

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;">50,391</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em; color: purple;">8/31/2020</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">02</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID 67235</p> <p>New to system <input type="checkbox"/> Add Seq# _____</p> <p>GLO FARMS 53 LLC 8111 E 32ND ST N #101 WICHITA, KS 67226</p>	<p>7c. Landowner(s) Person ID _____</p> <p>New to system <input checked="" type="checkbox"/> Add Seq# _____</p>		
<p>7b. Landowner(s) Person ID _____</p> <p>New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. Person ID _____</p> <p>New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>8. WUR Correspondent Person ID _____</p> <p>New to system <input type="checkbox"/> Add Seq# _____</p> <p>Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/></p> <p>Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: center;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input checked="" 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>		
10. Completion Date: <u>12/31/2021</u> 11. Perfection Date: <u>12/31/2025</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
*THIS IS A GROUNDWATER PERMIT		Date Prepared: 8/25/2020 By: DWS	
		Date Entered: 8/31/2020 LMoody	

File No. **50,391** 15. Formation Code: **500** Drainage Basin: WALNUT RIVER County: SG Special Use: Stream:

16. Points of Diversion											
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	
MOD				NE SE NE	23	26	2E	2	3561	363	Geo-Ctr
ENT				NE SE NE	23	26	2E		3561	363	Batt 1 of 3
MOD				SE SE NE	23	26	2E	3	3296	313	Batt 2 of 3
MOD				NE SE NE	23	26	2E	4	3825	413	Batt 3 of 3
BATTERY ID#: 2194											

17. Rate and Quantity				
Authorized		Additional		Overlap PD Files
Rate gpm	Quantity af	Rate gpm	Quantity af	
300	27	300	27	None

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft - **NO WATER STORAGE UNDER THIS FILE**

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2021** Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
√			69950	23	26	2E	1	RESERVOIR (NE)																	7a.	No	50,390		

Comments:

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

M E M O R A N D U M

TO: Files

DATE: August 25, 2020

FROM: Doug Schemm

RE: Applications, File Nos. 50,390 and 50,391

GLO Farms 53, LLC has filed the above referenced new applications for recreational use. File No. 50,390 is proposing to appropriate 81 acre-feet of surface water to be stored in a proposed reservoir. File No. 50,391 is proposing to appropriate 27 acre-feet of groundwater at a diversion rate of 300 gallons per minute from a battery of three wells, for recreational use in this same reservoir. The applicant (Gary Oborny) has signed the application forms stating he has legal access to the points of diversion. The proposed points of diversion are both located in the Northeast Quarter of Section 23, Township 26 South, Range 2 East, Sedgwick County. The surface water application is required to authorize the collection and storage of natural flows within the reservoir. The well water will be used to fill and maintain water level in the reservoir (i.e. offset evaporative and seepage losses), when natural inflows are inadequate.

Note that when Application, File No. 50,391 was filed, it appeared to request pump sites from the stream. However, after further discussion with the applicant's consultant KE Miller Engineering PA, it was determined that the applicant was requesting groundwater wells. The consultant subsequently provided a well location map, boring logs, and a list of nearby well owners.

FILE NO. 50,390 – Surface Water Storage

The requested quantity of 81 acre-feet appears to be reasonable for indirect use, based on the following information. The reservoir has a surface area of 18 acres at normal pool elevation. Potential net evaporation in inches, based on K.A.R. 5-6-3, is 18 inches; therefore, the natural evaporation can be estimated as follows:

$$\begin{aligned} \text{Evaporation} &= 18 \text{ acres} \times 18 \text{ inches of evaporation} / 12 \text{ inches} = 27 \text{ acre-feet (annual loss)} \\ 27 \text{ AF} \times 3 \text{ years} &= 81 \text{ acre-feet} \end{aligned}$$

No seepage quantity was requested. A runoff calculation has determined that the 217.6-acre drainage area will produce 127 acre-feet (7") of runoff in 1 out of every five (5) years (20% annually). Runoff is not the limiting factor. Since the reservoir is proposed, a Special Condition on the Permit is needed to provide an initial fill quantity. The dam has been assigned structures File No. LSG-0631 by the DWR Water Structures Program. The appropriation and structures permits will be issued together.

The applicant had the downstream landowner (Glennis Bell) sign the site map to indicate she was aware of the proposed reservoir. The stream does not extend off the applicant's property in the upstream direction. Therefore, no notification letters were required for this surface water application.

There are only three other permitted surface water rights within the two-mile radius circle, which authorize separate reservoirs located on different streams. These senior water rights would not be impacted in any way.

FILE NO. 50,391- Groundwater Wells

The requested quantity of 27 acre-feet appears to be reasonable to replace one year of indirect use (evaporation) from the reservoir. As shown above, annual evaporation is 27 acre-feet. Test hole logs submitted with the application, show clay extending from surface to 5 feet below ground surface, underlain by olive gray shale to a total depth of 30 feet. It appears that there are only a few feet of water in either test hole. Nearby wells extend to average depths of 100 feet, so the applicant's wells will likely extend to similar depths when completed. Water was encountered in one of the test holes at just two feet above the bottom of the hole. KGS Bulletin No. 176, "Geohydrology of Sedgwick County, Kansas" indicates that the source of water is the Sumner Group, more specifically the Wellington Formation. Most domestic and stock wells in the area east of the Arkansas Valley and many wells in the south-central part of the county derive water from this Formation. The quantity and quality of the water available differs with both the location and the method of construction of a well.

It appears that this bedrock aquifer extends across the entire two-mile circle, for an area of consideration of 8,042 acres. Based on a potential recharge of 3.4 inches, with 100% available for appropriation, safe yield was determined to be 2,278.7 acre-feet. There are no existing water rights within this area of consideration, leaving the entire quantity of water available, and the application clearly meets safe yield criteria. Please note that this safe yield value per K.A.R. 5-3-11 provides the maximum allowable recharge for the area of consideration. If there is a significant quantity of water still remaining as determined by K.A.R. 5-3-11, then even with a considerable reduction in the amount of recharge reaching the deeper aquifer there would still be sufficient water available. For this application the maximum recharge could be reduced to only 0.05 inches of recharge and there would still be sufficient water available.

The applicant identified 13 nearby domestic wells within one-half mile of the proposed point of diversion, and notification letters were sent out on July 24, 2020. Two telephone calls were received with general questions about the applications. The primary concern for the nearest downstream property owner (Kimberly Hobbie) was related to the reservoir and how they would manage discharges. DWR Structures staff spoke with Ms. Hobbie regarding the structures permitting. A written concern letter was received from Paul and Kathy White who were concerned with both impact to their domestic well, as well as streamflow impacts. A response letter was sent to the Whites on August 28, 2020. The WRIS database does not contain any wells within a 2-mile radius. This groundwater application complies with the well spacing requirements in K.A.R. 5-4-4 for all other aquifers, which states that the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells. The nearest domestic well is over 1,000 feet away.

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 permit, File No. 50,391 a check valve will also need to be installed. A water level measurement tube is required because the rate of diversion is 100 gpm or more.

In an August 25, 2020 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, stated that the referenced applications should be approved. Based on the above discussion, that the area is open to new appropriations for groundwater, the proposed appropriation of groundwater complies with safe yield and well spacing criteria, there are no other water rights within the 2-mile circle, approval of surface water storage will allow this reservoir to comply with regulations, the reservoir has been properly permitted by the Structures Program (File No. LSG-0631), and there is no evidence that senior rights will be impaired, it is recommended that the referenced applications be approved.

Doug Schemm
Environmental Scientist
Topeka Field Office

Schemm, Doug [KDA]

From: Schemm, Doug [KDA]
Sent: Tuesday, August 25, 2020 12:13 PM
To: Schemm, Doug [KDA]
Subject: FW: 50390 and 50391 GLO Farms 53

From: Lanterman, Jeff [KDA]
Sent: Tuesday, August 25, 2020 12:08 PM
To: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: RE: 50390 and 50391 GLO Farms 53

Doug.

I took a call from Mike Edwards on this file. He says SG county gave them a cease and desist because they didn't have the appropriation permits ☹️ I told him I would get you a recommendation today so here it is:

It meets all the rules. So I recommend they be approved. What about a paragraph in the transmittal that says something like:

Please note that the water rights approved herein will be Junior in priority to all pre existing domestic uses in the area. As such your use of water will not be allowed to impair or detrimentally impact surrounding senior uses of water. We make you aware of this particular issue because the aquifer in the area is considered marginal and increases our concern about impacts to neighboring wells.

Additionally if you plan to irrigate over two acres of lawn and garden from your wells or the constructed lake at this site a separate irrigation permit will be required.

Or something along those lines?

Also. Can you add in the permit condition that requires him to install an observation well at his cost should we receive an impairment complaint? Highlight the measurement tube requirement.

Thanks
Jeff

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Tuesday, August 18, 2020 2:16 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: FW: 50390 and 50391 GLO Farms 53

Just an FYI. A nearby is sending a letter about these. I think she's more concerned about the drainage, but I should get it early next week.

From: Schemm, Doug [KDA]
Sent: Thursday, August 13, 2020 7:02 AM

To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: 50390 and 50391 GLO Farms 53

Hello Stafford,

Surface water pond and supplemental groundwater source. Both meet all the regulations.

No other permitted water rights in the area, however there are several nearby domestic wells.

The applicant's test hole borings stopped at 30 feet, not sure why. Sourcing the Wellington Formation.

Pretty limited rate and quantity on the groundwater application, I don't foresee any problems.

Please review,

Doug

Schemm, Doug [KDA]

From: Schemm, Doug [KDA]
Sent: Tuesday, July 28, 2020 4:52 PM
To: Vandepol, Elijah [KDA]
Subject: RE: Farm 53 Project - LSG-0631

Awesome! Thanks for the quick response.

From: Vandepol, Elijah [KDA]
Sent: Tuesday, July 28, 2020 4:48 PM
To: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Subject: RE: Farm 53 Project - LSG-0631

Thanks for sending this my way Doug. I'll spoke with Kimberly today and I'll be following up with her again tomorrow probably.

Have a good evening,
Elijah

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Tuesday, July 28, 2020 11:20 AM
To: Vandepol, Elijah [KDA] <Elijah.Vandepol@ks.gov>
Subject: FW: Farm 53 Project - LSG-0631

Hello Elijah,
I got a call from Kimberly Hobbie at (316) 262-0479 about the structure being built. Can you please give her a call to discuss it?
Her main questions were how do they manage the spillway discharge.
Have a great day,
Thanks, Doug

From: Michael Edwards [<mailto:michael@kemiller.com>]
Sent: Monday, July 6, 2020 8:58 AM
To: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Subject: RE: Farm 53 Project

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good Morning Doug,

Thanks for checking back. After talking with the owner we did decide to switch application 50391 to a Battery application. I have attached the following:

- A Well Location Map with Northing and Easting locations for the 3 proposed wells that will all be within 300' radius of each other.
- 2 Boring Logs for the nearest holes that were drilled during our geotechnical report
- A Neighbor list with all residential and commercial properties within a ½ mile radius.

As for application 50390, my client was wondering if we could get approval on that application and the permit from Water Structures, so we can begin construction on the pond portion of the project. The well approval (50391) isn't as pressing as they do not plan on installing those till the end of the project which will not be till the end of the year or next spring.

If you have any more questions or need anything else, just give me a call!

Thanks,

Michael Edwards, P.E.
KE Miller Engineering PA
117 E. Lewis, Wichita, KS 67202
ph# 316-264-0242

From: Schemm, Doug [KDA] [<mailto:Doug.Schemm@ks.gov>]
Sent: Monday, July 06, 2020 7:47 AM
To: Michael Edwards <michael@kemiller.com>
Subject: RE: Farm 53 Project

Hello Michael,

I was just following up on these applications, File Nos. 50390 and 50391. Last time we talked, I think you had decided to pursue a battery of four wells under File No. 50,391. Did you decide where you wanted that battery to be, and would there be any nearby well owners within ½ mile?

Have a great day,

Doug

From: Michael Edwards [<mailto:michael@kemiller.com>]
Sent: Monday, June 22, 2020 11:40 AM
To: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Subject: RE: Farm 53 Project

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Doug,

I'm just checking back on the status of this project from the Water Appropriation side. We filed our application a month or two ago, and are now just checking on the permits. The owner was hoping to start moving some dirt in July.

Let me know if you have any questions.

Thanks,

Michael Edwards, P.E.
KE Miller Engineering PA
117 E. Lewis, Wichita, KS 67202
ph# 316-264-0242

From: Vandepol, Elijah [KDA] [<mailto:Elijah.Vandepol@ks.gov>]
Sent: Wednesday, May 27, 2020 2:09 PM
To: Michael Edwards <michael@kemiller.com>
Subject: RE: Farm 53 Project

Michael,

I just wanted to touch base with you about the permit for the Farm 53 project. DWR has finished our review and will be issuing the permit once the water right is obtained. If you have any questions on the timeline of the water right approval please reach out to Doug Schemm. We'll be sure to get the permit sent out once we have the confirmation from Doug.

Best,

Elijah Vandepol

From: Michael Edwards <michael@kemiller.com>
Sent: Wednesday, May 13, 2020 3:35 PM
To: Vandepol, Elijah [KDA] <Elijah.Vandepol@ks.gov>
Subject: RE: Farm 53 Project

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Elijah,

I checking back on the status of this project. We filed applications for water appropriations a few weeks ago, and are now just checking on the permits. The owner was hoping to start moving some dirt in July.

Thanks,

Michael Edwards, P.E.
KE Miller Engineering PA
117 E. Lewis, Wichita, KS 67202
ph# 316-264-0242

From: Michael Edwards [<mailto:michael@kemiller.com>]
Sent: Tuesday, April 14, 2020 10:57 AM
To: 'Vandepol, Elijah [KDA]' <Elijah.Vandepol@ks.gov>
Subject: RE: Farm 53 Project

Elijah,

Thanks for checking in, we've been in contact with Doug Schemm and are working to finish out the water rights application, but having trouble getting a signature from the adjacent downstream land owner. They have been hard to get in contact with let alone get a signature from. As soon as we get that signature and turned back into Doug, I will let you know.

Thanks,

Michael Edwards, P.E.
KE Miller Engineering PA
117 E. Lewis, Wichita, KS 67202
ph# 316-264-0242

From: Vandepol, Elijah [KDA] [<mailto:Elijah.Vandepol@ks.gov>]
Sent: Tuesday, April 14, 2020 10:52 AM
To: michael@kemiller.com
Subject: Farm 53 Project

Hello Michael,

I'm writing in regards to the DWR floodplain fill permit that was required for the Farm 53 project. Before we can issue our permit, you'll need to contact either Doug Schemm doug.schemm@ks.gov, or Kristen Baum Kristen.baum@ks.gov, to fill out a water right application. If you have already gone through this process please let me know so I can check back on our end of things. Let me know if you have any questions.

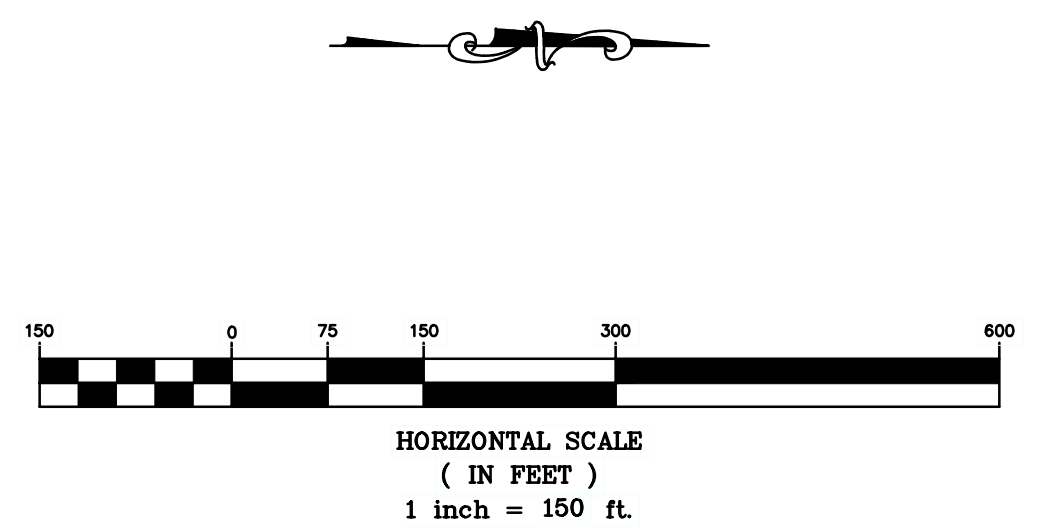
Thank you,

Elijah Vandepol
Water Structures Engineer
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
(785) 564-6649



Control Points			
Point #	Northing	Easting	Desc.
5	1718356.17	1696300.95	NE Cor., R5
6	1721004.53	1696269.37	SE Cor., 3/4" IP

Proposed Well Locations			
Point #	Northing	Easting	Desc.
1	1718936.54	1695989.61	Pond Recharge Well
2	1719221.02	1695893.46	Pond Recharge Well
3	1719515.69	1695848.30	Pond Recharge Well
4	1718377.79	1696195.39	Existing Well
	1718773.01	1696078.88	Bore Location 4
	1719797.42	1695924.62	Bore Location 5



Farm 53
Mass Grading / Well Locations
 Sedgewick County, KS

 117 E. Lewis, Wichita, KS 67202 (316)264-0242	PROJECT NUMBER			SHEET 1.0
	KEM NO. DESIGN ME	FILE DRAWN ME	DATE 06/2020 REVISED	

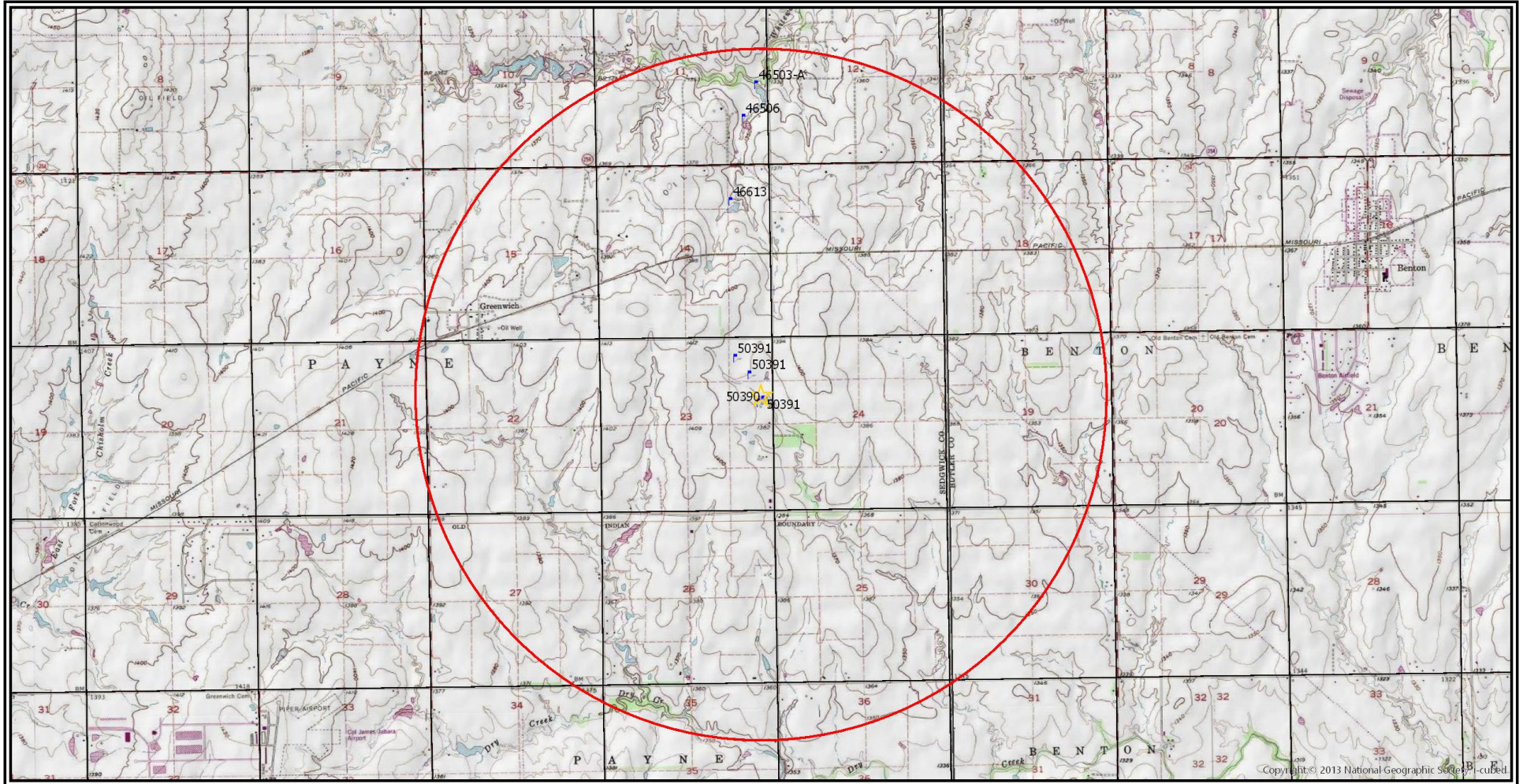
Safe Yield Report Sheet

Water Right- Proposed Point of Diversion

Point of Diversion in 23-26S-02E

Application, File No. 50,391

Footages from SE corner- 3,561 feet North 363 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 2,278.70 AF.
Total prior appropriations in the circle is 0.00 AF.
Total quantity of water available for appropriation is 2,278.70 AF.

Application File No. 50,391 - Requesting 27 AF
Meets Safe Yield
dws/dwr 8/12/20

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 3.4 inches.
The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 12-AUG-2020 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 is water right and point 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
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1 LOCATION OF WATER WELL
 County: SEDGWICK Fraction: NE 1/4 NE 1/4 SE 1/4 Section Number: 23 Township Number: T 26 S Range Number: R 2 E E/W
 Distance and direction from nearest town or city? _____ Street address of well if located within city? 4929 N. 143rd E., Wichita, Ks.

2 WATER WELL OWNER: Dwight Henry
 RR#, St. Address, Box #: 4929 N. 143rd St. E. Board of Agriculture, Division of Water Resources
 City, State, ZIP Code: Wichita, Ks. Application Number: _____

3 DEPTH OF COMPLETED WELL 82 ft. Bore Hole Diameter 1.1 in. to _____ ft., and _____ in. to _____ ft.
 Well Water to be used as:
 1 Domestic 3 Feedlot 5 Public water supply 8 Air conditioning 11 Injection well
 2 Irrigation 4 Industrial 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 7 Lawn and garden only 10 Observation well
 Well's static water level 5.5 ft. below land surface measured on _____ month 8 day 80 year
 Pump Test Data: Well water was _____ ft. after _____ hours pumping _____ gpm
 Est. Yield gpm: Well water was _____ ft. after _____ hours pumping _____ gpm

4 TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile Casing Joints: Glued Clamped _____
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded _____
 7 Fiberglass Threaded _____
 Blank casing dia 5 in. to 6.2 ft. Dia _____ in. to _____ ft. Dia _____ in. to _____ ft.
 Casing height above land surface 1.2 in., weight _____ lbs./ft. Wall thickness or gauge No. 200
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 10 Asbestos-cement 11 Other (specify) _____
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)
 Screen or Perforation Openings Are:
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut .06 11 None (open hole)
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes
 7 Torch cut 10 Other (specify) _____
 Screen-Perforation Dia 5 in. to 8.2 ft. Dia _____ in. to _____ ft. Dia _____ in. to _____ ft.
 Screen-Perforated Intervals: From 6.2 ft. to 8.2 ft., From _____ ft. to _____ ft.
 From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 Gravel Pack Intervals: From 1.4 ft. to 8.2 ft., From _____ ft. to _____ ft.
 From _____ ft. to _____ ft., From _____ ft. to _____ ft.

5 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other _____
 Grouted Intervals: From 40 ft. to 14 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Cess pool 7 Sewage lagoon 10 Fuel storage 14 Abandoned water well
 2 Sewer lines 5 Seepage pit 8 Feed yard 11 Fertilizer storage 15 Oil well/Gas well
 3 Lateral lines 6 Pit privy 9 Livestock pens 12 Insecticide storage 16 Other (specify below)
 13 Watertight sewer lines
 Direction from well Northwest How many feet 250? Water Well Disinfected? Yes No _____
 Was a chemical/bacteriological sample submitted to Department? Yes _____ No If yes, date sample
 was submitted _____ month _____ day _____ year Pump Installed? Yes _____ No
 If Yes: Pump Manufacturer's name _____ Model No. _____ HP _____ Volts _____
 Depth of Pump Intake _____ ft. Pumps Capacity rated at _____ gal./min.
 Type of pump: 1 Submersible 2 Turbine 3 Jet 4 Centrifugal 5 Reciprocating 6 Other _____

6 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was
 completed on _____ month 10 day 8 year 80
 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 236
 This Water Well Record was completed on _____ month 12 day 1980 year under the business
 name of Harp Well & Pump Serv., Inc. by (signature) M. Arnold

7 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	3	Topsoil			
3	9	Clay			
9	64	Brown Shale			
64	82	Grey Shale			

ELEVATION: _____

Depth(s) Groundwater Encountered 1. 80 ft. 2. _____ ft. 3. _____ ft. 4. _____ ft. (Use a second sheet if needed)

INSTRUCTIONS: Use typewriter or ball point pen, please press firmly and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Water Well Contractors, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY

T 26 S

R 2 E E/W

SEC 23

NE 1/4

NE 1/4

SE 1/4

BORING LOG No. B-4

BORING NO.	LOCATION OF BORING	ELEVATION	DATUM	DRILLER	LOGGER
B-4	See Boring Location Plan	--	--	J. Lear	D. Perry
WATER LEVEL OBSERVATIONS				TYPE OF SURFACE	DRILL RIG
WHILE DRILLING	END OF DRILLING	24 HOURS AFTER DRILLING	864 HOURS AFTER DRILLING	Bean Field	CME 45
N.E.	N.E.		25.7 ft.	3.25-inch Inside Diameter Hollow Stem Augers	30.0 ft.

DEP. FT.	SAMPLE DATA			SOIL DESCRIPTION			LABORATORY DATA			ELEV. FT.
	SAMPLE NO. & TYPE	"N" BLOWS (FT)	Pocket Pen. tsf	COLOR, CONSISTENCY, MOISTURE GEOLOGIC DESCRIPTION & OTHER REMARKS	USCS CLASS.	MC %	Dry Density pcf	q _u ksf		
			✓✓✓✓✓	6" TOPSOIL FAT CLAY - very dark grayish brown, very moist, very stiff, trace roots - dark grayish brown, else as above LL=65; PL=20; PI=45	CH	21.2			0.5'	
	S-1	18								
	S-2	27								
5										
	S-3	17		SHALE - olive to olive gray, decomposed, very soft rock, trace rust stains, trace iron nodules, trace calcium deposits, trace sand, trace fine to coarse gravel - olive to olive yellow, no gravel, else as above	CH	15.6			5.0'	
	S-4	18								
10										
	S-5	23								
15										
	S-6	25								
20										
	S-7	26								
25										
	S-8	38								
30										
35										
40										



4503 East 47th Street South
 Wichita, KS 67210
 316-554-0725

PROJECT: Farm 53
LOCATION: Wichita, Kansas
JOB NO.: 1973157
DATE: November 6, 2019

BORING LOG No. B-5

BORING NO.	LOCATION OF BORING	ELEVATION	DATUM	DRILLER	LOGGER
B-5	See Boring Location Plan	--	--	J. Lear	D. Perry
WATER LEVEL OBSERVATIONS				TYPE OF SURFACE	DRILL RIG
WHILE DRILLING	END OF DRILLING	24 HOURS AFTER DRILLING	864 HOURS AFTER DRILLING	Bean Field	CME 45
28.0 ft.	N.E.		29.4 ft.	3.25-inch Inside Diameter Hollow Stem Augers	30.0 ft.

DEP. FT.	SAMPLE DATA			SOIL DESCRIPTION			LABORATORY DATA			ELEV. FT.
	SAMPLE NO. & TYPE	"N" BLOWS (FT)	Pocket Pen. tsf	COLOR, CONSISTENCY, MOISTURE GEOLOGIC DESCRIPTION & OTHER REMARKS	USCS CLASS.	MC %	Dry Density pcf	q _u ksf		
				0.5'						
	S-1	6		6" TOPSOIL FAT CLAY - black, very moist, medium stiff, trace roots, trace rust stains		29.1				
	S-2	8		- very dark grayish brown, medium stiff to stiff, else as above	CH	30.1				
5				5.0'						
	S-3	20		SHALE - olive gray, decomposed, very soft rock, trace rust stains, trace iron nodules, trace calcium deposits, trace sand LL=51; PL=19; PI=32		19.8				
				- olive gray to olive, else as above						
10	S-4	21				14.7				
				- olive, else as above						
15	S-5	23								
				- olive to pale olive, else as above						
20	S-6	31								
				- olive gray, highly weathered, else as above						
25	S-7	18								
				- light gray, else as above						
30	S-8	33		30.0'						
35										
40										



4503 East 47th Street South
Wichita, KS 67210
316-554-0725

PROJECT: Farm 53
LOCATION: Wichita, Kansas
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**Farm 53 Project
1/2 Mile Neighbor List**

HENRY DWIGHT		4825 N 143RD ST E WICHITA, KS 67228
WEDEL TAYLOR B		5154 N 143RD ST E WICHITA, KS 67228
HOBBIE KIMBERLY A & KEVIN B		4940 N 143RD ST E WICHITA, KS 67228
HEINSOHN CHARLES O & R JANET TR		4950 N 143RD ST E WICHITA, KS 67228
RADER DAVID & KRISTA		4900 N 143RD ST E WICHITA, KS 67228
WHITE KATHERINE S REV TR		4850 N 143RD ST E WICHITA, KS 67228
TURNER DENNIS D & CATHY A		4846 N 143RD ST E WICHITA, KS 67228
O'HALLORAN JOHN TIMOTHY & JANET LEE TRUST		4802 N 143RD ST E WICHITA, KS 67228
SCHELTGEN MARK L & SHALEN		4808 N 143RD ST E WICHITA, KS 67228
PIPPIN ROBERT K & BETTY A		14631 E 53RD ST N BENTON, KS 67017
HOLDING DAVID P		14711 E 53RD ST N BENTON, KS 67017
STAFFORD MICHAEL B & RHONDA A		14807 E 53RD ST N BENTON, KS 67017
TIEKING SHAWN N & JODY A		14801 E 53RD ST N BENTON, KS 67017

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting 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. 50,391** of the applicant

**GLO FARMS 53 LLC
8111 E 32ND ST N #101
WICHITA KS 67226**

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 **April 29, 2020**.
2. That the water sought to be appropriated shall be used for recreational use at a reservoir located in the Northeast Quarter (NE $\frac{1}{4}$) of Section 23, in Township 26 South, Range 2 East, Sedgwick County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of three (3) wells with a geographic center located in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 23, more particularly described as being near a point 3,561 feet North and 363 feet West of the Southeast corner of said section, in Township 26 South, Range 2 East, Sedgwick 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 **300 gallons per minute** (0.67 c.f.s.) and to a quantity not to exceed **27 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, 2021**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$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 accompanied by the required statutory fee, which is currently \$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, 2025**, 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, which is currently \$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 an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance 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).

13. 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.

14. 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.

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.

18. That this permit is limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

19. That the applicant shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, within 30 days following the drilling of the wells at the location authorized herein.

20. That in the event the Chief Engineer is called to make a determination if a prior water right is being impaired due to the use of water herein authorized, the landowner may be required, at their expense, to install an observation well or wells at locations and depths specified by the Chief Engineer.

Ordered this 31 day of August, 2020, in Manhattan, Riley County, Kansas.

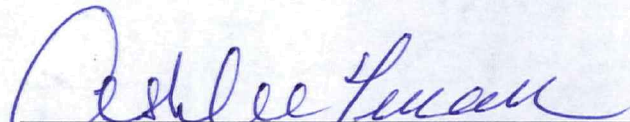


Lane P. Letourneau, P.G.
Program Manager
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 31 day of August, 2020, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.





Notary Public

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, Kansas 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, Kansas 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.

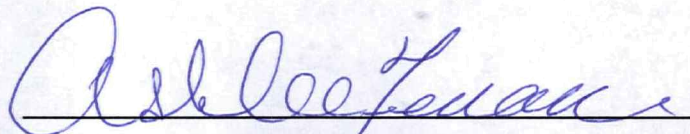
CERTIFICATE OF SERVICE

On this 1 day of September, 2020, I hereby certify that the foregoing Approval of Application, File No. 50,391, dated _____ was mailed postage prepaid, first class, US mail to the following:

GLO FARMS 53 LLC
8111 E 32ND ST N #101
WICHITA KS 67226

With photocopies to:

Stafford Field Office



Division of Water Resources

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



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

Mike Beam, Secretary

Laura Kelly, Governor

September 1, 2020

GLO FARMS 53 LLC
% GARY OBORNY
8111 E 32ND ST N #101
WICHITA KS 67226

RE: Appropriation of Water, File Nos. 50,390 and 50,391

Dear Mr. Oborny:

Enclosed are permits authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in these permits. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in these permits. Notice must be filed on the enclosed forms once the diversion works have been completed for each file. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of these permits. If you need an extension of time, you must request it before the deadline for completion set forth in these permits. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00 per file number.

Note that your water appropriations are junior in priority to all existing domestic uses in this area. As such, your use of water will not be allowed to impair senior water rights per K.A.R. 5-4-1. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. We are making you aware of this stipulation because the bedrock aquifer in this area is marginal, which increases the potential for impairing nearby wells. Additionally, if you irrigate over two acres of lawn and garden from the wells or the reservoir at this site, a separate irrigation permit will be required.

An acceptable water flowmeter must be installed on the diversion works authorized by permit File No. 50,391 prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year for each file number. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permits or rights may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your reports online at www.kswaterusereport.org.

The approval of your applications constitutes permits to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain Certificates of Appropriation which will establish the extent of your perfected water rights. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

KAB:dws
Enclosure(s)

pc: Stafford Field Office