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

1. File No.: **50751**	2. Status Change Date: **1/26/2024**	4. Field Office: **02 - Stafford** GMD: **02 - Equus Beds** Structures File No.: Filing/Priority Date: **03/23/2022**
3. Package File No(s):		

5a. ☒ Applicant ☒ Owner ☒ WUC ☐ Address Change — Person ID **28366** Add Seq# **1**

KENT T & SUSAN M WINTER
7359 N 215TH ST W
MOUNT HOPE, KS 67108

5b. ☐ Owner ☐ WUC ☐ Address Change — Person ID Add Seq#

5c. ☐ Owner ☐ WUC ☐ Address Change — Person ID Add Seq#

5d. ☐ Owner ☐ WUC ☐ Address Change — Person ID Add Seq#

6. Change No.: **---** ☐ PD ☐ PU ☐ UMW
Base Acres: **---** Year: **---** Min Reasonable Q: **---**
Previous UMW: **Not changing**
MDS Gauge: **---** Active Admin? ☐
Completion/Start Date: **12/31/2025** Perfection/Expiration Date: **12/31/2029**

7. Use of Water
☒ Groundwater ☐ Surface Water
UMW: **IRR-Irrigation**
UMW:
UMW:

8. Action Trail **---**

9. Special Conditions **---**

10. 5YR Allocation Type: Start Year: **---** 5YR Quantity: **---** Base Acres: **---**
Comment: **---**

11. Sand & Gravel Proj ID: **---** ☐ Active ☐ Dredge ☐ IND Evap ☐ Jr Evap ☐ Other Diversion ☐ Rpt on Sr

12. Waiver Rule ID: **---** ☐ New Date Requested: **---**
Applies: **---** Rule No.: **---**
Rule Type: **---**
Rule SubType: **---**
Justification: **---**

Comments	Processed **JNE** Reviewed **KAK 1/25/2024**	Entered 1/30/2024 KAnderson

File No. **50751**
Structures File No:

13. County: **SG** Basin: **33 - Arkansas River** Stream:
Aquifer Code: ~~180~~ 190 **Equus Beds** Special Use Area: **---** **---**

14. Points of Diversion, Rates & Quantities

	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Qty AF Auth	Qty AF Add	Rate gpm Auth	Rate gpm Add	Storage Qty Auth	Storage Qty Add	Storage Rate Auth/Add	Overlaps
MOD	**89387**	**NE SW NW**	**10**	**26S**	**3W**		**3590**	**4360**	**GEO CENTER**	**202.8**	**202.8**	**800**	**800**				
ENT	**90738**	**NE SW NW**	**10**	**26S**	**3W**	**11**	**3890**	**4360**	**NORTH WELL**								
ENT	**90739**	**NE SW NW**	**10**	**26S**	**3W**	**12**	**3310**	**4360**	**SOUTH WELL**								
ENT	**90740**	**NE SW NW**	**10**	**26S**	**3W**	**13**	**3590**	**4080**	**EAST WELL**								
ENT	**90741**	**NE SW NW**	**10**	**26S**	**3W**	**14**	**3590**	**4640**	**WEST WELL**								

BATT ID 2382

15. Limitations Type: Quantity: **AF** Rate: **gpm** combined with file no(s):
Type: Quantity: Rate: combined with file no(s):

16. Metering X Metering Required ☐ Anti-Reverse Required ☐ Seal Required Compliance Date: 12/31/2025

17. Place of Use

PDIV	S	T	R	ID	NE¼ NE	NE¼ NW	NE¼ SW	NE¼ SE	NW¼ NE	NW¼ NW	NW¼ SW	NW¼ SE	SW¼ NE	SW¼ NW	SW¼ SW	SW¼ SE	SE¼ NE	SE¼ NW	SE¼ SW	SE¼ SE	Total	Owner(s)	Chg?	Overlaps
CHK 58731	**10**	**26S**	**3W**	**7**					**39.0**	**38.0**	**39.0**	**40.0**									**156.0**	**5a**	☐	
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18. Point of Diversion and Place of Use Overlaps

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KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: December 13, 2023

FROM: Jessica Engelbrecht

RE: Application, File No. 50,751

Kent Winter has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 202.8 acre-feet, and a diversion rate of 800 gallons per minute. The geo-center of the proposed battery is to be located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 10, more particularly described as being near a point 3,590' North, 4,360' West of the Southeast corner of said section, in Township 26 South, Range 3 West, Sedgwick County, within the Arkansas River drainage basin. The proposed point of diversion in located within the boundaries of Equus Beds Groundwater Management District No. 2.

Nearby notification letters were mailed October 19, 2023. No correspondence of any kind was received. According to the WRIS database, the nearest non-domestic point of diversion (Water Right, File No. 46,891) is located 2,636 feet away. Based on the site map, the closest possible domestic well is approximately 1,000 feet away, from the proposed point of diversion to the property line. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-22-1 for well located within Equus Beds Groundwater Management District No. 2, the minimum well spacing should be 1.320 feet to all other non-domestic wells and 660 feet to domestic wells.

A driller's test log shows layers of topsoil from 0 to 5 feet, layers of clay, sand and gravel from 5 to 98 feet and sand, gravel and shale pieces from 98 to 100 feet. The driller's test log recorded a static water level of 34.15 feet which gives a saturated thickness of 65.85 feet.

The requested quantity of water, 202.8 acre-feet, is to irrigate the proposed 156 acres identified in the application. This comes out to 1.3 acre-feet per acre which is the maximum allowable of 1.3 acre-feet per acre for Sedgwick County, Kansas.

A copy of the application was submitted to Equus Beds Groundwater Management District No. 2 (GMD 2) on March 23, 2023. A recommendation for denial was received on May 16, 2023, stating the application did not comply with safe yield. The applicant worked with the Groundwater Management District No. 2 staff to move the geo-center of the wells to a location that would meet safe yield. The application was returned to us revised and a copy of the revision was submitted to GMD 2 on November 7, 2023. GMD 2 stated that the application complies with K.A.R. 5-22-1 through 5-22-14 and recommended approval of the application in a letter, received via email, on November 30, 2023.

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. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on January 24, 2024. Based on the above discussion, well spacing, and reduction of quantity to meet safe yield, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Engelbrecht, Jessica [KDA]

From:	Lanterman, Jeff
Sent:	Wednesday, January 24, 2024 2:43 PM
To:	Engelbrecht, Jessica [KDA]; Boese, Tim; Brad Barton
Cc:	Conant, Cameron [KDA]; Letourneau, Lane [KDA]; Baum, Kristen [KDA]; Jeff Winter
Subject:	RE: 50751 Kent Winter application.
Attachments:	324174.pdf; 409760.pdf; 65755.pdf; 503276.pdf; 307514.pdf; 379230.pdf; SafeYieldReport_KentWinter.docx; 50751 New App Approval Recommendation 11-27-23.pdf
Importance:	High
Follow Up Flag:	Follow up
Flag Status:	Flagged

Jessica;

I put way too much time reviewing this file but I am going to go ahead and recommend approval on this one as I don't see current problems with water levels in the area. But I would like to really maybe advise that we refine how we do stuff like this for the future in this area.

Tim and Brad;

I would really like to request looking very closely at how we do safe yield in this expansion area going forward. I looked at quite a few of the well logs west- southwest of Andale in the 2 mile circle and it appears that there probably isn't much additional alluvium or HPA there. (Which is probably why there are no big wells over that way) I think a lot of domestic wells there are getting a lot or all of their water from the Wellington bedrock aquifer. This would allow us to pack applications out east more while people in the western part of the circle cant get a well because they don't have aquifer. I noticed this application initially didn't meet SY which is probably why they were able to scoot the well SW and meet SY. Probably also why he had to go from a single well to a battery of 4 wells when he revised the application further SW.

Sadly I didn't see much in water levels in the area except one COOP well. Maybe GMD has some that I don't know about. I didn't see where they reviewed water levels in their recommendation.

I didn't look at this with the scrutiny it deserves to try to cut out NON HPA/ Alluvial areas but I attached a DWR SY like what I would envision future safe yields may look like in the area. It shows it may be pretty heavily over appropriated which in a fringe area like this one is not great.

If you would want to revisit this one with this information in mind let us know and we can wait for a revised version of your staff review. Just let us know for sure. Would approval of this one to set an improper precedence in this area that would then govern how you do all safe yields in this area? Maybe a good board discussion topic since this is a new area, so I copied Jeff Winter to see if he thought so as well.

Thanks

Jeff Lanterman PG, Water Commissioner
Kansas Department of Agriculture
Division of Water Resources
(620)234-5311
jeff.lanterman@ks.gov
https://agriculture.ks.gov/divisions-programs/dwr

From: Engelbrecht, Jessica [KDA] <Jessica.Engelbrecht@ks.gov>
Sent: Thursday, December 14, 2023 8:18 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: 50751 Memo
Importance: High

Jeff – attached is the memo for 50751. This is a irrigation app for a battery of wells in GMD 2.
The application was originally recommended for denial by GMD 2 because it didn't meet safe yield.
The applicant appealed and moved the location of the geo-center. The application was resubmitted and recommended for approval.

Jessica

Water Well Record Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL:	FRACTION	Section Number	Township Number	Range Number
Sedgwick	SE 1/4 NE 1/4 SE 1/4	8	T 26 S	R 3W E/W

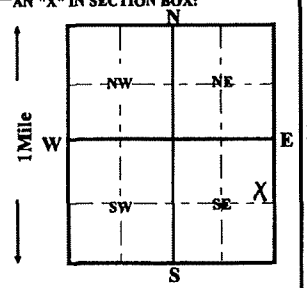
Distance and direction from nearest town or city street address of well if located within city?

6421 N. 279th W. Andale, Kansas

WATER WELL OWNER: VOGELI, Joe
RR#, ST. ADRESS, BOX #: 6421 N. 279th W.
CITY, STATE, ZIP CODE: Andale, Kansas

Board of Agriculture, Division of Water Resource
Application Number:

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



4 DEPTH OF COMPLETED WELL 97 ft. ELEVATION:
Depth(s) groundwater Encountered 1 ft. 2 ft. 3 ft.
WELL'S STATIC WATER LEVEL 24 FT. BELOW LAND SURFACE MEASURED ON mo/day/yr 10-02-2001
Pump test data: Well water was ft. after hours pumping gpm
Est. Yield gpm: Well water was ft. after hours pumping gpm
Bore Hole Diameter 12 in. to 97 ft. and in. to ft.
WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well
Was a chemical/bacteriological sample submitted to Department? Yes No X ; If yes, mo/day/yr sample was submitted
Water Well Disinfected? Yes X No

5 TYPE OF CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued X Clamped
1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (Specify below) Welded
2 PVC 4 ABS 7 Fiberglass SDR-26 Threaded
Blank casing Diameter 5 in. to 50 ft., Dia in. to ft., Dia in. to ft.
Casing height above land surface 12 in., weight 2.35 lbs./ft. Wall thickness or gauge No. .214

TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC 10 Asbestos-cement
1 Steel 3 Stainless Steel 5 Fiberglass 8 RMP (SR) 11 other (specify)
2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)

SCREEN OR PERFORATION OPENING ARE: 5 Gauzed wrapped 8 Saw cut 11 None (open hole)
1 Continous slot 3 Mill slot 6 Wire wrapped 9 Drilled holes
2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify)

SCREEN-PERFORATION INTERVALS: from 50 ft. to 97 ft., From ft. to ft.
from ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: from 50 ft. to 97 ft., From ft. to ft.
from 24 ft. to 48 ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other bentonite hole plug
Grout Intervals: From 4 ft. to 24 ft. From ft. to ft. From 48 ft. to 50 ft.
What is the nearest source of possible contamination:
1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandon water well
2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
13 Insecticide storage
Direction from well? North How many feet? 200

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	3	topsoil			
3	24	clay			
24	97	grey shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 10-02-2001 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 (mo/day/yr) 10-3-2001
Under the business name of Harp Well & Pump Service, Inc by (signature) Todd S. Harp

WATER WELL RECORD Form WWC-5

Division of Water Resources; App. No.

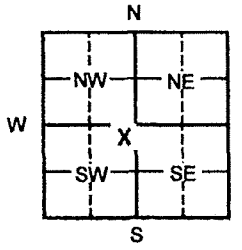
1 LOCATION OF WATER WELL: County: Sedgwick | Fraction: ne ¼ ne ¼ sw ¼ | Section Number: 15 | Township Number: T 26s S | Range Number: R 3w E/W

Distance and direction from nearest town or city street address of well if located within city?

Global Positioning System (decimal degrees, min. of 4 digits)
Latitude:
Longitude:
Elevation:
Datum:
Data Collection Method:

2 WATER WELL OWNER: Vision Homes
RR#, St. Address, Box # : PO Box 224
City, State, ZIP Code : Colwich, Ks 67030

3 LOCATE WELL'S LOCATON WITH AN "X" IN SECTION BOX:



4 DEPTH OF COMPLETED WELL 75 ft.

Depth(s) Groundwater Encountered 1 ____ ft. 2 ____ ft. 3 ____ ft.
WELL'S STATIC WATER LEVEL 22 ft. below land surface measured on mo/day/yr ____
Pump test data: Well water was ____ ft. after ____ hours pumping ____ gpm
Est. Yield 25 gpm: Well water was ____ ft. after ____ hours pumping ____ gpm
WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
1 Domestic 3 Feed lot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
2 Irrigation 4 Industrial (7) Domestic (lawn & garden) 10 Monitoring well ____

Was a chemical/bacteriological sample submitted to Department? Yes ____ No x ; If yes, mo/day/yrs
Sample was submitted ____ Water Well Disinfected? Yes x No ____

5 TYPE OF CASING USED: 5 Wrought Iron 8 Concrete tile CASING JOINTS: Glued x Clamped ____
1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded ____
(2) PVC 4 ABS 7 Fiberglass ____ Threaded ____
Blank casing diameter 5 in. to 35 ft., Dia ____ in. to ____ ft., Dia ____ in. to ____ ft.
Casing height above land surface 12 in., Weight 2.40 lbs./ft. Wall thickness or gauge No. 160psi

TYPE OF SCREEN OR PERFORATION MATERIAL:
1 Steel 3 Stainless steel 5 Fiberglass (7) PVC 9 ABS 11 Other (specify) ____
2 Brass 4 Galvanized steel 6 Concrete tile 8 RM (SR) 10 Asbestos-Cement 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
1 Continuous slot (3) Mill slot 5 Guaze wrapped 7 Torch cut 9 Drilled holes 11 None (open hole)
2 Louvered shutter 4 Key punched 6 Wire wrapped 8 Saw Cut 10 Other (specify) ____

SCREEN-PERFORATED INTERVALS: From 35 ft. to 75 ft. From ____ ft. to ____ ft.
From ____ ft. to ____ ft. From ____ ft. to ____ ft.
GRAVEL PACK INTERVALS: From 22 ft. to 75 ft. From ____ ft. to ____ ft.
From ____ ft. to ____ ft. From ____ ft. to ____ ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout (3) Bentonite 4 Other ____
Grout Intervals From 3 ft. to 22 ft. From ____ ft. to ____ ft. From ____ ft. to ____ ft.

What is the nearest source of possible contamination:
1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 13 Insecticide Storage 16 Other (specify below)
(2) Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 14 Abandoned water well
3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 15 Oil well/ gas well
Direction from well? North How many feet? 18

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	3	Top soil			
3	30	Clay			
30	40	Med sand			
40	75	Blue shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 8-19-07 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 740. This Water Well Record was ~~completed on (mo/day/year)~~ 9-10-07 under the business name of Weninger Drilling Inc. by (signature) ____.

INSTRUCTIONS: Please fill in blanks or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of $5.00 for each constructed well. Visit us at http://www.kdheks.gov/waterwell.

KSA 82a-1212

WATER WELL RECORD Form WWC-5 KSA 82a-1212

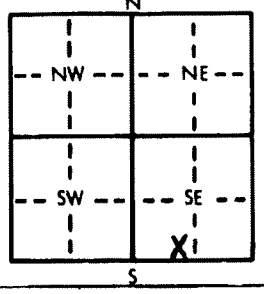
1 LOCATION OF WATER WELL: County: Sedgwick | Fraction: SE¼ SW¼ SE¼ | Section Number: 8 | Township Number: T 26 S | Range Number: R 3 (W)

Distance and direction from nearest town or city street address of well if located within city? 23 miles West Andale KS.

2 WATER WELL OWNER: Jim Lies
RR#, St. Address, Box # : RR #1
City, State, ZIP Code : Andale KS 67001

Board of Agriculture, Division of Water Resources Application Number:

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



4 DEPTH OF COMPLETED WELL 77 ft. ELEVATION:
Depth(s) Groundwater Encountered 1. 70 ft. 2. ft. 3. ft.
WELL'S STATIC WATER LEVEL 20 ft. below land surface measured on mo/day/yr 1-27-88
Pump test data: Well water was 24 ft. after 1/2 hours pumping 20 gpm
Est. Yield 20-30 gpm: Well water was ft. after hours pumping gpm
Bore Hole Diameter 11 in. to 77 ft., and in. to ft.
WELL WATER TO BE USED AS: (1) Domestic 2 Irrigation 3 Feedlot 4 Industrial 5 Public water supply 6 Oil field water supply 7 Lawn and garden only 8 Air conditioning 9 Dewatering 10 Observation well 11 Injection well 12 Other (Specify below)
Was a chemical/bacteriological sample submitted to Department? Yes No X; If yes, mo/day/yr sample was submitted
Water Well Disinfected? Yes X No

5 TYPE OF BLANK CASING USED: (3) RMP (SR) 1 Steel 2 PVC 4 ABS 5 Wrought iron 6 Asbestos-Cement 7 Fiberglass 8 Concrete tile 9 Other (specify below)
CASING JOINTS: Glued X Clamped Welded Threaded
Blank casing diameter 5 in. to 57 ft., Dia in. to ft., Dia in. to ft.
Casing height above land surface 12 in., weight 1.59 lbs./ft. Wall thickness or gauge No. SDR-26

TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel 2 Brass 3 Stainless steel 4 Galvanized steel 5 Fiberglass 6 Concrete tile (8) RMP (SR) 7 PVC 9 ABS 10 Asbestos-cement 11 Other (specify) 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous slot (3) Mill slot 2 Louvered shutter 4 Key punched 5 Gauzed wrapped 6 Wire wrapped 7 Torch cut 8 Saw cut 9 Drilled holes 10 Other (specify) 11 None (open hole)

SCREEN-PERFORATED INTERVALS: From 57 ft. to 77 ft., From ft. to ft.
From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 23 ft. to 77 ft., From ft. to ft.
From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement (2) Cement grout 3 Bentonite 4 Other
Grout Intervals: From 3 ft. to 23 ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination: 1 Septic tank 2 Sewer lines 3 Watertight sewer lines 4 Lateral lines 5 Cess pool 6 Seepage pit 7 Pit privy (8) Sewage lagoon 9 Feedyard 10 Livestock pens 11 Fuel storage 12 Fertilizer storage 13 Insecticide storage 14 Abandoned water well 15 Oil well/Gas well 16 Other (specify below)
Direction from well? NW How many feet? 175

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	2	Top Soil			
2	57	Red clay.			
57	77	Charcoal Shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 1-23-88 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 318 This Water Well Record was completed on (mo/day/yr) 1-28-88 under the business name of Wenninger Drilling by (signature)

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, Bureau of Water Protection, Topeka, Kansas 66620-7320, Telephone: 913-862-9360. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY T R E/W SEC. ¼ ¼ ¼

WATER WELL RECORD Form WWC-5 KSA 82a-1212 ID No.

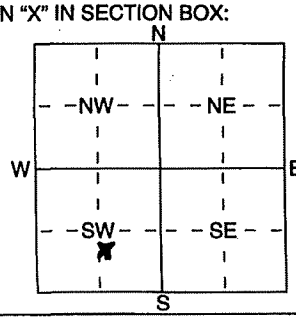
1 LOCATION OF WATER WELL: County: Sedgwick | Fraction: NW ¼ SE ¼ SW ¼ | Section Number: 9 | Township Number: T 26 S | Range Number: R 3 E/W

Distance and direction from nearest town or city street address of well if located within city?
From Andale, KS; 2 miles West

2 WATER WELL OWNER: Stan + Suzie Eagles
RR#, St. Address, Box # : 6240 Busy Bee Ln.
City, State, ZIP Code : Mt. Hope, KS 67108

Board of Agriculture, Division of Water Resources Application Number:

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



4 DEPTH OF COMPLETED WELL 90 ft. ELEVATION:
Depth(s) Groundwater Encountered 1 15 ft. 2 ft. 3 ft.
WELL'S STATIC WATER LEVEL 15 ft. below land surface measured on mo/day/yr 11-20-05
Pump test data: Well water was ft. after hours pumping gpm
Est. Yield 20 gpm: Well water was ft. after hours pumping gpm
WELL WATER TO BE USED AS: 1 Domestic 2 Irrigation 3 Feedlot 4 Industrial 5 Public water supply 6 Oil field water supply 7 Domestic (lawn & garden) 8 Air conditioning 9 Dewatering 10 Monitoring well 11 Injection well 12 Other (Specify below)
Was a chemical/bacteriological sample submitted to Department? Yes No X; If yes, mo/day/yrs sample was submitted
Water Well Disinfected? Yes X No

5 TYPE OF BLANK CASING USED: 1 Steel 2 PVC 3 RMP (SR) 4 ABS 5 Wrought iron 6 Asbestos-Cement 7 Fiberglass 8 Concrete tile 9 Other (specify below)
CASING JOINTS: Glued X Clamped Welded Threaded
Blank casing diameter 5 in. to 50 ft., Dia in. to ft., Dia in. to ft.
Casing height above land surface 12 in., weight 2.5 lbs./ft. Wall thickness or guage No. SDR 26
TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel 2 Brass 3 Stainless Steel 4 Galvanized Steel 5 Fiberglass 6 Concrete tile 2 PVC 8 RMP (SR) 9 ABS 10 Asbestos-Cement 11 Other (Specify) 12 None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous slot 2 Louvered shutter 3 Mill slot 4 Key punched 5 Guazed wrapped 6 Wire wrapped 7 Torch cut 2 Saw cut 9 Drilled holes 10 Other (specify) 11 None (open hole)
SCREEN-PERFORATED INTERVALS: From 50 ft. to 90 ft., From ft. to ft.
From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 20 ft. to 90 ft., From ft. to ft.
From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other
Grout Intervals: From 3 ft. to 20 ft., From ft. to ft., From ft. to ft.
What is the nearest source of possible contamination: 1 Septic tank 2 Sewer lines 3 Watertight sewer lines 4 Lateral lines 5 Cess pool 6 Seepage pit 7 Pit privy 8 Sewage lagoon 9 Feedyard 10 Livestock pens 11 Fuel storage 12 Fertilizer storage 13 Insecticide storage 14 Abandoned water well 15 Oil well/Gas well 16 Other (specify below)
Direction from well? NE How many feet? 60

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	3	Topsoil			
3	50	Red Clay			
50	90	Grey to Green Shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 11-15-05 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's Licence No 238 This Water Well Record was completed on (mo/day/yr) 11-21-05
under the business name of Wenger Irrigation by (signature)

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, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of $5.00 for each constructed well.

Water Well Record Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL:	FRACTION	Section Number	Township Number	Range Number
Sedgwick	NW 1/4 SW 1/4 SE 1/4	9	T 26 S	R 3W E/W

Distance and direction from nearest town or city street address of well if located within city?

1/2 West of 263rd West & 1/4 North of 61st Andale, Kansas

WATER WELL OWNER: ANDALE HIGH SCHOOL

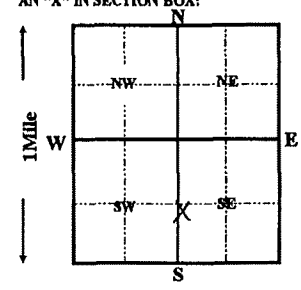
RR#, ST. ADRESS, BOX #: 5th Avenue

CITY, STATE, ZIP CODE: Andale, Kansas

Board of Agriculture, Division of Water Resource

Application Number:

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



4 DEPTH OF COMPLETED WELL 60 ft. ELEVATION:

Depth(s) groundwater Encountered 1 ft. 2 ft. 3 ft.

WELL'S STATIC WATER LEVEL 32.5 FT. BELOW LAND SURFACE MEASURED ON mo/day/yr 08/16/1999

Pump test data: Well water was ft. after hours pumping gpm

Est. Yield gpm: Well water was ft. after hours pumping gpm

Bore Hole Diameter 16 in. to 60 ft. and in. to ft.

WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well

1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)

2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well

Was a chemical/bacteriological sample submitted to Department? Yes No X ; If yes, mo/day/yr sample was submitted

Water Well Disinfected? Yes X No

5 TYPE OF CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued X Clamped

1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (Specify below) Welded

2 PVC 4 ABS 7 Fiberglass SDR-26 Threaded

Blank casing Diameter 8 in. to 40 ft., Dia in. to ft., Dia in. to ft.

Casing height above land surface 18 in., weight 5.52 lbs. / ft. Wall thickness or gauge No. .332

TYPE OF SCREEN OR PERFORATION MATERIAL:

1 Steel 3 Stainless Steel 5 Fiberglass 7 PVC 10 Asbestos-cement

2 Brass 4 Galvanized steel 6 Concrete tile 8 RMP (SR) 11 other (specify)

9 ABS 12 None used (open hole)

SCREEN OR PERFORATION OPENING ARE:

1 Continous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 None (open hole)

2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes

7 Torch cut 10 Other (specify)

SCREEN-PERFORATION INTERVALS: from 40 ft. to 60 ft., From ft. to ft.

from ft. to ft., From ft. to ft.

GRAVEL PACK INTERVALS: from 27 ft. to 60 ft., From ft. to ft.

from ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other bentonite hole plug

Grout Intervals: From ft. to ft. From ft. to ft. From 4 ft. to 27 ft.

What is the nearest source of possible contamination:

1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandon water well

2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well

3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)

13 Insecticide storage None Apparent

Direction from well? How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	3	topsoil			
3	27	clay			
27	33	sandy clay			
33	41	fine sand			
41	53	medium sand			
53	60	grey shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 08/16/1999 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 (mo/day/yr) 08/18/99

Under the business name of Harp Well & Pump Service, Inc by (signature) Todd S. Harp

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: SEDGWICK | Fraction: SE¼ SW¼ SE¼ NW¼ | Section Number: 16 | Township Number: T 26 S | Range Number: R 3 ☐E ■W

2 WELL OWNER: Last Name: First:
Business: LIES-BUGNER CONSTRUCTION, LLC
Address: 1339 S BEBE, SUITE B
Address:
City: WICHITA State: KS ZIP: 67209

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: ☐
27400 W 53RD ST N
ANDALE, KS 67001

3 LOCATE WELL WITH "X" IN SECTION BOX:
N / W / E / S; NW, NE, SW, SE; X in SE
|-------1 mile-------|

4 DEPTH OF COMPLETED WELL: 97 ft.
Depth(s) Groundwater Encountered: 1) 38 ft. 2) ..... ft. 3) ..... ft., or 4) ☐ Dry Well
WELL'S STATIC WATER LEVEL: 33 ft.
■ below land surface, measured on (mo-day-yr) 03/09/2016
☐ above land surface, measured on (mo-day-yr) .....
Pump test data: Well water was ..... ft. after ..... hours pumping ..... gpm
Well water was ..... ft. after ..... hours pumping ..... gpm
Estimated Yield: ..... gpm
Bore Hole Diameter: 9.5 in. to 97 ft. and ..... in. to ..... ft.

5 Latitude: ..... (decimal degrees)
Longitude: ..... (decimal degrees)
Horizontal Datum: ☐ WGS 84 ☐ NAD 83 ☐ NAD 27
Source for Latitude/Longitude:
☐ GPS (unit make/model: .....) (WAAS enabled? ☐ Yes ☐ No)
☐ Land Survey ☐ Topographic Map
☐ Online Mapper: .....

6 Elevation: ..... ft. ☐ Ground Level ☐ TOC
Source: ☐ Land Survey ☐ GPS ☐ Topographic Map ☐ Other .....

7 WELL WATER TO BE USED AS:
1. Domestic: ☐ Household ■ Lawn & Garden ☐ Livestock
2. ☐ Irrigation
3. ☐ Feedlot
4. ☐ Industrial
5. ☐ Public Water Supply: well ID .....
6. ☐ Dewatering: how many wells? .....
7. ☐ Aquifer Recharge: well ID .....
8. ☐ Monitoring: well ID .....
9. Environmental Remediation: well ID ..... ☐ Air Sparge ☐ Soil Vapor Extraction ☐ Recovery ☐ Injection
10. ☐ Oil Field Water Supply: lease .....
11. Test Hole: well ID ..... ☐ Cased ☐ Uncased ☐ Geotechnical
12. Geothermal: how many bores? ..... a) Closed Loop ☐ Horizontal ☐ Vertical b) Open Loop ☐ Surface Discharge ☐ Inj. of Water
13. ☐ 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 5 in. to 97 ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.
Casing height above land surface 12 in. Weight ..... lbs./ft. Wall thickness or gauge No. SDR-26

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 60 ft. to 97 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.
GRAVEL PACK INTERVALS: From 23 ft. to 97 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

9 GROUT MATERIAL: ☐ Neat cement ☐ Cement grout ■ Bentonite ☐ Other .....
Grout Intervals: From 3 ft. to 23 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

Nearest source of possible contamination:
☐ Septic Tank ☐ Lateral Lines ☐ Pit Privy ☐ Livestock Pens ☐ Insecticide Storage
☐ Sewer Lines ☐ Cess Pool ☐ Sewage Lagoon ☐ Fuel Storage ☐ Abandoned Water Well
☐ Watertight Sewer Lines ☐ Seepage Pit ☐ Feedyard ☐ Fertilizer Storage ☐ Oil Well/Gas Well
☐ Other (Specify) .....
Direction from well? ..... Distance from well? ..... ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	1	TOP SOIL			
1	15	CLAY			
15	38	SAND SOIL			
38	60	CLAY			
60	70	MIX SAND			
70	73	CLAY			
73	97	SHALE			

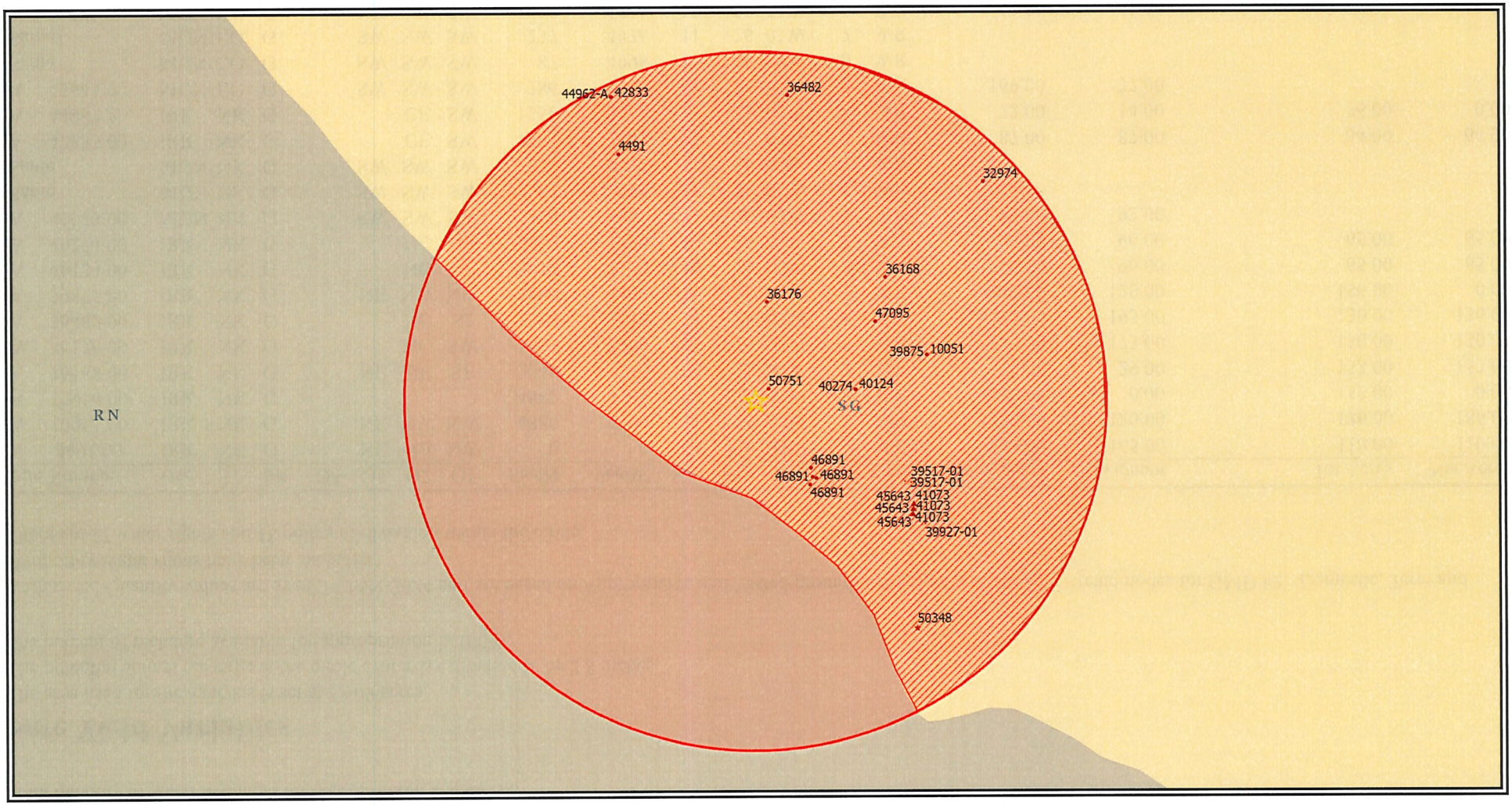
Notes:

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) 03/09/2016 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 884 This Water Well Record was completed on (mo-day-year) 04/05/2016 under the business name of WENINGER DRILLING, LLC Signature Sara Weninger

Mail 1 white copy along with a fee of $5.00 for each constructed well to: Kansas Department of Health and Environment, Bureau of Water, GWTS Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Mail one to Water Well Owner and retain one for your records. Telephone 785-296-5524.

Visit us at http://www.kdheks.gov/waterwell/index.html KSA 82a-1212 **Revised 7/10/2015**

Safe Yield Report Sheet
Water Right- Proposed Point of Diversion
Point of Diversion in 10-26S-03W
Footages from SE corner- 3,590 feet North 4,360 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 1,262.09 AF.
Total prior appropriations in the circle is 1,614.00 AF.
Total quantity of water available for appropriation is 0.00 AF.

Safe Yield Variables

The area used for the analysis is set at 5,409 acres.
The potential annual recharge at the circle center is estimated to be 2.8 inches.
The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 24-JAN-2024 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 17 water rights and 18 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 4491 00	IRR	NK	G		NE	NE	NW	0	0	04	26	03W	1	WR	165.00	165.00	110.00	110.00
A 10051 00	IRR	NK	G		NE	NW	NW	4880	4400	11	26	03W	1	WR	120.00	120.00	186.00	186.00
A 32974 00	IRR	NK	G					4882	2705	02	26	03W	2	WR	120.00	0.00	153.00	0.00
A 36168 00	IRR	NK	G		NE	NE	SE	2040	340	03	26	03W	2	WR	29.00	29.00	153.00	153.00
A 36176 00	IRR	NK	G			NC	SW	1300	3980	03	26	03W	3	WR	173.00	173.00	130.00	130.00
A 36482 00	IRR	NK	G			NC	S2	1320	2640	34	25	03W	1	WR	195.00	195.00	130.00	130.00
A 39875 00	IRR	NK	G		NE	NW	NW	4880	4400	11	26	03W	1	WR	120.00	120.00	186.00	0.00
A 40124 00	IRR	NK	G			NC	NE	3910	1320	10	26	03W	2	WR	96.00	96.00	65.00	65.00
A 40274 00	IRR	NK	G			NC	NE	3910	1320	10	26	03W	2	WR	96.00	96.00	65.00	65.00
A 41073 00	MUN	NK	G		SW	SW	SW	386	4962	11	26	03W	4	WR	92.00	92.00		
Same	MUN	NK	G		SW	SW	SW	87	4995	11	26	03W	5	WR				
Same	MUN	NK	G		SW	SW	SW	237	4976	11	26	03W	7	WR				
A 42833 00	IRR	NK	G			CE	SW	1356	2662	33	25	03W	3	WR	87.00	87.00	64.00	64.00
A 44962 A	IRR	NK	G			CE	SW	1356	2662	33	25	03W	3	WR	72.00	14.00	76.00	0.00
A 45643 00	MUN	LO	G		SW	SW	SW	386	4962	11	26	03W	4	WR	169.00	77.00		
Same	MUN	LO	G		SW	SW	SW	87	4995	11	26	03W	5	WR				
Same	MUN	LO	G		SW	SW	SW	237	4976	11	26	03W	7	WR				
A 46891 00	IRR	NK	G		NE	SE	SW	1029	2737	10	26	03W	6	WR	52.00	52.00	18.00	18.00
Same	IRR	NK	G		SE	NE	SW	1543	2702	10	26	03W	7	WR				
Same	IRR	NK	G		NW	SW	SE	1229	2538	10	26	03W	8	WR				
Same	IRR	NK	G		NE	SE	SW	1267	2659	10	26	03W	9	WR				
A 47095 00	IRR	NK	G		NC	SE	SE	660	675	03	26	03W	6	WR	100.00	80.00	153.00	0.00
A 50348 00	IND	GY	G		SW	NW	SW	1955	4915	14	26	03W	4	WR	15.00	15.00		
A 50751 00	IRR	AY	G				NW	3960	3960	10	26	03W	10	WR	203.00	203.00	156.00	156.00

Limitations

File Number	Seq Num	Limitations
A 32974 00	2	230AF/YR @1775GPM COM/W #12312
A 39875 00	1	1265GPM COM/W #10051
A 40274 00	1	850GPM COM/W #40124
A 44962 A	2	72AF/YR COM/W #13319
Same	3	790GPM COM/W #42833
A 45643 00	1	55.23MGY @ 400GPM COM/W #41073
A 47095 00	1	109 AF/YR COM/W #36168

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., 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. 50,751** of the applicant

KENT T WINTER
7359 NORTH 215TH STREET WEST
MOUNT HOPE, KS 67108

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 **March 23, 2022**.

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 - 26S - 3W					39	38	39	40									156

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells with a geographical center located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE¼ SW¼ NW¼) of Section 10, more particularly described as being near a point 3,590 feet North and 4,360 feet West of the Southeast corner of said section, in Township 26 South, Range 3 West, Sedgwick County, Kansas, located substantially as shown on the aerial photograph accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **202.8 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, 2025,** 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, 2029**, 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 Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The 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 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.

17. That this permit is further limited such that all four (4) wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, shall be limited to a total maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and shall supply water to a common distribution system.

18. 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.

Ordered this 26th day of January, 2024, in Manhattan, Riley County, Kansas.

Earl D. Lewis Jr., P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 26 day of January, 2024, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

Notary Public

STATE OF KANSAS NOTARY PUBLIC
TONY JAY CONNORS
My Appointment Expires
May 18, 2027

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

Kansas
Department of Agriculture

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

Mike Beam, Secretary

Laura Kelly, Governor

January 31, 2024

KENT WINTER
7359 N 215TH ST W
MOUNT HOPE KS 67108

RE: Appropriation of Water
File No. 50,751

Dear Mr. Winter:

There is enclosed a permit to appropriate water authorizing you to proceed with 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 originally 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 an 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 will establish the extent of your water right. Additional information and applicable forms may be found on our website at: *agriculture.ks.gov/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

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:kak:jne
Enclosures
pc: Stafford Field Office
Equus Beds GMD No. 2

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 request an evidentiary hearing before the Chief Engineer, or 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 Division, 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 review 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 31 day of January, 2024, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,751, dated January 26, 2024, was mailed postage prepaid, first class, US mail to the following:

KENT T & SUSAN M WINTER
7359 N 215TH ST W
MOUNT HOPE KS 67108

With photocopies to:

KDA-DWR Stafford Field Office

Equus Beds GMD No. 2

Division of Water Resources