

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,576</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">2/17/2017</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">03</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
5. Status: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied by DWR /GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input type="checkbox"/> Check Valve <input type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID <u>17990</u> New to system <input type="checkbox"/> Add Seq# _____</p> <p>JOHN T TIBBITS 1575 NUGGET RD MINNEAPOLIS KS 67467</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="padding-left: 40px;"><input type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: _____ 11. Perfection Date: _____ 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 1/31/2017 By: DWS Date Entered: 2/20/2017 By: UM</p>			

File No. **49,576** 15. Formation Code: Drainage Basin: County: Special Use: Stream:

16. Points of Diversion									
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	
DEL	85089	NW	8	11	3W	4	3960	3960	

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
				NONE

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

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

20. Meter Required? Yes No To be installed by _____ Date Acceptable Meter Installed _____

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? no	Overlap Files	
T MOD DEL ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
DEL	67614	8	11	3W	4																			7a.	No	NONE	

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files
FROM: Doug Schemm

DATE: January 31, 2017
RE: Application, File No. 49,576

John Tibbits filed the referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 172 acre-feet of groundwater for irrigation use. The proposed point of diversion is a battery of three wells with a geographic center located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW¼ NE¼ NW¼) of Section 8, more particularly described as being near a point 4,413 feet North and 3,867 feet West of the Southeast corner of said section, in Township 11 South, Range 3 West, Ottawa County, Kansas.

The source of water for this pending application is the unconfined Dakota aquifer system based on the test hole log that was submitted with the application. Per K.A.R. 5-3-11(d)(1), the safe yield area of consideration represents the portion of the two-mile circle located within the limit of the unconfined aquifer expressed in acres (8,042 acres for this file). Calculated recharge is 2.7 inches, and for hydrologic units within the Solomon River Basin, 75 percent of the calculated recharge can be considered to be available for appropriation. The safe yield determination is summarized below.

Safe Yield = Area of Consideration x potential annual recharge x percent of recharge available

8,042 acres x 2.7 inches x 75% =	16,285.1 acre-inches / 12 =	1,357.1 acre-feet
Prior Appropriations within the area of consideration =		1,382.1 acre-feet
Total quantity of water available =		<u>0 acre-feet</u>

The applicant was sent a letter on January 13, 2017 explaining the safe yield evaluation, and stating that it would be recommended to the Chief Engineer that pending application, File No. 49,576 be denied and dismissed due to the failure to meet safe yield criteria per K.A.R. 5-3-11. The applicant was provided 15 days until February 2, 2017 to respond. The applicant was notified that the denial letter was forthcoming during a January 13, 2017 telephone discussion. No response has been received from the applicant related to this file.

Therefore, based on the existing information, it is recommended that application File No. 49,576 be denied and dismissed for failure to meet safe yield.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

February 20, 2017

JOHN T TIBBITS
1575 NUGGET RD
MINNEAPOLIS KS 67467

RE: Application, File No. 49,576

FILE COPY

Dear Mr. Tibbits:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,576 for failure to meet the safe yield criteria in K.A.R. 5-3-11.

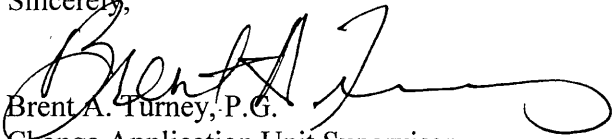
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-71 1(c) and K.S.A. 82a-1 90 1(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing. Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


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

BAT:dws
Enclosures

pc: Stockton Field Office



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER
IN THE MATTER OF THE
DISMISSAL OF APPLICATION
FILE NO. 49,576**

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

1. That on March 9, 2016, the Chief Engineer received an application from John Tibbits for a permit to appropriate water for beneficial use, assigned File No. 49,576, requesting the appropriation of 172 acre-feet of groundwater for irrigation use. The application subsequently proposed a battery of three (3) wells with a geographic center located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 8, more particularly described as being near a point 4,413 feet North and 3,867 feet West of the Southeast corner of said section, in Township 11 South, Range 3 West, Ottawa County, Kansas.
2. That the source of water for the pending application was determined to be the unconfined Dakota aquifer system, based on a review of the test hole log and other area well logs. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11.
3. That based on the area of consideration (extent of the unconfined aquifer), the calculated recharge, and the percent of the calculated recharge that can be considered to be available for appropriation, safe yield was determined to be 1,357.1 acre-feet. Prior water rights within this same area of consideration have appropriated 1,382.1 acre-feet, leaving no additional water available for appropriation.
4. That on January 13, 2017, a letter was mailed to the applicant stating that the application did not comply with the safe yield requirements of K.A.R. 5-3-11, and that the application would be submitted to the Chief Engineer with a recommendation that the pending application be denied and dismissed, for failure to meet safe yield criteria. The applicant was provided 15 days, until February 2, 2017 to either submit additional information to our office or request additional time, prior to final action on the application.
5. That the applicant provided no additional information, nor requested additional time to respond for File No. 49,576. Therefore, the application should be denied and dismissed and its priority forfeited for failure to comply with K.A.R. 5-3-11.

ORDER

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Application, File No. 49,576, is herewith dismissed and the priority assigned to it is considered to be forfeited.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

Ordered this 17th day of February, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 17th day of February, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

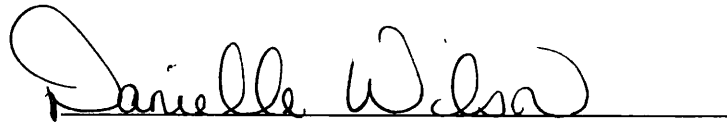
CERTIFICATE OF SERVICE

On this 20th day of February, 2017, I hereby certify that the foregoing Dismissal of Application, File No. 49,576, dated February 17, 2017 was mailed postage prepaid, first class, US mail to the following:

JOHN T TIBBITS
1575 NUGGET RD
MINNEAPOLIS KS 67467

With photocopies to:

Stockton Field Office

A handwritten signature in black ink, reading "Danielle Wilson", is written over a horizontal line.

Division of Water Resources


Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

January 13, 2017

JOHN T TIBBITS
1575 NUGGET RD
MINNEAPOLIS KS 67467

RE: Pending Application, File No. 49,576

Dear Mr. Tibbits:

We have conducted a preliminary review of your application referenced above based on the information received in our office on November 30, 2016. The proposed point of diversion is a battery of three wells with a geographic center located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW¹/₄ NE¹/₄ NW¹/₄) of Section 8, more particularly described as being near a point 4,413 feet North and 3,867 feet West of the Southeast corner of said section, in Township 11 South, Range 3 West, Ottawa County, Kansas. The application is requesting to appropriate 172 acre-feet of groundwater for irrigation use. The source of water for the pending application is the unconfined Dakota aquifer system based on area well logs.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. For this application, the area of consideration (unconfined Dakota aquifer system) provided an area of consideration of 8,042 acres. With a potential annual recharge of 2.7 inches, and 75% of recharge available for appropriation, safe yield was determined to be 1,357.1 acre-feet. The safe yield determination is summarized below.

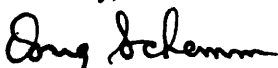
Safe Yield = Area of Consideration x potential annual recharge x percent of recharge available	
8,042 acres x 2.7 inches x 75% = 16,285.1 acre-inches / 12 =	1,357.1 acre-feet
Prior Appropriations within the area of consideration =	1,382.1 acre-feet
Total quantity of water available =	<u>0 acre-feet</u>

It will be recommended to the Chief Engineer that pending application, File No. 49,576 be denied and dismissed due to the failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11.

We are advising you of this recommendation in order to allow you an opportunity to submit additional information to show why our evaluation should be reconsidered. You have a period of 15 days (**until February 2, 2017**) to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. If you wish to request additional time, you must do so **in writing**, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

If you do not request more time within the 15 day period, or if your request is not granted, the above-referenced application will be submitted to the Chief Engineer for final decision based on the recommendation stated above. Any relevant credible information submitted within the time allowed will be given due consideration, prior to final action on the application. If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Doug Schemm
Environmental Scientist
Topeka Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,576
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

MAR 09 2016

11:06
KS DEPT OF AGRICULTURE

RECEIVED

JUN 21 2016

Topeka Field Office
DIVISION OF WATER RESOURCES

APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application

(Please refer to Fee Schedule attached to this application form.)

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

1. Name of Applicant (Please Print): John Tibbits
Address: 1575 Nugget RD
City: Minneapolis State KS Zip Code 67467
Telephone Number: (785) 392-2449

2. The source of water is: surface water in _____ (stream)
OR groundwater in Solomon River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 172 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

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

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

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

For Office Use Only:
F.O. 3 GMD Meets K.A.R. 5-3-1 (YES/NO) Use FR Source G/S County GT By AJW Date 3/9/16
Code 122 Fee \$ 300 TR # 14033320 Receipt Date 3/9/16 Check # 2230

SCANNED
3/14/2016 LCM

See "Revised Sheet"

*5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the _____ quarter of the _____ quarter of the NW* quarter of Section 08, more particularly described as being near a point 4,330 feet North and 3,950 feet West of the Southeast corner of said section, in Township 11 South, Range 03 West, Ottawa County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

_____ (name, address and telephone number)

_____ (name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____. John Wilbets
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of battery of 4 wells
(number of wells, pumps or dams, etc.)

and will be completed (by) 2017
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 2017
(Mo/Day/Year)

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the NE quarter of the SE ^{N/2} quarter of the NW* quarter of Section 08, more particularly described as being near a point 4330 feet North and 3950 feet West of the Southeast corner of said section, in Township 11 South, Range 03 West, Ottawa County, Kansas.
- (B) One in the NE quarter of the N 1/2 quarter of the NW quarter of Section 8, more particularly described as being near a point 4580 feet North and 3950 feet West of the Southeast corner of said section, in Township 11 South, Range 3 ~~East~~ West (circle one), OT County, Kansas.
- (C) One in the SW quarter of the NE quarter of the NW quarter of Section 8, more particularly described as being near a point 4330 feet North and 3700 feet West of the Southeast corner of said section, in Township 11 South, Range 3 ~~East~~ West (circle one), OT County, Kansas.
- (D) One in the SW quarter of the NE quarter of the NW quarter of Section 8, more particularly described as being near a point 4413 feet North and 3867 feet West of the Southeast corner of said section, in Township 11 South, Range 3 ~~East~~ West (circle one), OT County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

_____ (name, address and telephone number)

_____ (name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____. John T. White
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of battery of 3 wells
(number of wells, pumps or dams, etc.)
and will be completed (by) 2017
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 2017
(Mo/Day/Year)

J.T.W.
Bat
1 of 3
*11-30-16

J.T.W.
Bat
2 of 3
11-30-16

J.T.W.
Bat
3 of 3
*11-30-16

J.T.W.
GEO CTR.
*11-30-16

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

*Request 60 days to provide test hole data

WATER RESOURCES
RECEIVED

MAR 09 2016

SCANNED

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

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

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

14. The relationship of the applicant to the proposed place where the water will be used is that of OWNER
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at _____, Kansas, this _____ day of _____, _____
(month) (year)

John J. White
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by M. BILLINGER Asst. Water Commissioner Date: 3/2/16
(office/title)

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,576

Name of Applicant (Please Print): John Tibbits

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: John & Rosalee Tibbits

ADDRESS: 1575 Nugget RD Minneapolis, KS 67467

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08	11S	03W					39	39	39	15									132

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

WATER RESOURCES
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MAR 09 2016

Page 1 of 2

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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

Estimate the maximum land slope in the field(s): 2 %

c. Type of irrigation system you propose to use (check one):

Center pivot _____ Center pivot - LEPA _____ "Big gun" sprinkler
 Gravity system (furrows) _____ Gravity system (borders) _____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater: no-till

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 30 psi

(2) What is the sprinkler package design rate? 500-800 gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: wheat, milo, soybeans, sunflowers

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation). soil moisture, stress

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

49,576
 Fails safe
 Yield

Analysis Results

The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 1,357.09 AF.
 Total prior appropriation in the circle is 1,694.09 AF. **- 312 = 1382.09**
 Total quantity of water available for appropriation is 0.00 AF.

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.
 Potential annual recharge of the area is estimated to be 2.7 inches.
 The percent of recharge available for appropriation is 75%.

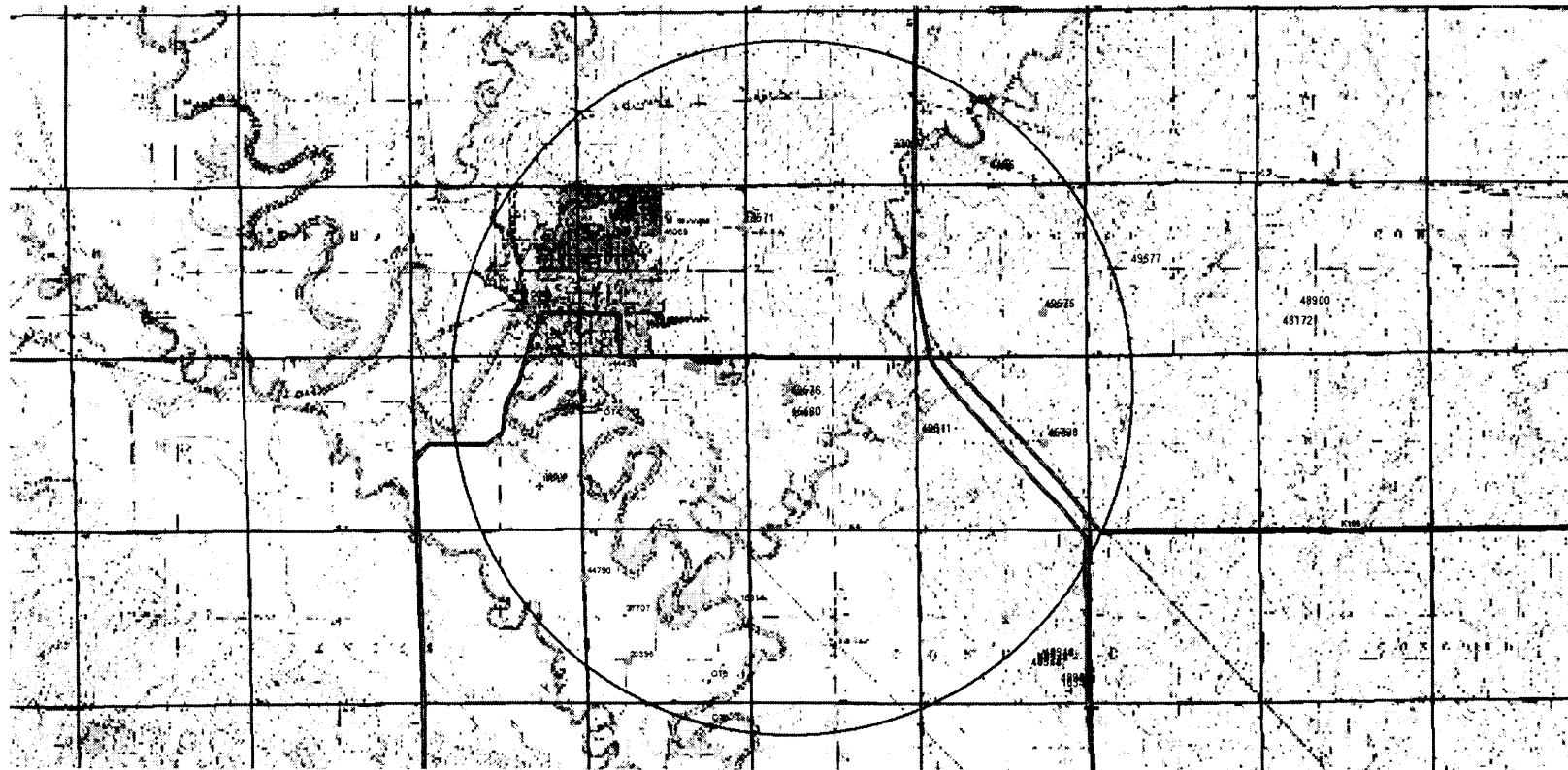
Authorized Quantity values are as of 06-JUL-2016 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 15 water right(s) and 17 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres		
A 7816	00	MUN	NK	G		NE	SW	NW	3970	4125	06	11	03W	8	WR	168.79	168.79			
A 13571	00	IRR	NK	G					3890	50	06	11	03W	3	WR	27.00	27.00	30.00	30.00	
A 19639	00	IRR	NK	G		NE	NW	NE	4911	1558	07	11	03W	5	WR	9.10	9.10	14.00	14.00	
Same		IRR	NK	G		NE	NW	NE	4998	1840	07	11	03W	8	WR					
Same		IRR	NK	G		NE	NW	NE	4955	1699	07	11	03W	9	WR					
A 19803	00	MUN	NK	G		NE	NE	NE	4843	495	01	11	04W	9	WR	330.07	330.07			
A 19804	00	MUN	NK	G		NE	SE	SW	777	3197	06	11	03W	5	WR	235.32	235.32			
A 20395	00	IRR	NK	G					1270	3840	18	11	03W	3	WR	85.00	85.00	75.00	75.00	
A 40513	00	IRR	NK	G		NC	E2	NE	3940	620	12	11	04W	4	WR	21.00	21.00	33.20	0.00	
A 44639	00	IRR	NK	G		NE	NW	NE	4911	1558	07	11	03W	5	WR	11.90	11.90	14.00	0.00	
Same		IRR	NK	G		NE	NW	NE	4998	1840	07	11	03W	8	WR					
Same		IRR	NK	G		NE	NW	NE	4955	1699	07	11	03W	9	WR					
A 44790	00	IRR	NK	G		NW	SW	NW	3831	5106	18	11	03W	5	WR	29.00	29.00	99.00	99.00	
A 45738	00	IND	LR	G		NE	NW	SE	2618	1387	09	11	03W	1	WR	15.04	15.04			
A 46069	00	IRR	NK	G		NW	SW	NE	3600	2593	06	11	03W	7	WR	11.70	11.70	9.00	9.00	
A 49575	00	IRR	AY	G				SE	1320	1320	04	11	03W	1	WR	208.00	208.00	160.00	160.00	
A 49576	00	IRR	AY	G				NW	3960	3960	08	11	03W	4	WR	172.00	172.00	132.00	132.00	
A 49611	00	IRR	AY	G		SW	SW	NW	2823	5247	09	11	03W	2	WR	140.00	140.00	108.00	108.00	
V OT	3	00	MUN	AA	G		SE	NW	SE	1350	1640	01	11	04W	2	PD	3.07	3.07		
Same			MUN	AA	G		SE	NW	SE	1600	1500	01	11	04W	4	PD	227.10	227.10		

172+140=312

Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in NWSWNENW 08-11S-03W
FILE NO. 49,576 (4330'N & 3950'W)



03-02-16
(Date)

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

Re: Application 49,567 49,570
File No. _____

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

John Tibbits
Signature of Applicant

State of Kansas)
County of Rooks) ss

John Tibbits
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 2nd day of March, 2016.



Rebecca Hageman
Notary Public

My Commission Expires: 6-29-19

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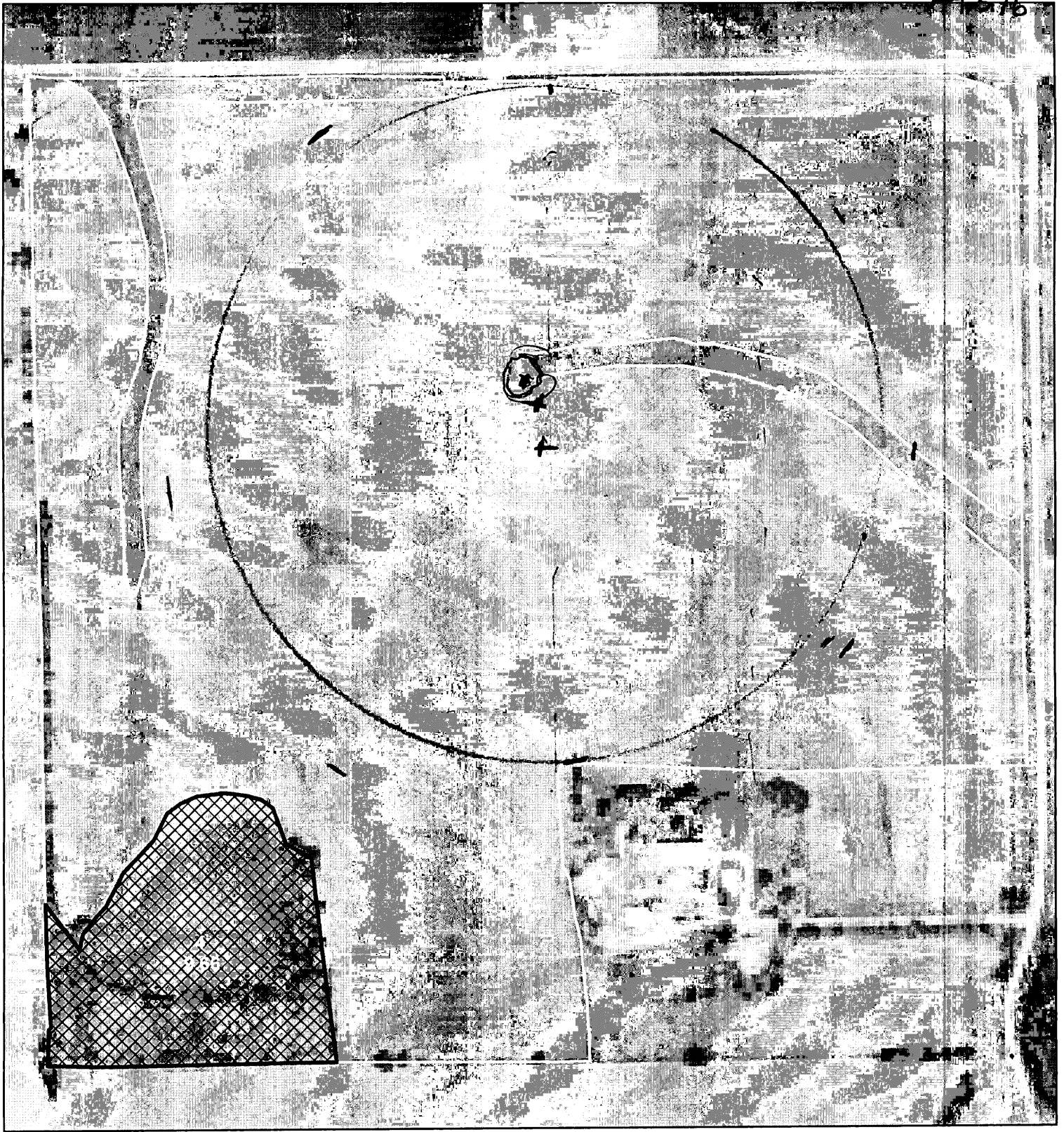
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**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



USDA United States Department of Agriculture
 Farm Service Agency

Ottawa County, Kansas

Farm: 6403 December 08, 2015
 Tract: 2888

*Unless noted on field, all Corn Grain Sorghum/Milo
 Oats Soybeans Sunflowers & Wheat have an Inten-
 ded use code of Grain (GR) & an Irrigated Practice
 of Non-Irrigated (NI.)

Grass/SMO/FG _____
 Grass/SMO/LS _____
 Grass/SMO/GZ _____

Grass/NAG/GZ _____
 Grass/NAG/FG _____
 Grass/NAG/LS _____

Disclaimer: Wetland identifiers do not represent
 the size, shape or specific determination of the
 area. Refer to your original determination
 (CPA-026 and attached maps) for exact wetland
 boundaries and determinations, or contact NRCS.

136' Bottom 5 Store

even 6 PM
600 + 2000

112'
60 - 65' - 250 gpd
Even 6 PM
600 + 2000

49,576

IRRIGATION TEST WELL

Driller & Assistant: Logan AND Tucker Date: 3/25/16

CUSTOMER: John Tibbets 785-392-7145 1575 Nugget Rd. Minneapolis, KS 67467

LOCATION: 4-11-3 SE

- | | | | |
|--|---------------------------------------|--|---|
| <input type="checkbox"/> Screen 2-1/2" | <input type="checkbox"/> Holeplug | <input type="checkbox"/> Gas & Oil - W.T. | <input type="checkbox"/> 6" or 5" Liner if needed |
| <input type="checkbox"/> Casing 2-1/2" | <input type="checkbox"/> Quarters | <input type="checkbox"/> 3/4" Polyethylene | <input type="checkbox"/> Solvent & Glue |
| <input type="checkbox"/> Couplings, 2-1/2" | <input type="checkbox"/> Water | <input type="checkbox"/> 2-1/2" PVC Tee | <input type="checkbox"/> Water Sample Bottle |
| <input type="checkbox"/> End Caps, 2-1/2" | <input type="checkbox"/> Lime | <input type="checkbox"/> 5" & 6" Bits | <input type="checkbox"/> Inspection Sheet |
| <input type="checkbox"/> Gravel Pack | <input type="checkbox"/> Drilling Mud | <input type="checkbox"/> Packing | |

#4

Depth:	Formation:	Well Information:
0-3'	top soil	Static Water Level: 60-70' approx
3-10'	clay tan	Est. production: 350-450 gpm
10-76'	sandstone soft	Casing depth: 0-120' 2 1/2"
76-78'	shale grey	Screen depth: 120-140' 2 1/2"
78-91'	sandstone soft tint of Red	Slot size: 5 AW cut
91-99'	shale grey	Grouting depth: —
99-120'	sandstone soft tan	Number of bags: —
120-137'	sandstone very soft, loose	Nearest Contamination:
137-145'	shale grey	Maintenance & Safety:
		Notes:

Directions:

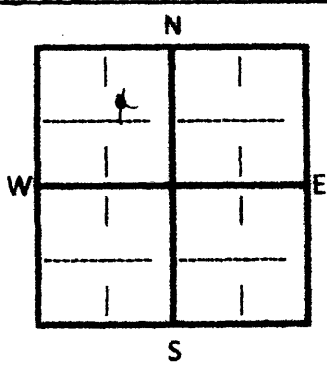
Latitude: 39.115566 N decimal degrees (ex. 38.881796)

Longitude: -97.682865 W decimal degrees (ex. 95.373889)

Datum: NAD27 NAD83 WGS84

1287

NW 1/4	SW 1/4	NE 1/4	NW 1/4
sec. 8	T 11	R 3	(B/W)
County <u>Ottawa</u>			



\$ <u>8⁰⁰ x 140'</u>	/ft. Well
\$ <u>50⁰⁰</u>	/Grout
\$ <u>N/A</u>	/Test Pumping
\$ <u>NONE</u>	/Water Sample
\$ <u>NONE</u>	/Mobilization/Travel
Contract Received: <u>11/16/15</u>	

Invoice #: 1320

Date Mailed: _____

Well Data: _____ Access: _____

Materials: Incent: N/A

Don Lott

1059 N 135th Rd.

KEIFER

1043 N 135th Rd.

Todd SHANKS

~~1127 N 135th Rd.~~

221 # ~~SPRUE~~ SPRUCE #

DAVID POUNDS

N 135th Rd ~~AVENUE~~

1111 N 135th Rd.

STEVEN

1127 N 135th Rd

SCOTT AUSHERMAN

New Home Not Complete

JOHN PRUITT

1331 K106

MAH LICHTENWALTER

1327 K106

Doug HENDERSON KATHY

1293 K106

Print Page

[Back to Search Page](#) --- [Home](#)

Parcel Search Results (Click on the Parcel ID Number for Detailed Results)

Owner Information	Property Address	Property Description	Apr Amount	Prop Class
<p>072-133-08-0-00-00-001.00-0 Quick Ref ID = 3522 Tax Year = 2015 PATTERSON, LINDA JEAN</p> <p>Owner Mailing Address: 5037 NW GREEN HILLS RD TOPEKA, KS 66618-1704</p>	<p>00000 K 106 HWY, Minneapolis, KS 67467</p> <p>ACRES=234.8 Neighborhood=012.M</p>	<p>S08, T11, R03W, ACRES 234.8, NE 1/4 & N 1/2 SE 1/4 EXC RD ROW</p>	<p>\$61,740</p>	<p>Agricultural Use</p>
<p>072-133-08-0-00-00-002.00-0 Quick Ref ID = 3523 Tax Year = 2015 LOTT, DONALD D</p> <p>Owner Mailing Address: 1059 N 135TH RD MINNEAPOLIS, KS 67467-8801</p>	<p>1059 N 135TH RD, Minneapolis, KS 67467</p> <p>ACRES=20.3 Neighborhood=012.M</p>	<p>S08, T11, R03W, ACRES 20.2, A TR BEG AT SE COR NW 1/4, N 747', W 1240', S 747', E 1240' M/L TO POB EXC RD ROW</p>	<p>\$26,940 A \$152,200 F</p>	<p>Farm Homesite</p>
<p>072-133-08-0-00-00-002.10-0 Quick Ref ID = 3524 Tax Year = 2015 TIBBITS, JOHN T & ROSALEE A</p> <p>Owner Mailing Address: 1575 NUGGET RD MINNEAPOLIS, KS 67467-8508</p>	<p>00000 K 106 HWY, Minneapolis, KS 67467</p> <p>ACRES=134.7 Neighborhood=012.M</p>	<p>S08, T11, R03W, ACRES 134.7, NW 1/4 EXC A TR BEG AT SE COR NW1/4, N 747', W 1240', S 747', E 1240' M/L TO POB EXC RD ROW</p>	<p>\$36,260</p>	<p>Agricultural Use</p>
<p>072-133-08-0-00-00-003.00-0 Quick Ref ID = 3525 Tax Year = 2015 KIEFER, JODY L</p> <p>Owner Mailing Address: 1043 N 135TH RD MINNEAPOLIS, KS 67467-8801</p>	<p>1043 N 135TH RD, Minneapolis, KS 67467</p> <p>ACRES=6.42 Neighborhood=012.M</p>	<p>S08, T11, R03W, ACRES 7.1, TR IN SW 1/4 BEG AT SE COR SW 1/4 N 1850.66' TO POB, SWLY 584.84', NELY 203.87', N 261.94', NELY 484.43', E 205.28',</p>	<p>\$103,300</p>	<p>Residential</p>
<p>072-133-08-0-00-00-003.10-0 Quick Ref ID = 3526 Tax Year = 2015 PIESCHL, GREG</p>	<p>00000 N 135TH RD, Minneapolis, KS 67467</p> <p>ACRES=148.5 Neighborhood=012.M</p>	<p>S08, T11, R03W, ACRES 147.8, SW 1/4 EXC TR BEG SE COR SW 1/4, W 602', N 143', E 602', S 143' TO</p>	<p>\$36,700</p>	<p>Agricultural Use</p>

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 11, 2016

JOHN TIBBITS
1575 NUGGET RD
MINNEAPOLIS KS 67467

Re: Pending Applications,
File Nos. 49,575, 49,576 and 49,577

Dear Mr. Tibbits:

The Division of Water Resources returned the above referenced applications to you for additional information on March 18, 2016, and the current deadline for your response is May 9, 2016. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **May 9, 2016**, or within any authorized extension of time thereof. According to law, default in refileing of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **May 9, 2016**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stockton Field Office

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 18, 2016

JOHN TIBBITS
1575 NUGGET RD
MINNEAPOLIS KS 67467

Re: Pending Applications,
File Nos. 49,575, 49,576 and 49,577

Dear Mr. Tibbits:

After a preliminary review of your above referenced applications for permits to appropriate water received in this office on March 9, 2016, they are being returned to you for additional information. In your original applications, you requested a 60-day period of time in which to determine the precise locations for your points of diversion within specified quarter section tracts of land described as:

- Southeast Quarter (SE $\frac{1}{4}$) of Section 4, in Township 11 South, Range 3 West, Ottawa County, Kansas.
- Northwest Quarter (NW $\frac{1}{4}$) of Section 8, in Township 11 South, Range 3 West, Ottawa County, Kansas.
- Near the center of the West $\frac{1}{2}$ of Section 3, in Township 11 South, Range 3 West, Ottawa County, Kansas.

Once you've determined the precise locations for your points of diversion, complete the rest of Paragraph No. 5 for each of your applications by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The locations of the points of diversion must also be plotted on the topographical map(s) included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

The locations of all other water wells of every kind within one-half mile ($\frac{1}{2}$) of the points of diversion must be plotted on the topographical map(s) as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map(s) declaring that all wells within one-half mile ($\frac{1}{2}$) of the points of diversion have been plotted, or it should declare that none exist. Your applications currently include this information; please verify the information is correct once you have established your points of diversion.

(over)

SCANNED

John Tibbits
March 18, 2016
Page 2 of 2

Paragraph No. 13 of the application requests well information so the source of supply of the proposed wells may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of wells or test holes within 300 feet of the proposed points of diversion. Please supply the indicated information and test hole logs or driller's logs with the returned applications.

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before May 9, 2016, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If you have any questions, please contact me at (785) 564-6631 or by email at alexander.whitesell@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Alex Whitesell
Environmental Scientist
Water Appropriation Program

enclosures

pc: Stockton Field Office

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



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

March 11, 2016

JOHN TIBBITS
1575 NUGGET RD
MINNEAPOLIS KS 67467

RE: Application
File No. 49576

Dear Sir or Madam:

Your application for permit to appropriate water in 4-11S-3W in Ottawa County, was received and has been assigned the file number noted above.

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

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

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

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

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

If you have any questions, please contact me at (785) 564-6634. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

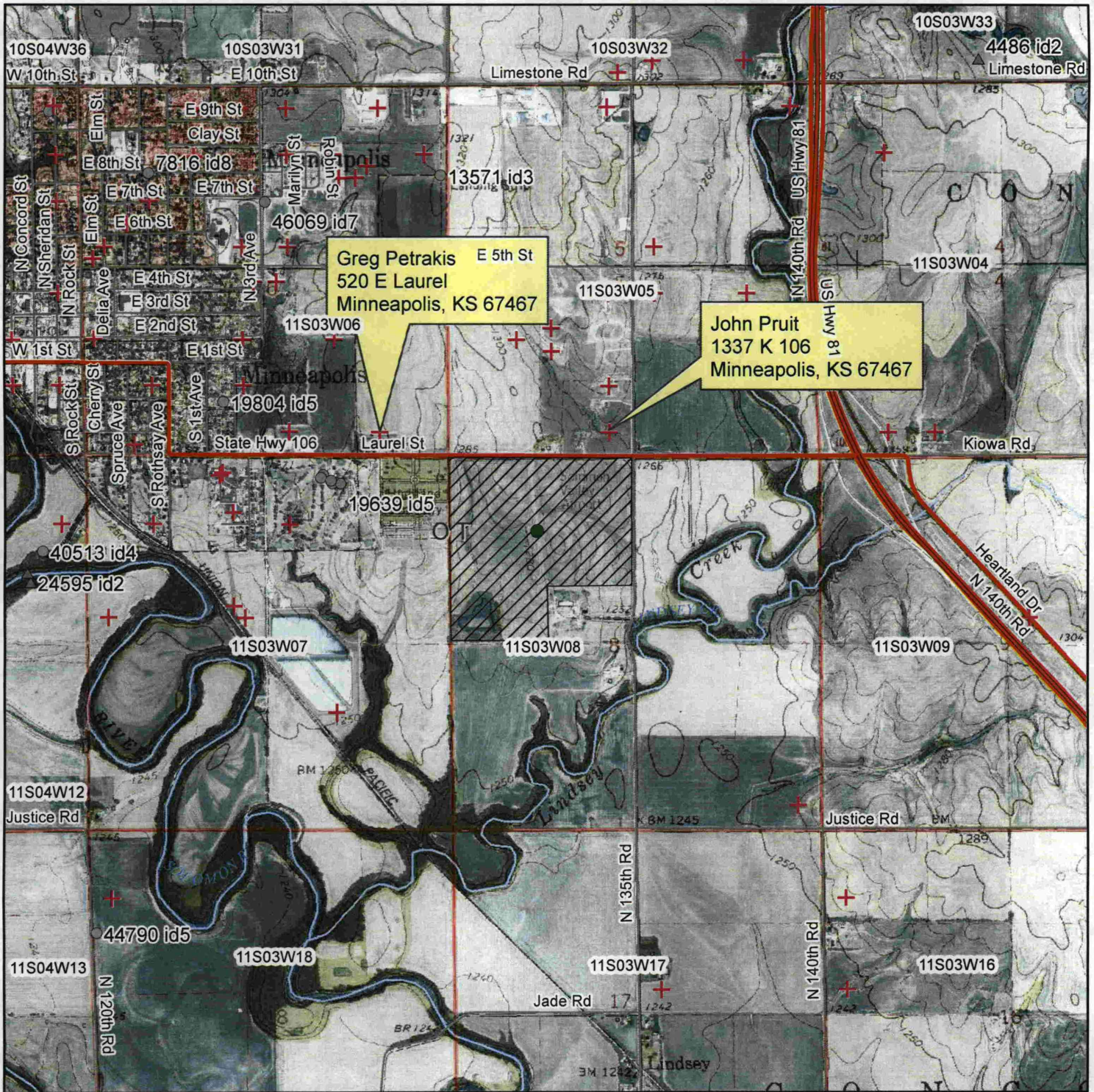
A handwritten signature in black ink, appearing to read "Kenneth A. Kopp".

Kenneth A. Kopp, P.G.
New Application Unit Supervisor
Water Appropriation Program

KAK: DLW
pc: STOCKTONField Office
GMD

SCANNED

Water Right Application John Tibbits



PROPOSED PLACE OF USE + TEST HOLE EXPLORATION

Surface Water Point of Diversion

Groundwater Point of Diversion

wwc-5 records

Proposed Well
Request 60 Days
For actual location

1:24,000

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John Tibbits

All wells within 1/2 mile of proposed well location are identified on the map.