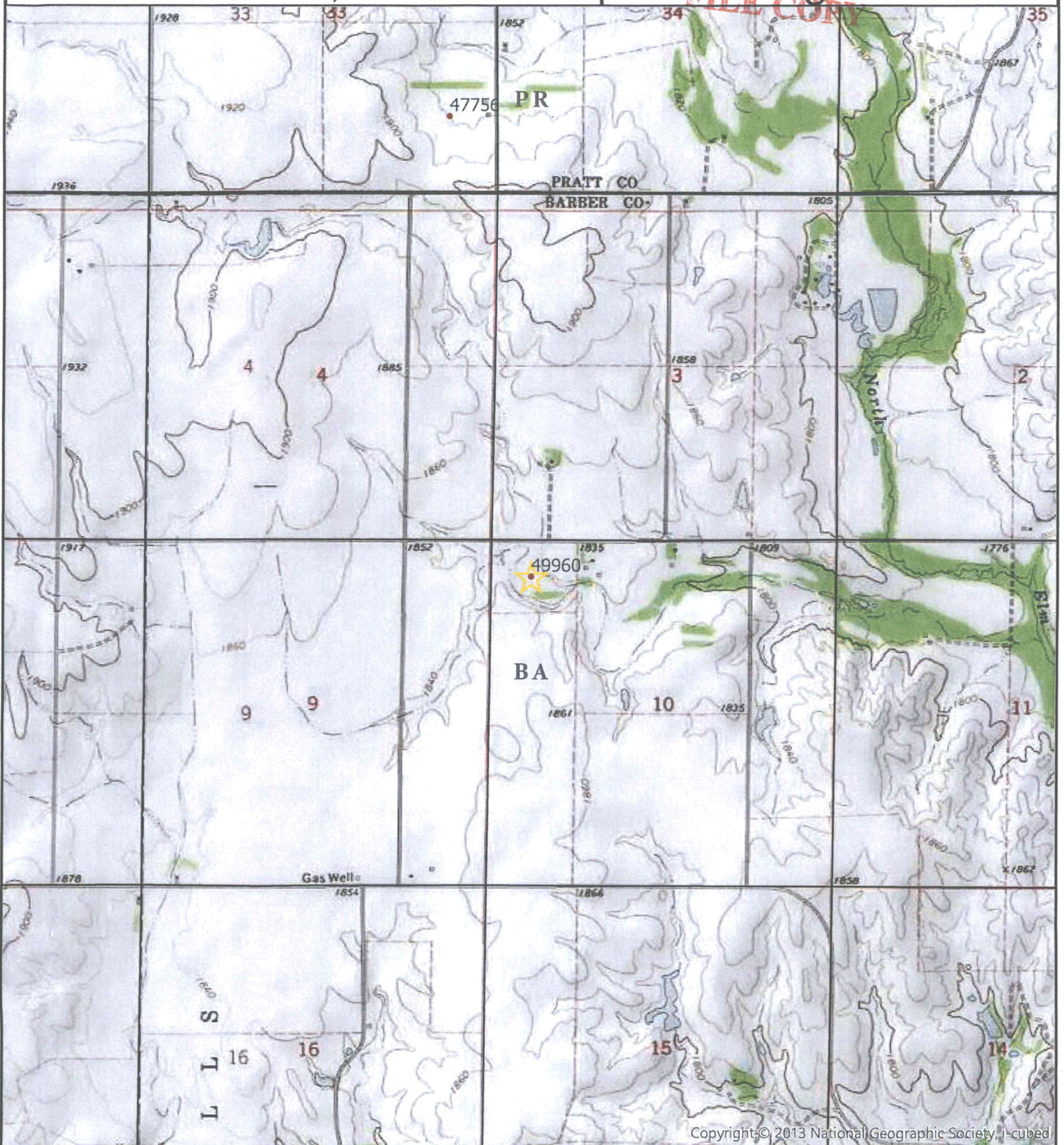
The percent of recharge available for appropriation is 50%.

Authorized Quantity values are as of 05-JUL-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 47756 00	IRR	LO	G		NW	SE	SE	1100	730	33	29	13W	1	WR	15.00	15.00	11.00	11.00
A 49960 00	IRR	AY	G		NW	NW	NW	4696	4664	10	30	13W	5	WR	51.80	51.80	38.00	38.00

File No. 49,960 Township 30S Range 13W



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0 0.25 0.5 1 Miles



Kansas Department of Agriculture
Division of Water Resources

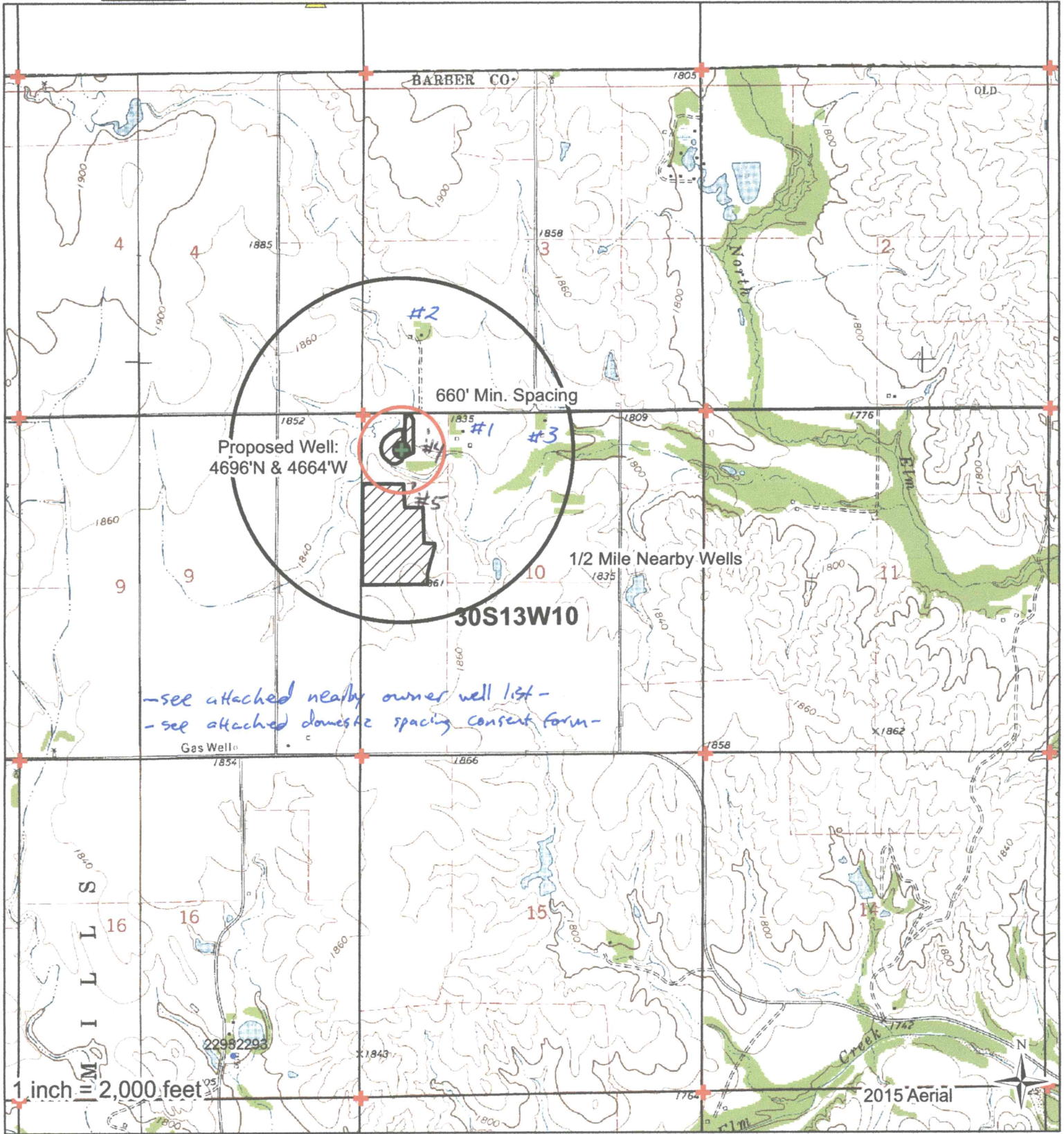
06 Jul 2018

SCANNED

☆ Proposed Point of Diversion

49960

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

WATER RESOURCES RECEIVED

Signature

Date **JAN 02 2018**

Created By: Matt Meier
P.O. 2
Date: 12/27/2017

0 800 1,600 3,200 4,800 6,400 Feet

DEPT OF AGRICULTURE **SCANNED**

49960

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

[Handwritten Signature]

 Signature

Date



WATER RESOURCES RECEIVED

Created By: Matt Meier
F.O. 2

Date: 12/27/2017

JAN 02 2018

SCANNED

KS DEPT OF AGRICULTURE