

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

1. File Number: <p align="center"><b>49,577</b></p>	2. Status Change Date: <p align="center"><i>3/6/2017</i></p>	3. Field Office: <p align="center"><b>3</b></p>	4. GMD: <p align="center"><b>0</b></p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
7a. Applicant(s) New to system <input type="checkbox"/>  <b>JOHN T TIBBITS</b> <b>1575 NUGGET RD</b> <b>MINNEAPOLIS KS 67467</b>  Person ID <u>17990</u> Add Seq# _____  <b>7a.</b>	7c. Landowner(s) New to system <input type="checkbox"/>  <b>GEORGE H TIBBITS</b> <b>132 W ELLSWORTH</b> <b>SALINA KS 67401</b>  Person ID <u>64916</u> Add Seq# _____	7b. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____	7d. Misc. New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____
8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No  <b>7a.</b>  Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/>	9. Use of Water:    Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____		
10. Completion Date: <u>12/31/2018</u> 11. Perfection Date: <u>12/31/2022</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: <b>1/26/2017</b> By: <b>DWS</b> Date Entered: <i>3/1/2017</i> By: <i>UM</i>			

File No. **49,577**      15. Formation Code: **330**      Drainage Basin: SOLOMON RIVER      County: OT      Special Use:      Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD	85098	CS	SE	SW	3	11	3W	1	30	3300 (Geo-Ctr)
ENT	85916	SW	SE	SW	3	11	3W		30	3550 (Batt 1 of 3)
ENT	85917	SE	SE	SW	3	11	3W		30	3050 (Batt 2 of 3)
ENT	85918	CS	SE	SW	3	11	3W		30	3300 (Batt 3 of 3)
Battery ID# 2012										

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
800	208	800	208	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 **12/31/2018**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files		
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
MOD	67621	3	11	3W	1							40	40	40	40										160	7a. & b.	NO	NONE

Comments:

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**M E M O R A N D U M**

**TO:** Files

**DATE:** January 26, 2017

**FROM:** Doug Schemm

**RE:** Application, File No. 49,577

John Tibbits has filed the above referenced new application requesting 208 acre-feet of water at a diversion rate of 800 gallons per minute from a battery of 3 wells located in the Southwest Quarter of Section 3, Township 11 South, Range 3 West, Ottawa County. Please note that the applicant met with DWR HQ staff in Manhattan on November 30, 2016, and revised the pending application, to establish the individual well locations and the geographic center of the well battery. In addition, the proposed place of use was also modified. The entire place of use (160 acres) is jointly owned by George H. Tibbits and the applicant. The requested quantity of water of 208 acre-feet on a 160 acre place of use, is equivalent to 1.3 acre-feet per acre, which is the maximum allowable for Ottawa County, Kansas. There are no overlapping files in point of diversion or place of use.

Based on test hole logs and other area wells, it appears that the source of water meets the definition of the unconfined Dakota aquifer system per K.A.R. 5-1-1(iiii) "Unconfined Dakota aquifer system". The test hole log shows a deeper sandstone layer, extending from 111 feet to 133 feet below ground surface. However, the overlying clay layer contains small layers of rock that could potentially produce water as well. The static water level was estimated at 80 feet below ground surface. This would indicate that the aquifer is not overlain by a confining layer and the aquifer is not under any significant confining pressure. Other local wells also support this interpretation with shallow depths to the top of the sandstone unit. However, there is a small area in the southwest portion of the 2-mile circle that was determined to be the confined Dakota aquifer system. Therefore, per K.A.R. 5-3-11, which applies to safe yield evaluations for all unconfined aquifers, this small area of confined Dakota was truncated out of the 2-mile circle, leaving 7,761 acres, 2.7 inches of recharge, and 75% available, resulting in a safe yield of 1,309.7 acre-feet. Prior appropriations total 585.04 acre-feet leaving 724.63 acre-feet available, and the application complies with safe yield criteria.

The applicant did not identify any wells within one-half mile of the proposed point of diversion. Note that the applicant revised the point of diversion for senior File No. 49,575, and it is now located approximately 3,300 feet away. The well spacing criterion for the unconfined Dakota aquifer system is one-quarter mile to domestic wells and one-half mile between non-domestic wells, so this application complies with well spacing criteria. A review of aerial photographs does not show any nearby residences, and no notification letters are required.

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

In a January 25, 2017 e-mail, Kelly Stewart, Water Commissioner, Stockton Field Office, recommended approval of the referenced new application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved.

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

March 7, 2017

JOHN T TIBBITS  
1575 NUGGET RD  
MINNEAPOLIS KS 67467

**FILE COPY**

Re: Appropriation of Water, File No. 49,577

Dear Mr. Tibbits:

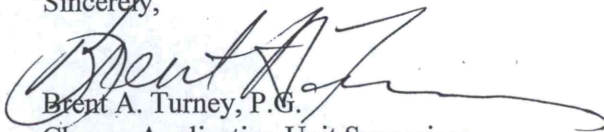
There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location 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 these approval documents. A water meter is required on the proposed diversion works 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. 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  
George H Tibbits

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

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

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

This is to certify that I have examined Application, **File No. 49,577** of the applicant

**JOHN T TIBBITS  
1575 NUGGET RD  
MINNEAPOLIS KS 67467**

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 9, 2016**.
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	
3	11S	3W																	160

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of three (3) wells with a geographic center located near the center of the south side of the Southeast Quarter of the Southwest Quarter (SE¼ SW¼) of Section 3, more particularly described as being near a point 30 feet North and 3,300 feet West of the Southeast corner of said section, in Township 11 South, Range 3 West, Ottawa County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **208 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, 2018** 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, 2022** 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. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

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

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

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

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

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

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 6<sup>th</sup> day of March, 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 6<sup>th</sup> day of March, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*

Notary Public

### CERTIFICATE OF SERVICE

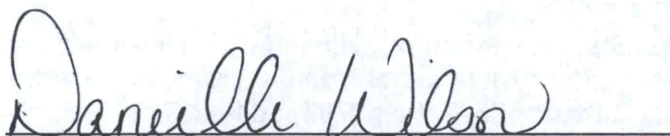
On this 7<sup>th</sup> day of March, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,577, dated March 6, 2017 was mailed postage prepaid, first class, US mail to the following:

JOHN T TIBBITS  
1575 NUGGET RD  
MINNEAPOLIS KS 67467

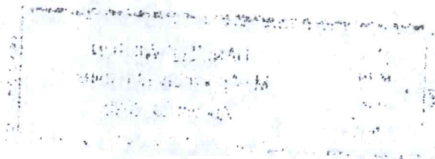
With photocopies to:

GEORGE H TIBBITS  
132 W ELLSWORTH  
SALINA KS 67401

Stockton Field Office



Division of Water Resources





**Schemm, Doug**

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**Subject:**

John Tibbits 49,577

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**From:** Stewart, Kelly

**Sent:** Wednesday, January 25, 2017 9:54 AM

**To:** Schemm, Doug <Doug.Schemm@ks.gov>

**Cc:** Billinger, Mark <Mark.Billinger@ks.gov>; Hageman, Rebecca <Rebecca.Hageman@ks.gov>

**Subject:** RE: John Tibbits 49,577

Doug,

I have no objection to the approval of this application.

Kelly

---

**From:** Schemm, Doug

**Sent:** Wednesday, January 25, 2017 9:21 AM

**To:** Stewart, Kelly <Kelly.Stewart@ks.gov>

**Cc:** Billinger, Mark <Mark.Billinger@ks.gov>

**Subject:** John Tibbits 49,577

File No. 49,577 meets all the regs. Not much else around there.

Thanks, Doug

APPLICATION COMPLETE

11/30/2016

Reviewer DWS

THE STATE



OF KANSAS

RECEIVED

JUN 21 2016

Topeka Field Office  
DIVISION OF WATER RESOURCES

KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

File Number

49,577

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

WATER RESOURCES  
RECEIVED

MAY 09 2016

KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO  
APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application

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

WATER RESOURCES  
RECEIVED

MAR 09 2016

11:07

KS DEPT OF AGRICULTURE

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 208 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 0 Meets K.A.R. 5-3-1 (YES/NO) Use FRP Source G/S County ST By ASW Date 3/9/16  
Code REZ Fee \$ 308 TR # 16033370 Receipt Date 3/9/16 Check # 2236

SCANNED

3/16/2016 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 SW 1/4 quarter of the SW 1/4 quarter of the SW 1/4 quarter of Section 03, more particularly described as being near a point SW 1/4 - 3-11-3 feet North and SW 1/4 - 3-11-3 feet West of the Southeast corner of said section, in Township 11 South, Range 03 West, Ottawa County, Kansas.

(B) One in the SW 1/4 quarter of the SW 1/4 quarter of the SW 1/4 quarter of Section     , more particularly described as being near a point 30 feet North and 2880 feet West of the Southeast corner of said section, in Township 3-11-3 South, Range      East/West (circle one), OTAWA County, Kansas.

(C) One in the SW 1/4 quarter of the SW 1/4 quarter of the SW 1/4 quarter of Section     , more particularly described as being near a point 30 feet North and 3300 feet West of the Southeast corner of said section, in Township 3-11-3 South, Range      East/West (circle one), OT County, Kansas.

(D) One in the SW 1/4 quarter of the SW 1/4 quarter of the SW 1/4 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 3/2, 2016. John [Signature]  
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 and will be completed (by) 2017  
(number of wells, pumps or dams, etc.)  
(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 SW quarter of the SE quarter of the SW quarter of Section 03, more particularly described as being near a point 30 feet North and 3,550 feet West of the Southeast corner of said section, in Township 11 South, Range 03 West, Ottawa County, Kansas.
- (B) One in the SE quarter of the SE quarter of the SW quarter of Section 3, more particularly described as being near a point 30 feet North and 3,050 feet West of the Southeast corner of said section, in Township 11 South, Range 3 East/West (circle one), OTAWA County, Kansas.
- (C) One in the SW quarter of the SE quarter of the SW quarter of Section 3, more particularly described as being near a point 30 feet North and 3,300 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 SE quarter of the SW quarter of Section 3, more particularly described as being near a point 30 feet North and 3,300 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 2/2, 2016. John Pilatko  
 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 3 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)

JIT  
 BAT 1 of 3 \*11-30-16  
 BAT 2 of 3 \*11-30-16  
 BAT 3 of 3 \*11-30-16  
 GEO CTR \*11-30-16  
 JIT

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

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WATER RESOURCES RECEIVED

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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 Schmitt  
(Applicant Signature)

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

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

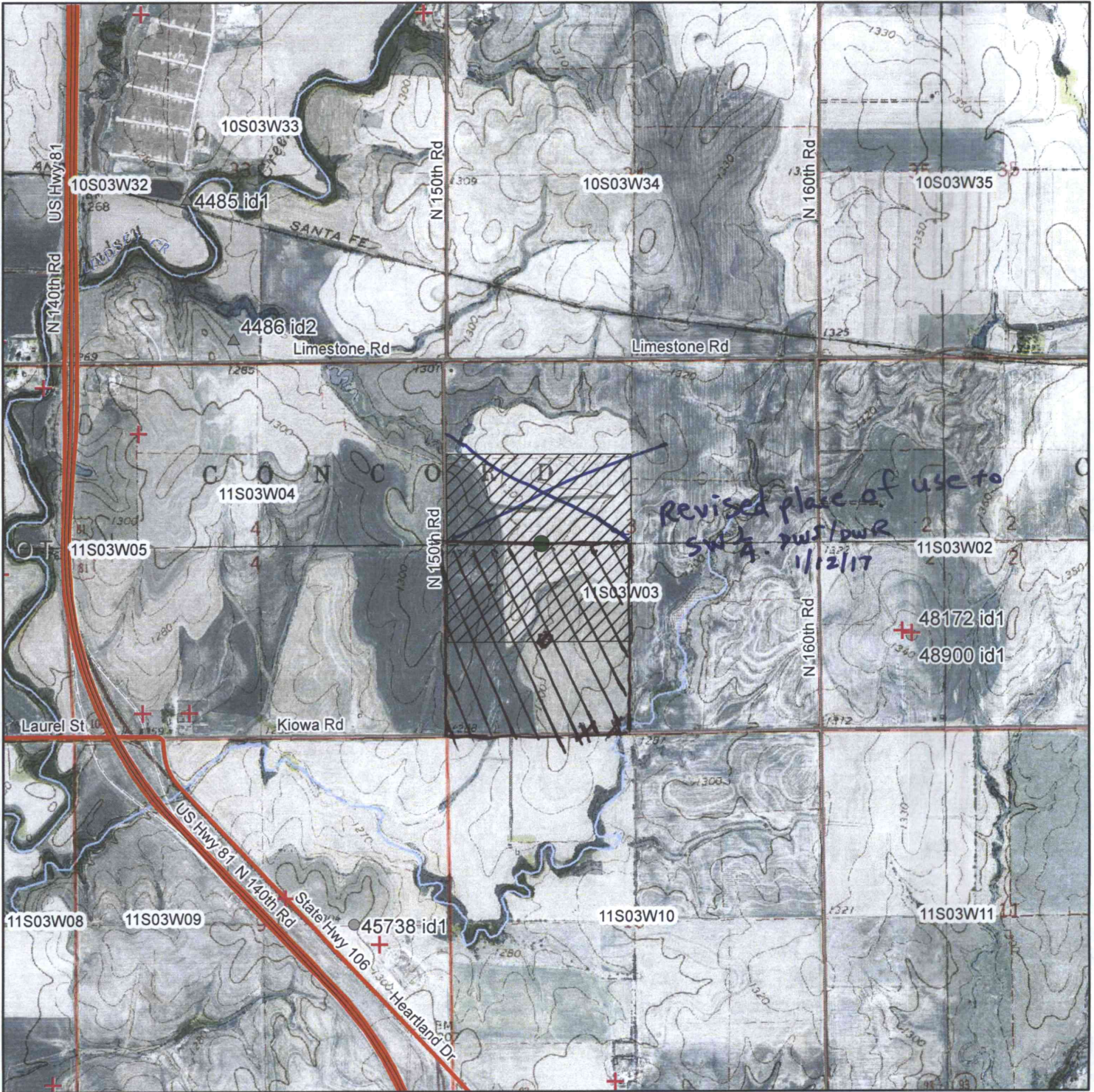
Assisted by M. Billinger ASST WATER COMMISS Date: 3/2/16  
(office/title)

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MAY 09 2016  
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SCANNED


# Water Right Application John Tibbitts




 Proposed Place of Use + Area for Test Holes  
 Surface Water Point of Diversion  
**WATER RESOURCES RECEIVED**

**MAY 09 2016**  Groundwater Point of Diversion

**KS DEPT OF AGRICULTURE** wwc-5 records

 Proposed Well  
 Request 60 Days  
 For actual location

**WATER RESOURCES RECEIVED**  
 1:24,000  
**MAR 09 2016**


*John Tibbitts*

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

SCANNED

# IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,577

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: George H Tibbits *AND* John Tibbits \*

ADDRESS: 132 W Ellsworth Salina, KS 67401      1575 Nugget RD Minneapolis 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	
03	11S	03W							<del>40</del>	<del>40</del>	40	40	40	40					160

**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	
<del>03</del>	<del>11S</del>	<del>03W</del>																	<del>160</del>

**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	

*ASW*

WATER RESOURCES  
RECEIVED

MAY 09 2016

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WATER RESOURCES  
RECEIVED

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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

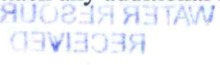
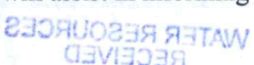



ii. For sprinkler systems:

- (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.

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 File No. 49,577

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 Tibbitts*

Signature of Applicant

State of Kansas )  
County of Rooks ) ss

John Tibbitts  
(Print Applicant's Name)

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



*Rebecca Hageman*  
Notary Public

My Commission Expires: 6-29-19

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MAY 09 2016

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WATER RESOURCES RECEIVED

MAR 09 2016

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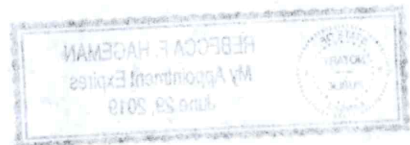
SCANNED

**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



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WATER RESOURCES

MAR 9 2019

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WATER RESOURCES

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IRRIGATION TEST WELL

Driller & Assistant: Logan AND Tucker Date: 3/24/11

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 |
| <input type="checkbox"/> Casing 2-1/2"     | <input type="checkbox"/> Quarters     | <input type="checkbox"/> 3/4" Polyethylene | <input type="checkbox"/> Solve |
| <input type="checkbox"/> Couplings, 2-1/2" | <input type="checkbox"/> Water        | <input type="checkbox"/> 2-1/2" PVC Tee    | <input type="checkbox"/> Water |
| <input type="checkbox"/> End Caps, 2-1/2"  | <input type="checkbox"/> Lime         | <input type="checkbox"/> 5" & 6" Bits      | <input type="checkbox"/> Inspe |
| <input type="checkbox"/> Gravel Pack       | <input type="checkbox"/> Drilling Mud | <input type="checkbox"/> Packing           |                                |

Depth:	Formation:	Well Information:
0-3'	top soil	60' Static Water Level
3'-22'	clay tan	250-450 gpm Est. producti
22'-115'	clay grey w/ small hard	Casing dep
115'-142'	sandstone soft	Screen dep
142'-148'	shale grey	Slot si
		Grouting dep
		Number of ba
		Nearest Contaminat
		Maintenance & Saf
		WATER RESOURCES RECEIVED
		MAY 09 2016
		Not
		KS DEPT OF AGRICULTURE

Directions:

Latitude: 39.117794 N decimal degrees (ex. 38.881796)

Longitude: -97.642618 W decimal degrees (ex. 95.373889)

Datum:  NAD27  NAD83  WGS84

1292

SW 1/4 | SE 1/4 | SE 1/4 | SW 1/4

\$ 8<sup>00</sup> x 148' /ft. Well

SE-3-11-3 - 30' N - 3300 W.

SCANNED 5/6/2016

49,577

IRRIGATION TEST WELL

Driller & Assistant: *Am Holly / Tyler P.* Date: *3/29/16*

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

LOCATION: 4-11-3 SE

- Screen 2-1/2"                       Holeplug                       Gas & Oil - W.T.                       6" or !
- Casing 2-1/2"                       Quarters                       3/4" Polyethylene                       Solver
- Couplings, 2-1/2"                       Water                       2-1/2" PVC Tee                       Water
- End Caps, 2-1/2"                       Lime                       5" & 6" Bits                       Insper
- Gravel Pack                       Drilling Mud                       Packing

Depth:	Formation:	Well Information:
0-1	T.S.	80' Static Water Lev
1-12	Clay	150-250 gpm Est. productiv
12-111	Shale / small streaks of broken Iron Rock	Casing dep
11-118	SS. f-soft	Screen dep
118-133.5	Iron Pyrite	Slot si
118.5-133	SS. f-soft	Grouting dep
133-133.5	Iron Pyrite	Number of ba
133.5-140	shale	Nearest Contaminati
		1/4 mile
		Maintenance & Safe
		WATER RESOURCES RECEIVED
		MAY 09 2016
		Not
		KS DEPT OF AGRICULTURE

Directions:

Latitude: *39.1177574* N decimal degrees (ex. 38.881796)

Longitude: *-97.64190085* W decimal degrees (ex. 95.373889)

Datum:  NAD27  NAD83  WGS84

*1288*

*SE 1/4 SE 1/4 SE 1/4 SW 1/4*                      \$ *800 x 1600* /ft. Well

*SE-3-113 - 30' W 2880 W*

SCANNED  
5/6/2016

49,577  
meets safe  
Yield

**Analysis Results**

The selected PD is in an area to new appropriations.  
 The safe yield, based on the variables listed below is 1,309.67 AF.  
 Total prior appropriation in the circle is 933.04 AF.  $- 348 = 585.04$   
 Total quantity of water available for appropriation is ~~376.63~~ AF.

724.63

**Safe Yield Variables**

The area used for the analysis is set at 7761 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 8 water right(s) and 8 point(s) of diversion within the circle.

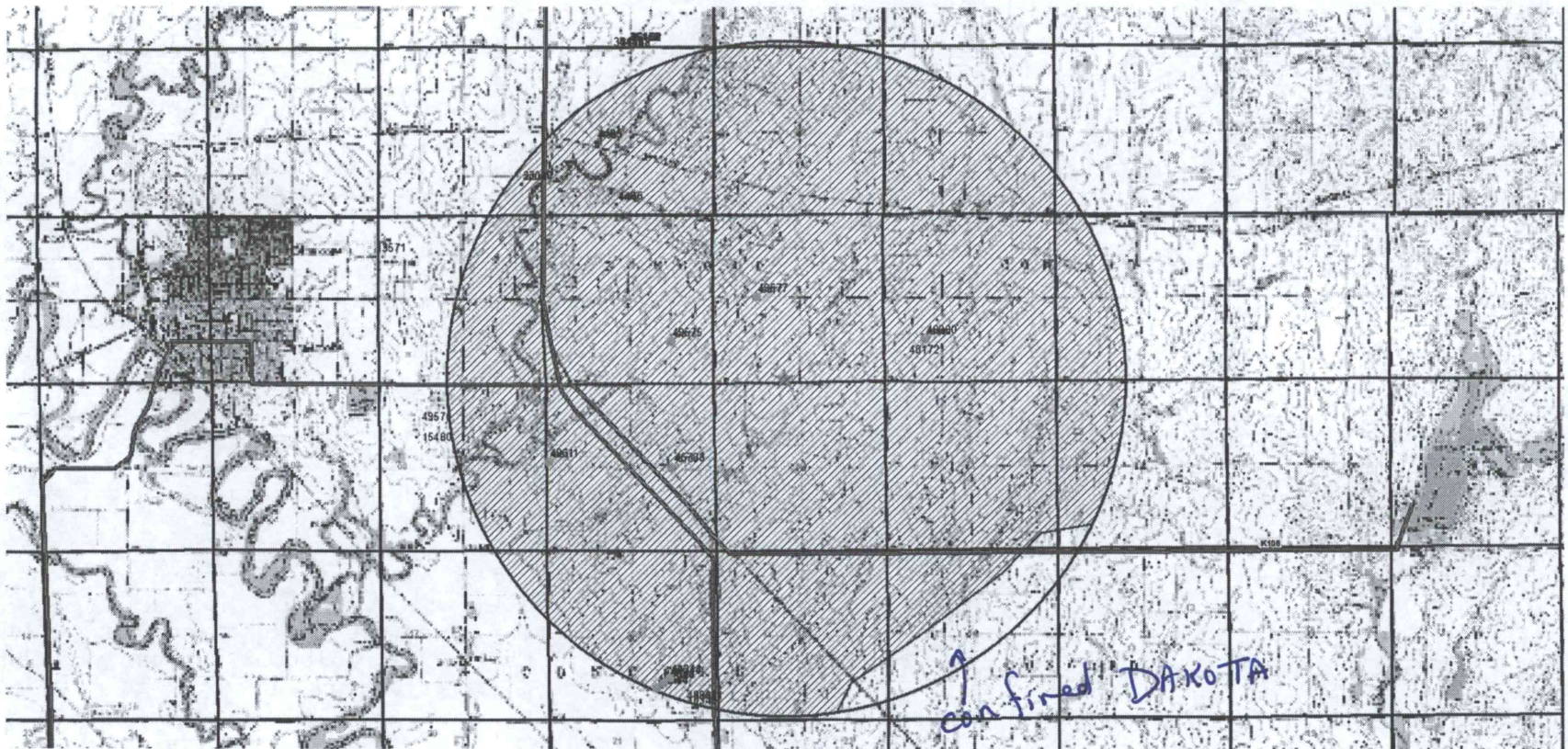
File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres	
A 10348	00	IRR	NK	G		NE	SW	SE	1280	1494	16	11	03W	3	WR	89.00	89.00	100.00	100.00
Same		IRR	NK	G		NE	SW	SE	1125	1692	16	11	03W	4	WR				
Same		IRR	NK	G		NE	SW	SE	970	1889	16	11	03W	5	WR				
A 44514	00	IRR	NK	G		NE	SW	SE	1280	1494	16	11	03W	3	WR	31.00	0.00	100.00	0.00
Same		IRR	NK	G		NE	SW	SE	1125	1692	16	11	03W	4	WR				
Same		IRR	NK	G		NE	SW	SE	970	1889	16	11	03W	5	WR				
A 45738	00	IND	LR	G		NE	NW	SE	2618	1387	09	11	03W	1	WR	15.04	15.04		
A 48172	00	IRR	KE	G		NE	SW	SW	1309	4172	02	11	03W	1	WR	169.00	169.00	210.00	210.00
A 48900	00	IRR	KE	G		NE	SW	SW	1309	4172	02	11	03W	1	WR	104.00	104.00	210.00	0.00
A 49575	00	IRR	AY	G				SE	1320	1320	04	11	03W	1	WR	208.00	208.00	160.00	160.00
A 49577	00	IRR	AY	G				NW	2640	3960	03	11	03W	1	WR	208.00	208.00	160.00	160.00
A 49611	00	IRR	AY	G		SW	SW	NW	2823	5247	09	11	03W	2	WR	140.00	140.00	108.00	108.00

Applicant's  
Senior

348

# 49,577

Safe Yield Report Sheet  
Proposed Water Right Application  
Point of Diversion in SWSESESW 03-11S-03W  
FILE NO. 49,577 (30'N & 3090'W)



218-28204

11/20/04  
11/20/04

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

30 ft N and 3300 ft W of the SE Corner of Section 3, T 11S, R 3W

Located at: 97.642887 West Longitude and 39.117804 North Latitude

GROUNDWATER ONLY

Geo-Center

Meets

Spacing to all other wells

> 1/2 mile

(Unconfined DAKOTA)

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit		
A__ 10348	00	IRR	NK	G	10204	--	NE	SW	SE	1125	1692	16	11	3W	4	G	2	89.00	89.00	AF
Same					9989	--	NE	SW	SE	1280	1494	16	11	3W	3	B	2			
Same					10420	--	NE	SW	SE	970	1889	16	11	3W	5	B	2			
A__ 44514	00	IRR	NK	G	10204	--	NE	SW	SE	1125	1692	16	11	3W	4	G	2	31.00	.00	AF
Same					9989	--	NE	SW	SE	1280	1494	16	11	3W	3	B	2			
Same					10420	--	NE	SW	SE	970	1889	16	11	3W	5	B	2			
A__ 45738	00	IND	MM	G	4341	--	NE	NW	SE	2618	1387	9	11	3W	1*		15.04	15.04	AF	
A__ 48172	00	IRR	KE	G	4657	--	NE	SW	SW	1309	4172	2	11	3W	1		169.00	169.00	AF	
A__ 48900	00	IRR	KE	G	4657	--	NE	SW	SW	1309	4172	2	11	3W	1		104.00	104.00	AF	
A__ 49575	00	IRR	AY	G	3569	--	--	--	SE	1320	1320	4	11	3W	1		208.00	208.00	AF	
A__ 49577	00	IRR	AY	G	2692	--	--	--	NW	2640	3960	3	11	3W	1		208.00	208.00	AF	
A__ 49611	00	IRR	AY	G	7650	--	SW	SW	NW	2823	5247	9	11	3W	2		140.00	140.00	AF	

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	556.00	.00
Total Permitted Amount (AF) =	273.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	15.04	.00
Total Certified Amount (AF) =	89.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	933.04	.00

An \* after the source of supply indicates a pending application for change for the file number.  
 An \* after the ID indicates a 15 AF exemption was granted for the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

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

97.642887 West Longitude and 39.117804 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 10348	00	IRR	NK G
>	HOWARD WEIS ESTATE		
>	LARRY WEIS		
>	1547 K 106		
>	MINNEAPOLIS KS 67467		
-----			
A__ 44514	00	IRR	NK G
>	HOWARD WEIS ESTATE		
>	LARRY WEIS		
>	1547 K 106		
>	MINNEAPOLIS KS 67467		
-----			
A__ 45738	00	IND	MM G
>	ROBINS MARKETING INC		



> TERRY ROBINS  
> PO BOX 77  
> MINNEAPOLIS KS 67467

-----  
A\_\_ 48172 00 IRR KE G  
> CHRISTA M LOTT  
>  
> 1290 N 150TH RD  
> MINNEAPOLIS KS 67467

-----  
A\_\_ 48900 00 IRR KE G  
> CHRISTA M LOTT  
>  
> 1290 N 150TH RD  
> MINNEAPOLIS KS 67467

-----  
A\_\_ 49575 00 IRR AY G  
> THOMAS L TIBBITS  
>  
> 207 E 9TH  
> MINNEAPOLIS KS 67467

-----  
A\_\_ 49577 00 IRR AY G  
> JOHN T TIBBITS  
>  
> 1575 NUGGET RD  
> MINNEAPOLIS KS 67467

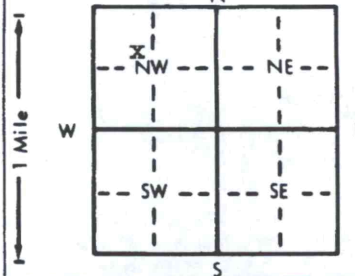
-----  
A\_\_ 49611 00 IRR AY G  
> CHRIS SPELTZ  
>  
> 1417 PRAIRIE RD  
> CLAY CENTER KS 67432  
-----  
=====

UC

1 LOCATION OF WATER WELL: Fraction SE 1/4 NW 1/4 NW 1/4 Section Number 4 Township Number T 11 S Range Number R 3 W  
 County: Ottawa

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

2 WATER WELL OWNER: Lindsay Creek Farms Board of Agriculture, Division of Water Resources  
 RR#, St. Address, Box #: Route 3, Minneapolis, Kansas 67467 Application Number:  
 City, State, ZIP Code:

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


4 DEPTH OF COMPLETED WELL: 92 ft. ELEVATION: ≈ 1302  
 Depth(s) Groundwater Encountered 1 ft. 2. ft. 3. ft.  
 WELL'S STATIC WATER LEVEL 60 ft. below land surface measured on mo/day/yr 12/26/1985  
 Pump test data: Well water was NA ft. after hours pumping gpm  
 Est. Yield 50 gpm: Well water was ft. after hours pumping gpm  
 Bore Hole Diameter 8 in. to 92 ft., and in. to ft.  
 WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well  
 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)  
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well xxx Pasture  
 Was a chemical/bacteriological sample submitted to Department? Yes No xxx; If yes, mo/day/yr sample was submitted  
 Water Well Disinfected? Yes xxx No

5 TYPE OF BLANK CASING USED:  
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued xxx Clamped  
 PVC 4 ABS 7 Fiberglass 9 Other (specify below) Welded  
 Blank casing diameter 5 in. to 72 ft., Dia. in. to ft., Dia. in. to ft.  
 Casing height above land surface 36 in., weight 3 lbs./ft. Wall thickness or gauge No. 258  
 TYPE OF SCREEN OR PERFORATION MATERIAL: xxx7 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 OPENINGS ARE:  
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped xxx8 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-PERFORATED INTERVALS: From 72 ft. to 92 ft., From ft. to ft.  
 From ft. to ft., From ft. to ft.  
 GRAVEL PACK INTERVALS: From 10 ft. to 92 ft., From ft. to ft.  
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: xxx Neat cement 2 Cement grout 3 Bentonite 4 Other  
 Grout intervals: From 0 ft. to 10 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 14 Abandoned 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 ???. In Pasture

Direction from well? How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	2	topsoil			
2	7	brown clay			
7	25	sandrock			
35	44	sandrock w/ clay layers			
44	92	sandrock			
92		blue shale---Stop			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was xx constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 12/26/1985 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 359 This Water Well Record was completed on (mo/day/yr) 12/26/1985 under the business name of Daryl Cox & Sons Inc. by (signature) Daryl Cox

INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

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1 LOCATION OF WATER WELL  
 County: **OTTOWA** Fraction **SE 1/4 SE 1/4 SW 1/4** Section Number **10** Township Number **T 11 S** Range Number **R 3 E/W**  
 Distance and direction from nearest town or city? **2 1/2 SE MINNEAPOLIS** Street address of well if located within city?

2 WATER WELL OWNER: **HOWARD WEIS**  
 RR#, St. Address, Box #: **MINNEAPOLIS, KANSAS 67467** Board of Agriculture, Division of Water Resources  
 City, State, ZIP Code: **MINNEAPOLIS, KANSAS 67467** Application Number:

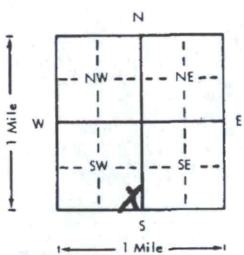
3 DEPTH OF COMPLETED WELL: **140** ft. Bore Hole Diameter: **8** in. to **140** ft., and \_\_\_\_\_ in. to \_\_\_\_\_ ft.  
 Well Water to be used as:  
 Domestic  3 Feedlot  5 Public water supply  8 Air conditioning  11 Injection well  
 2 Irrigation  4 Industrial  6 Oil field water supply  9 Dewatering  12 Other (Specify below)  
 7 Lawn and garden only  10 Observation well  
 Well's static water level: **89** ft. below land surface measured on \_\_\_\_\_ **6** month \_\_\_\_\_ **25** day \_\_\_\_\_ **80** year  
 Pump Test Data: Well water was \_\_\_\_\_ **NA** ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_ gpm  
 Est. Yield **30+** gpm: Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_ gpm

4 TYPE OF BLANK CASING USED:  
 1 Steel  3 RMP (SR)  5 Wrought iron  8 Concrete tile Casing Joints: Glued  Clamped \_\_\_\_\_  
 2 PVC  4 ABS  6 Asbestos-Cement  9 Other (specify below) Welded \_\_\_\_\_  
 7 Fiberglass \_\_\_\_\_ Threaded \_\_\_\_\_  
 Blank casing dia \_\_\_\_\_ **5** in. to \_\_\_\_\_ **120** ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft.  
 Casing height above land surface: \_\_\_\_\_ **12** in., weight \_\_\_\_\_ **3** lbs./ft. Wall thickness or gauge No. **258**  
 TYPE OF SCREEN OR PERFORATION MATERIAL:  
 1 Steel  3 Stainless steel  5 Fiberglass  8 RMP (SR)  10 Asbestos-cement  
 2 Brass  4 Galvanized steel  6 Concrete tile  9 ABS  11 Other (specify) \_\_\_\_\_  
 12 None used (open hole)  
 Screen or Perforation Openings Are:  
 1 Continuous 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 Dia \_\_\_\_\_ **5** in. to \_\_\_\_\_ **140** ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft.  
 Screen-Perforated Intervals: From \_\_\_\_\_ **120** ft. to \_\_\_\_\_ **140** ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Gravel Pack Intervals: From \_\_\_\_\_ **13** ft. to \_\_\_\_\_ **140** ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

5 GROUT MATERIAL:  1 Neat cement  2 Cement grout  3 Bentonite  4 Other \_\_\_\_\_  
 Grouted Intervals: From \_\_\_\_\_ **3** ft. to \_\_\_\_\_ **13** ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 What is the nearest source of possible contamination:  
 1 Septic tank  4 Cess pool  7 Sewage lagoon  10 Fuel storage  14 Abandoned water well  
 2 Sewer lines  5 Seepage pit  8 Feed yard  11 Fertilizer storage  15 Oil well/Gas well  
 3 Lateral lines  6 Pit privy  9 Livestock pens  12 Insecticide storage  16 Other (specify below)  
 13 Watertight sewer lines  
 Direction from well \_\_\_\_\_ **EAST** How many feet \_\_\_\_\_ **100** ? Water Well Disinfected? Yes  No \_\_\_\_\_  
 Was a chemical/bacteriological sample submitted to Department? Yes \_\_\_\_\_ No  If yes, date sample was submitted \_\_\_\_\_ month \_\_\_\_\_ day \_\_\_\_\_ year Pump Installed? Yes \_\_\_\_\_ No   
 If Yes: Pump Manufacturer's name \_\_\_\_\_ Model No. \_\_\_\_\_ HP \_\_\_\_\_ Volts \_\_\_\_\_  
 Depth of Pump Intake \_\_\_\_\_ ft. Pumps Capacity rated at \_\_\_\_\_ gal./min.  
 Type of pump:  1 Submersible  2 Turbine  3 Jet  4 Centrifugal  5 Reciprocating  6 Other \_\_\_\_\_

6 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was  constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on \_\_\_\_\_ **6** month \_\_\_\_\_ **15** day \_\_\_\_\_ **80** year  
 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **359**  
 This Water Well Record was completed on \_\_\_\_\_ **6** month \_\_\_\_\_ **26** day \_\_\_\_\_ **80** year under the business name of **DARYL COX + SONS INC** by (signature) **Daryl Cox**

LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:	FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
	0	3	TOPSOIL			
	3	11	BROWN CLAY			
	11	18	SANDROCK			
	18	80	BLUE CLAY w/ SANDROCK LAYERS			
	80	138	SANDROCK			
	138	139	HARD ROCK			
	139	140	BLUE SHALE			
	140		STOP			



ELEVATION: \_\_\_\_\_  
 Depth(s) Groundwater Encountered 1. \_\_\_\_\_ ft. 2. \_\_\_\_\_ ft. 3. \_\_\_\_\_ ft. 4. \_\_\_\_\_ ft. (Use a second sheet if needed)

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

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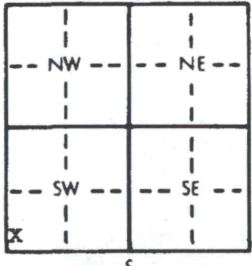
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1 LOCATION OF WATER WELL: County: **OTTAWA** Fraction: **SW 1/4 SW 1/4 SW 1/4** Section Number: **27** Township Number: **T 10 S** Range Number: **R 3 E/W**

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

**2 MILES EAST AND 2 MILES NORTH OF MINNEAPOLIS, KS.**

2 WATER WELL OWNER: **RILEY TIBBITS**  
 RR#, St. Address, Box #: **207 E. 9th** Board of Agriculture, Division of Water Resources  
 City, State, ZIP Code: **MINNEAPOLIS, KS. 67467** Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:  4 DEPTH OF COMPLETED WELL: **91** ft. ELEVATION: **15** ft. 2. **15** ft. 3. **15** ft.  
 Depth(s) Groundwater Encountered: **15** ft. 2. **15** ft. 3. **15** ft.  
 WELL'S STATIC WATER LEVEL: **15** ft. below land surface measured on mo/day/yr **4-9-91**  
 Pump test data: Well water was **28** ft. after **1** hours pumping **25** gpm  
 Est. Yield **75+** gpm: Well water was **28** ft. after **1** hours pumping **25** gpm  
 Bore Hole Diameter: **9** in. to **91** ft. and **91** in. to **91** 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  If yes, mo/day/yr sample was submitted  
 Water Well Disinfected? Yes  No

5 TYPE OF BLANK CASING USED: 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued  Clamped   
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded   
 7 Fiberglass Threaded   
 Blank casing diameter: **5** in. to **61** ft. Dia. **5** in. to **61** ft. Dia. **5** in. to **61** ft. Dia. **5** in. to **61** ft. Dia.  
 Casing height above land surface: **24** in., weight **160** lbs./ft. Wall thickness or gauge No. **SDR #6**  
 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 OPENINGS ARE: 5 Gauzed wrapped 8 Saw cut 11 None (open hole)  
 1 Continuous slot **3 Mill slot .035** 6 Wire wrapped 9 Drilled holes  
 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify)   
 SCREEN-PERFORATED INTERVALS: From **61** ft. to **91** ft. From **61** ft. to **91** ft.  
 From **45** ft. to **91** ft. From **45** ft. to **91** ft.  
 GRAVEL PACK INTERVALS: From **45** ft. to **91** ft. From **45** ft. to **91** ft.  
 From **45** ft. to **91** ft. From **45** ft. to **91** ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other  
 Grout Intervals: From **0** ft. to **25** ft. From **0** ft. to **25** ft. From **0** ft. to **25** ft. From **0** ft. to **25** ft.  
 What is the nearest source of possible contamination: 10 Livestock pens 14 Abandoned water well  
 1 Septic tank 4 Lateral lines 7 Pit privy 11 Fuel storage 15 Oil well/Gas well  
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 12 Fertilizer storage 16 Other (specify below)  
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 13 Insecticide storage  
 Direction from well? **NORTH** How many feet? **OVER 50**

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	2	TOP SOIL			
2	10	CLAY GRAY			
10	22	CLAY BROWN			
22	30	SANDY LOOM			
30	91	SAND STONE TAN			

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) **4-9-91** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **388** This Water Well Record was completed on (mo/day/yr) **4-9-91**  
 under the business name of **PESTINGER PUMP SERVICE** by (signature) *[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, Topeka, Kansas 66620-7320. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

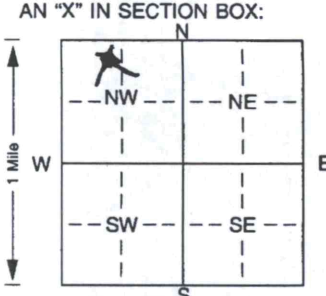
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1 LOCATION OF WATER WELL: Fraction NE 1/4 NW 1/4 NW 1/4 Section Number 33 Township Number T 10 S R 3 Range Number 3  RW

Distance and direction from nearest town or city street address of well if located within city?  
**2 miles East & 1 mile North of Minneapolis, KS**

2 WATER WELL OWNER: **Ottawa County Cattle Associates**  
 RR#, St. Address, Box #: **1444 Mulberry**  
 City, State, ZIP Code: **Minneapolis, KS 67467**  
 Board of Agriculture, Division of Water Resources  
 Application Number: **36,458**

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:  4 DEPTH OF COMPLETED WELL: **123** ft. ELEVATION: **1** ft.  
 Depth(s) Groundwater Encountered 1. **1** ft. 2. **1** ft. 3. **1** ft.  
 WELL'S STATIC WATER LEVEL **1** ft. below land surface measured on mo/day/yr  
 Pump test data: Well water was **1** ft. after **1** hours pumping **1** gpm  
 Est. Yield **250-350** gpm: Well water was **1** ft. after **1** hours pumping **1** gpm  
 Bore Hole Diameter: **12** in. to **125** in. ft., and **1** in. to **1** in. 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)  
 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well  
 Was a chemical/bacteriological sample submitted to Department? Yes. **X** No. **X**; If yes, mo/day/yrs sample was submitted  
 Water Well Disinfected? Yes **X** No

5 TYPE OF BLANK CASING USED: 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued. **X** Clamped. **X**  
 PVC 4 ABS 7 Fiberglass 9 Other (specify below) Welded. **X** Threaded. **X**  
 Blank casing diameter **8** in. to **63** ft., Dia **8** in. to **63** ft., Dia **8** in. to **63** ft.  
 Casing height above land surface **12** in., weight **5.72** lbs./ft. Wall thickness or gauge No. **332**  
 TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel 3 Stainless steel 5 Fiberglass  PVC 10 Asbestos-cement  
 2 Brass 4 Galvanized steel 6 Concrete tile 8 RMP (SR) 11 Other (specify) **X**  
 9 ABS 12 None used (open hole)  
 SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous 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) **X**  
 SCREEN-PERFORATED INTERVALS: From **63** ft. to **123** ft., From **63** ft. to **123** ft.  
 GRAVEL PACK INTERVALS: From **20** ft. to **123** ft., From **20** ft. to **123** ft.

6 GROUT MATERIAL: 1 Neat cement  Cement grout 3 Bentonite 4 Other  
 Grout Intervals: From **0** ft. to **20** ft., From **0** ft. to **20** ft., From **0** ft. to **20** ft.  
 What is the nearest source of possible contamination:  Livestock pens 14 Abandoned water well  
 1 Septic tank 4 Lateral lines 7 Pit privy 11 Fuel storage 15 Oil well/Gas well  
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 12 Fertilizer storage 16 Other (specify below)  
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 13 Insecticide storage  
 Direction from well? **South** How many feet? **250**

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	2	Topsoil			
2	10	Brown Clay			
10	16	Clay, tan			
16	18	Clay, sandy, tan			
18	27	Sandstone			
17	28	Iron Pyrite			
28	34	Sandstone with clay layers			
34	40	Clay, light gray			
40	43	Sandstone			
43	44	Shale, gray			
44	125	Sandstone with clay layers and iron pyrite			

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) **5-15-02** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's Licence No. **138** This Water Well Record was completed on (mo/day/yr) **5-30-02** under the business name of **PETERSON IRRIGATION INC.** by (signature) **Mike Peters**

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 refileing 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,

A handwritten signature in black ink that reads "Alex Whitesell".

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. 49577

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,

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

KAK: DLW  
pc: STOCKTONField Office  
GMD

SCANNED