

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,907</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">11/16/2017</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">3</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID <u>15204</u> New to system <input type="checkbox"/> Add Seq# _____</p> <p style="margin-left: 20px;">CLOUD RWD 01 BOOKKEEPER PO BOX 416 CONCORDIA KS 66901</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>7a.</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input checked="" type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2018</u> 11. Perfection Date: <u>12/31/2037</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: _____			
<p>Date Prepared: 10/12/2017 By: DWS Date Entered: 11/28/2017 By: UM</p>			

File No. **49,907** 15. Formation Code: **112/331** Drainage Basin: **Republican RIVER** County: **CD** Special Use: Stream:

16. Points of Diversion

T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
√	71351	NW NW NE	25	5	5W	3	5227	2507

17. Rate and Quantity **MOD ADDL QTY**

Authorized		Additional		Overlap PD Files
Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	
400	10	400	4.176	46,173

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

19. Limitation: **40 MG/yr** at _____ gpm (_____ cfs) when combined with file number(s) **19,812; 35,452; 45,284; 46,173; and 49,606**
 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

T MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
√	33150	9	5	4W	3	WITHIN THE BOUNDARIES OF RWD #1 CLOUD COUNTY																7a	No	*See Below	

Comments: ***File Nos. 19,812; 35,452; 45,284; 46,173; 49,906; and 49,907 All Overlap in Place of Use.**

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

TO: Files

DATE: October 12, 2017

FROM: Doug Schemm

RE: Applications, File Nos. 49,906
and 49,907

Cloud County RWD 1 has filed the referenced applications, each proposing to appropriate 10 million gallons of groundwater per calendar year at a diversion rate not to exceed 400 gallons per minute for municipal use from existing wells. The application forms were signed by a representative of the applicant, stating the District has access to the points of diversion. The wells are located within the Republican River Basin.

FILE NO. 49,906

Application, File No. 49,906 will overlap in point of diversion with File No. 45,284, and will overlap in place of use with File Nos. 19,812; 35,452; 45,284; 46,173, and 49,907. The applicant did not identify any wells of any kind within one-half mile of the proposed point of diversion (other than his other nearby MUN supply well). No nearby well owner letters are required. There are several other permitted groundwater wells within a two-mile radius according to the WRIS database. However, **PLEASE NOTE, that all other wells within this area are sourcing the Dakota aquifer system.** The applicant's well is sourcing tributary alluvium. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be 1,320 feet to wells in the same **common source of supply** for non-domestic wells and 660 feet to domestic wells. Therefore, even though the proposed point of diversion is only 476 feet from the applicant's other municipal well (File No. 35,452), spacing is met because they are not in a common source of supply. This is an existing well that has been utilized for municipal use for many years. The requested quantity of water and rate of diversion are still relatively small, and there is no reason to believe that any senior water rights will be impaired with approval of this application.

File No. 49,906 the well log clearly shows creek sand and gravel extending from 48 feet to 69 feet below ground surface (screened from 55' to 71'), ending on a hard clay layer. For File No. 35,452 the well log shows sandrock (Dakota) 83 feet to 109 feet below ground surface (screened from 90' to 110'). Based on the well log, and the senior file 45,284, and the geographical location of the well near the stream, the source of water is the tributary alluvial aquifer of West Branch Oak Creek. Per K.A.R. 5-3-11, the area of consideration was based on the extent of this alluvial aquifer, which was determined to be 1,965 acres. Thus 1,965 acres x 2.5 inches of recharge x 75% recharge available / 12 provides a safe yield of 307 acre-feet. Prior appropriations total 79.25 acre-feet, leaving over 227 acre-feet available and the application requesting 30.7 acre-feet meets safe yield. Note that the nearby wells sourcing Dakota formation were subtracted from the prior appropriations.

FILE NO. 49,907

Application, File No. 49,907 will overlap in point of diversion with File No. 46,173, and will overlap in place of use with File Nos. 19,812; 35,452; 45,284; 46,173, and 49,906. The applicant did not identify any wells of any kind within one-half mile of the proposed point of diversion (other than his other nearby MUN supply well). No nearby well owner letters are required. There are only two other permitted groundwater wells within a two-mile radius according to the WRIS database. Per the requirements in K.A.R. 5-4-4 for the unconfined Dakota aquifer system, the minimum well spacing should be 2,640 feet to non-domestic wells and 1,320 feet to domestic wells. The nearest non-domestic well is over 2,900 feet away, so spacing is met. This is an existing well that has been utilized for municipal use for many years. The requested quantity of water and rate of diversion are still relatively small, and there is no reason to believe that any senior water rights will be impaired with approval of this application.

File No. 49,907 is sourcing both tributary alluvium/terrace and unconfined Dakota aquifer system aquifers. The well log clearly shows creek gravel extending from 54.5 feet to 66 feet below ground surface and sandstone from 68 feet to 82.5 feet, with the well screened from 55.5 feet to 82 feet below ground surface. Per K.A.R. 5-3-11, (and the senior file) the area of consideration was based on the extent of the alluvial aquifer overlying the Dakota aquifer system, which was determined to be 4,892 acres. Thus 4,892 acres x 2.4 inches of recharge x 75% recharge available / 12 provides a safe yield of 733.8 acre-feet. Prior appropriations total 198.23 acre-feet, leaving over 535 acre-feet available and the application requesting 30.7 acre-feet meets safe yield. By definition in K.A.R. 5-3-11(d)(6), the Republican Basin does not include the unconfined Dakota, Meade formation, or any other areas located outside the effective alluvium. This existing well is outside the effective alluvium.

File No. 19,812 is authorized 10.237 million gallons, File No. 35,452 is authorized 11.501 million gallons, File No. 45,284 is authorized 25.824 million gallons, but limited to 25.824 with senior files, so only 4.086 million gallons additional, and finally File No. 46,173 is authorized 10.238 million gallons, with 0 additional quantity. Therefore, the total authorized by all senior files is 25.824 million gallons.

The applicant has provided a Municipal Supplemental Information Sheet and additional information to justify the requested quantity of water. In addition, based on Water Use Records and the applicant's information, they have nearly exceeded their authorized quantity in the past few years. The Kansas Municipal Water Use report indicates an average of 125 gpcd, (which is relatively high for a small public water supplier – Avg. 97 gpcd). The Kansas Water Office water needs projection is 26 million gallons in 2040, however in many situations these estimates tend to be on the low side. An estimated quantity of water can be determined as follows:

Population of 493 x 125 gpcd x 365 days	= 22.5 million gallons.
Industrial, Stock, and Bulk	= 8.6 million gallons
Other Water Used (Unaccounted for)	= <u>7.7 million gallons</u>
TOTAL	= 38.8 million gallons

The applicant has projected a need of 34.2 million gallons by 2037. The applicant has noted the age of the District (over 20 years) and the difficulty in finding leaks to account for much of the unaccounted water. The District is updating their system with AMR master meters and they anticipate being able to detect leaks much easier. Actual customer usage has also been updated from a self read system. They anticipate continued growth in both residential and stock uses. Based on this information, it appears that a projected quantity of water need of 40 million gallons would be reasonable. Since the senior files authorize 25.824 million gallons, this would mean the pending applications would provide 14.176 million gallons of additional water (40 mgy – 25.824 mgy). File No. 49,906 would be all additional, while File No. 49,907 would be limited to 40 million gallons with the senior files (4.176 mgy additional).

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 these permits, a check valve will also need to be installed.

Kelly Stewart, Water Commissioner of the Stockton Field Office, recommended approval of the referenced applications in an October 12, 2017 e-mail. Based on the above discussion, the additional quantity of water will help the applicant meet future water demands, and approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new applications 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

November 30, 2017

CLOUD RWD 01
% MARCIA JOHNSON
PO BOX 416
CONCORDIA KS 66901

FILE COPY

Re: Appropriation of Water, File Nos. 49,906 and 49,907

Dear Ms. Johnson:

There are enclosed permits 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 sources and at the locations specified in these permits, and to use it for the purpose and at the location described in these permits.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits. Water meters are required and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters should be used to provide the information required on the annual water use reports. 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 these permits. Enclosed are forms which may be used to notify the Chief Engineer that the proposed diversion works have been completed for each file.

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 these permits 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 these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number. There is also enclosed an information sheet setting forth the procedure to obtain Certificates of Appropriation which will establish the extent of your water rights.

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,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures

pc: Stockton Field Office



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,907** of the applicant

**CLOUD RWD 01
BOOKKEEPER
PO BOX 416
CONCORDIA KS 66901**

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 **September 18, 2017**.
2. That the water sought to be appropriated shall be used for municipal use within the boundaries of Rural Water District No. 1, Cloud County, Kansas and the immediate vicinity.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 25, more particularly described as being near a point 5,227 feet North and 2,507 feet West of the Southeast corner of said section, in Township 5 South, Range 5 West, Cloud County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **400 gallons per minute** (0.89 c.f.s.) and to a quantity not to exceed **10 million gallons** (30.69 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, 2037** 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 re-diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

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

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

15. 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.

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

17. That the permit holder shall submit a progress report to the office of the Chief Engineer by March 1, following the tenth full calendar year after the permit was issued. The progress report must be submitted on a form prescribed by the Chief Engineer, and shall compare annual water use projected in the original application with the actual annual water use for the prior 10 years. The progress report must document compliance with the approved conservation plan, contain sufficient details to determine the extent of perfection of the water right during the previous ten years, and demonstrate how the water right, in association with other water rights, meets the municipal use need.

18. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File Nos. 19,812 and 35,452; and Appropriation of Water, File Nos. 45,284; 46,173, and 49,906, will provide a **total not to exceed 40 million gallons** of water per calendar year for municipal use as described herein.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 16th day of November, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, L.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 16th day of November, 2017, by Lane P. Letourneau, L.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

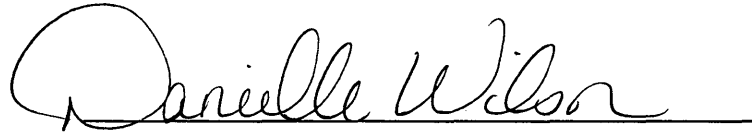
CERTIFICATE OF SERVICE

On this ~~30th~~ day of *November*, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,907, dated *November 16, 2017* was mailed postage prepaid, first class, US mail to the following:

CLOUD RWD 01
BOOKKEEPER
PO BOX 416
CONCORDIA KS 66901

With photocopies to:

Stockton Field Office

A handwritten signature in cursive script that reads "Danielle Wilson". The signature is written in black ink and is positioned above a horizontal line.

Division of Water Resources

Application #2

APPLICATION COMPLETE
9/18/17
Reviewer DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49907
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

SEP 18 2017
11:31
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE
Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

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

1. Name of Applicant (Please Print): CLOUD CO. RWD 1
Address: P.O. BOX 416
City: CONCORDIA State: KS Zip Code: 66901
Telephone Number: (785) 243-7929

2. The source of water is: surface water in _____ (stream)
OR groundwater in Republican River Basin (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 _____ acre-feet OR 10 million gallons per calendar year, to be diverted at a maximum rate of 400 gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only:
F.O. 3 GMD Meets K.A.R. 5-3-1 (YES / NO) Use MUN Source GYS County CD By KAB Date 9/18/17
Code REG Fee \$ 200 TR # _____ Receipt Date 9/18/17 Check # 3916

SCANNED
9/19/2017 CCM

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

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

- (A) One in the NW quarter of the NW quarter of the NE quarter of Section 25, more particularly described as being near a point 5,227 feet North and 2,507 feet West of the Southeast corner of said section, in Township 5 South, Range 5 WEST, CLOUD 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)

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 September 12, 2017. By: Marcia Johnson
Applicant's Signature
Cloud County RWD # 1

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

and (was)(will be) completed (by) EXISTING
(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 _____
(Mo/Day/Year)

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 _____

GROUNDWATER WELL

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.

46,173 OVERLAP IN PD AND PU.

WATER RESOURCES
RECEIVED

19,812; 35,452; AND 45,284 OVERLAP IN PU.

SEP 18 2017

KS DEPT OF AGRICULTURE

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	<u>See Senior</u>			
	<u>File</u>	_____	_____	_____
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 Concordia, Kansas, this 12 day of September, 2017.
(month) (year)

(Applicant Signature)
Cloud County Rural Water Dist #2
By Marcia Johnson
(Agent or Officer Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

48-0803194

and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

Marcia Johnson
(Agent or Officer - Please Print)

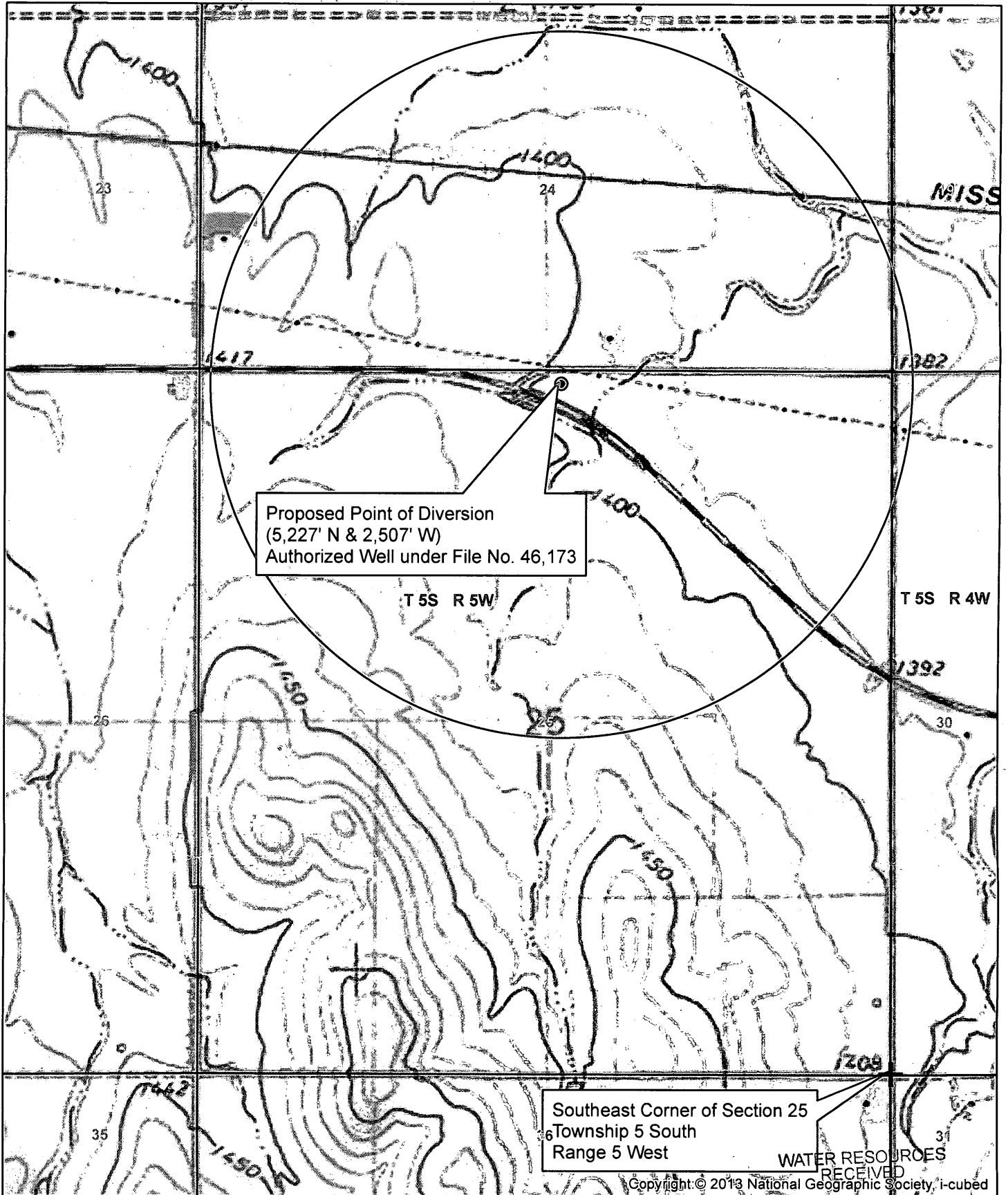
Assisted by DWS

TOPEKA FO
(office/title)

Date: 1/31/2017

49907

CLOUD COUNTY RWD NO. 1
NEW APPLICATION SITE MAP
SEC. 25, T5S, R5W - CLOUD CO.



© Proposed Point of Diversion

1:12,000

All known wells within one-half mile of the proposed point of diversion are shown on this map.

SEP 18 2017
US DEPT OF AGRICULTURE
Marcia Johnson SCANNED



Applicant's Name: CLOUD CO RWD 1
(Please Print)

MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION SUPPLEMENTAL INFORMATION SHEET

Application File Number
49,907
(assigned by DWR)

SCANNED
KS DEPT. OF AGRICULTURE
RECEIVED
SEP 18 2017

444010

SECTION 1: PRESENT WATER USE SUMMARY (IF NO PREVIOUS MUNICIPAL WATER USE HAS BEEN UTILIZED, PROCEED TO SECTION 3)
NOTE: WORKSHEET FOR WATER PUMPED, PURCHASED, AND SOLD BY YOUR WATER DISTRIBUTION SYSTEM.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	
Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Below Explanation)	
23,351,000	0	0	4167,000	12,060,000	143,000	6,981,000	
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER	

UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER

- Column 1: The amount of raw water diverted from all of your points of diversion.
- Column 2: The amount of water purchased wholesale from all other public water supply systems or the Kansas Water Office.
- Column 3: The amount of water sold wholesale to all other public water supply systems.
- Column 4: The amount of water sold retail to all industrial, pasture, stockwater, feedlot, and bulk water service connections. Include the amount of water sold to all farmsteads using at least 200,000 gallons of water per year.
- Column 5: The amount of water sold retail to your residential and commercial customers and to industries and farmsteads using less than 200,000 gallons of water per year.
- Column 6: The amount of water used that is metered at individual service connections and supplied free, such as for public service, treatment processes, and connections receiving free water.
- Column 7: The amount of remaining water used. The gallons reported in this column are found by adding the numbers in Columns 1 and 2 and subtracting the numbers in Columns 3, 4, 5, and 6.

UNACCOUNTED FOR WATER

Use the following to calculate your distribution system's Unaccounted For Water:

Start with the amount in Column 1 and add the amount in Column 2, then subtract the amounts in Columns 3, 4, 5, and 6 leaving an amount of water representing your unaccounted for water to enter in Column 7.

Use the following to calculate the percent Unaccounted For Water versus the Total Water of your system:

$$\text{Percent Unaccounted For Water} = \frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \times 100$$

If this number exceeds 20%, please explain the large amount of unaccounted for water and describe any steps being taken to reduce it. *- see attached*

SECTION 2: PAST WATER USE

COMPLETE THE FOLLOWING TABLE FROM YOUR PAST WATER USE RECORDS.

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Above Explanation)	
20 years ago								
15 years ago								
10 years ago 2008	25,086,000	0	0	5,765,000	11,518,000	90,000	7,713,000	
5 years ago 2011	20,508,000	0	0	6,090,000	11,131,000	273,000	3,014,000	
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER	

SECTION 3: PROJECTED FUTURE WATER NEEDS

PLEASE COMPLETE THE FOLLOWING TABLE SHOWING YOUR FUTURE WATER REQUIREMENTS FOR THE NEXT 20 YEARS:

	Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Explanation on other side)
Year 5	25,686,000	0	0	5,000,000	13,266,000	157,000	7,263,000
Year 10	28,254,000	0	0	6,000,000	14,592,000	173,000	7,489,000
Year 15	31,080,000	0	0	7,200,000	16,052,000	190,000	7,638,000
Year 20	34,188,000	0	0	8,640,000	17,657,000	209,000	7,682,000
TOTAL WATER = Columns 1 + 2			ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

SECTION 4: POPULATION AND SERVICE CONNECTIONS

ESTIMATE THE NUMBER OF PERSONS DIRECTLY SERVED BY YOUR WATER DISTRIBUTION SYSTEM

**PAST POPULATION - PROVIDE INFORMATION BELOW:
(CENSUS BUREAU INFORMATION)**

LAST 20 YEARS	POPULATION
20 years ago	
15 years ago	
8 years ago	412
5 years ago	431
Last Year	453

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	463
Year 10	473
Year 15	483
Year 20	493

Provide number of current active service connections:

192 Residential _____ Industrial _____ Other (specify) _____
 _____ Commercial 82 Pasture/ Stockwater/ Feedlot 274 Total

SECTION 5: PRESENT GALLONS PER PERSON PER DAY

CALCULATE YOUR GALLONS PER PERSON PER DAY

Water in Columns 5, 6, and 7 ÷ Population ÷ 365 Days/Year = Gallons per Person per Day

$\frac{19,184,000}{453} \div 365 \text{ Days/Year} = 116$ GALLONS PER PERSON PER DAY.

Amount of water in Columns 5, 6, and 7 of Section 1 Population from Last Year of Section 4

SECTION 6: AREA TO BE SERVED

Describe the area to be served or provide the legal description of the location where the water is to be used including any other city of water supply system (i.e. Rural Water District): _____

WITHIN BOUNDARIES OF RWD #1 CLOUD COUNTY

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

#49,907

Schemm, Doug

From: Stewart, Kelly
Sent: Thursday, October 12, 2017 8:06 AM
To: Schemm, Doug
Cc: Billinger, Mark; Hageman, Rebecca
Subject: RE: Cloud Co. RWD 1

Doug,

I have no objection to the approval of these applications.

Kelly

From: Schemm, Doug
Sent: Wednesday, October 11, 2017 4:16 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark <Mark.Billinger@ks.gov>
Subject: Cloud Co. RWD 1

Hello Stockton,
I figure we should give them 40 MGY, which would be about 15 mgy more than they have.
They have been close to over pumping in several years.
Please review,
Thanks, Doug

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49907 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49907 00 MUN

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

meets spacing of 1/2 miles

5227 Feet North and 2507 Feet West of the Southeast Corner of Section 25 T 5S R 5W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 30660 00	IRR	NK	G	2983	--	NE	NE	NE	5180	230	26	5	5W	1		131.00	131.00	AF
A__ 42913 00	MUN	LO	G	8214	--	NE	SE	SE	1128	134	22	5	5W	7		46.03	46.03	AF
A__ 46173 00	MUN	LO	G	0	--	NW	NW	NE	5227	2507	25	5	5W	3		31.42	.00	AF
A__ 49907 00	MUN	AY	G	0	--	NW	NW	NE	5227	2507	25	5	5W	3		30.69	30.69	AF
VCD 5 00	MUN	AA	G	8214	--	NE	SE	SE	1128	134	22	5	5W	7		21.20	21.20	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	30.69	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	46.03	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	131.00	.00
Total Vested Amount (AF) =	21.20	.00
TOTAL AMOUNT (AF) =	228.92	.00

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

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

5227 Feet North and 2507 Feet West of the Southeast Corner of Section 25 T 5S R 5W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 30660 00	IRR	NK	G
> FRED M & PHYLLIS E LARSEN			
>			
> 1950 N 110TH RD			
> CONCORDIA KS 66901			

A__ 42913 00	MUN	LO	G
> CITY OF JAMESTOWN			
>			
> PO BOX 274			
> JAMESTOWN KS 66948			

A__ 46173 00	MUN	LO	G
> CLOUD RWD 01			
> BOOKKEEPER			
> PO BOX 416			
> CONCORDIA KS 66901			

A__ 49907 00	MUN	AY	G

> CLOUD RWD 01
> BOOKKEEPER
> PO BOX 416
> CONCORDIA KS 66901

>-----

VCD 5 00 MUN AA G

> CITY OF JAMESTOWN

>

> PO BOX 274

> JAMESTOWN KS 66948

>-----

=====

#####

File #49,907
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 733.80 AF.
 Total prior appropriation in the circle is 228.92 AF. - 30.69 = 198.23 AF
 Total quantity of water available for appropriation is 504.88 AF.

535.6 AF

Safe Yield Variables

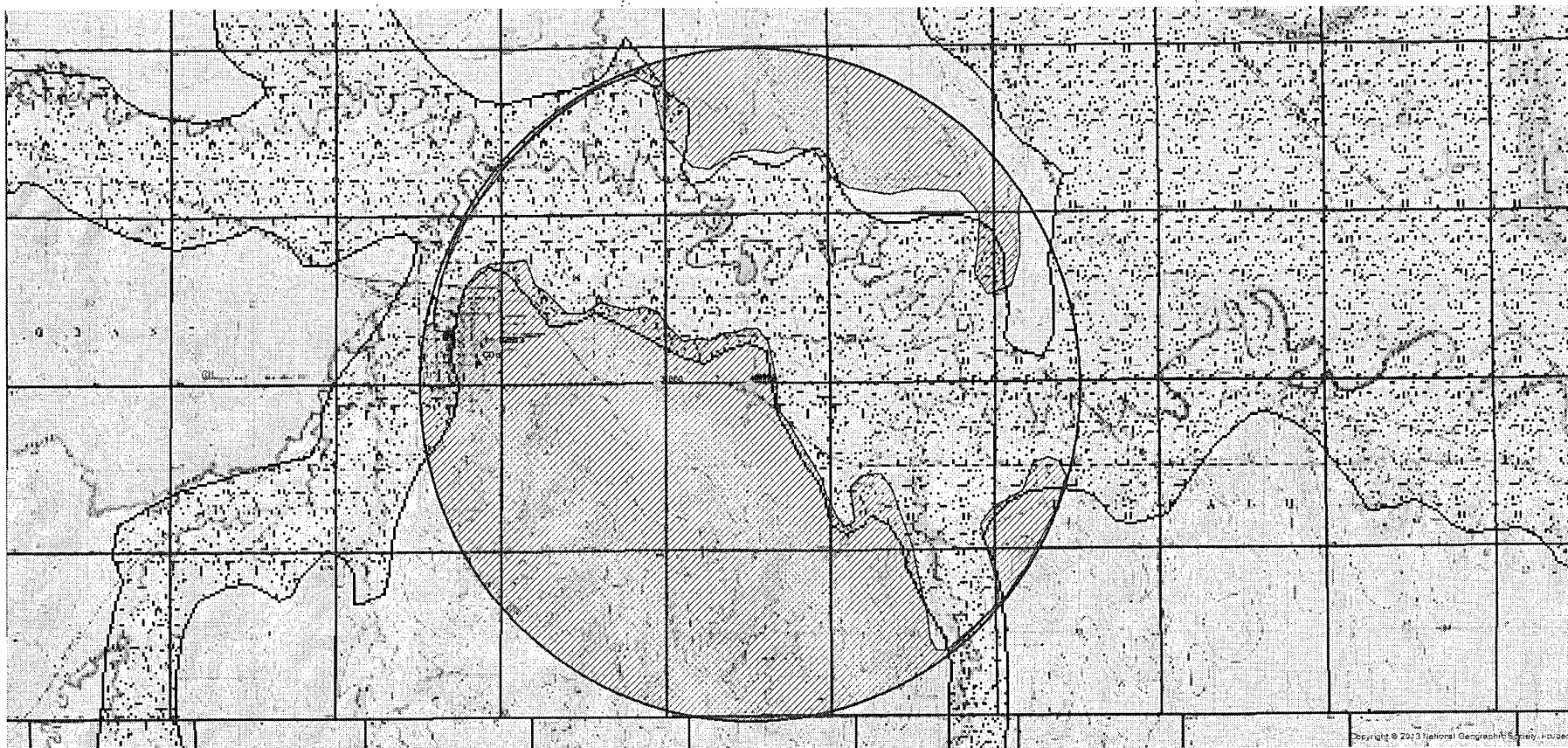
The area used for the analysis is set at 4892 acres.
 Potential annual recharge of the area is estimated to be 2.4 inches.
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 11-OCT-2017 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 5 water right(s) and 3 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 30660	00 IRR	NK	G		NE	NE	NE	5180	230	26	05	05W	1	WR	131.00	131.00	317.00	317.00
A 42913	00 MUN	LO	G		NE	SE	SE	1128	134	22	05	05W	7	WR	46.03	46.03		
A 46173	00 MUN	LO	G		NW	NW	NE	5227	2507	25	05	05W	3	WR	31.42	0.00		
A 49907	00 MUN	AY	G		NW	NW	NE	5227	2507	25	05	05W	3	WR	30.69	30.69		
V CD 5	00 MUN	AA	G		NE	SE	SE	1128	134	22	05	05W	7	WR	21.20	21.20		

Safe Yield Report Sheet
Water Right- A4990700
Point of Diversion in NENWNW 25-5S-5W 3 (71351)



WATER WELL RECORD

Form WWC-5

Division of Water Resources; App. No.

46,173

1 LOCATION OF WATER WELL: County: Cloud	Fraction NE 1/4 NW 1/4 NE 1/4	Section Number 25	Township Number T 5 S	Range Number R 5 E/W
--	---	-----------------------------	---------------------------------	--------------------------------

Distance and direction from nearest town or city street address of well if located within city? **2 miles East of Jamestown, Ks.**

Global Positioning Systems (decimal degrees, min. of 4 digits)
 Latitude: _____
 Longitude: _____
 Elevation: _____
 Datum: _____

2 WATER WELL OWNER: Cloud County RWD #1
 RR#, St. Address, Box # : **c/o Schwab-Easton**
 City, State, ZIP Code : **1125 Garden Way Manhattan, KS 66502**

Data Collection Method: _____

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

N					
W	--NW--	--NE--			E
	--SW--	--SE--			
		S			

4 DEPTH OF COMPLETED WELL **82** ft.

Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.
 WELL'S STATIC WATER LEVEL **1.1** ft. below land surface measured on mo/day/yr. **4/5/07**...
 Pump test data: Well water was..... ft. after..... hours pumping..... gpm
 Est. Yield...**5.0**...gpm: Well water was..... ft. after..... hours pumping..... gpm

WELL WATER TO BE USED AS: 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 Domestic (lawn & garden) 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 CASING USED:

1 Steel	3 RMP (SR)	6 Asbestos-Cement	9 Other (specify below)	CASING JOINTS: Glued... <input checked="" type="checkbox"/> ... Clamped.....
<input checked="" type="checkbox"/> PVC	4 ABS	7 Fiberglass		Welded.....
				Threaded.....

Blank casing diameter ...**8**..... in. to ...**55.5**..... ft., Diameter..... in. to ft., Diameter..... in. to ft.
 Casing height above land surface..... **1.2**..... in., Weight..... **8.76**..... lbs./ft. Wall thickness or gauge No. **50a**.....

TYPE OF SCREEN OR PERFORATION MATERIAL:

1 Steel	<u>3 Stainless Steel</u>	5 Fiberglass	4	9 ABS	11 Other (Specify)
2 Brass	4 Galvanized Steel	6 Concrete tile	8 RM (SR)	10 Asbestos-Cement	12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:

<u>1 Continuous slot</u>	2	5 Guazed wrapped	7 Torch cut	9 Drilled holes	11 None (open hole)
2 Louvered shutter	4 Key punched	6 Wire wrapped	8 Saw Cut	10 Other (specify)	

SCREEN-PERFORATED INTERVALS: From... **55.5**..... ft. to ... **82**..... ft., From ft. to ft.
 From ft. to ft., From ft. to ft.

GRAVEL PACK INTERVALS: From... **45**..... ft. to ... **82**..... ft., From ft. to ft.
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement Cement grout Bentonite 4 Other

Grout Intervals: From **5**..... ft. to **25 Cem** ft., From **25**..... ft. to **45 Ben** ft., From ft. to ft.

What is the nearest source of possible contamination: **None within 1/4 mile**

1 Septic tank	4 Lateral lines	7 Pit privy	10 Livestock pens	13 Insecticide Storage	16 Other (specify below)
2 Sewer lines	5 Cess pool	8 Sewage lagoon	11 Fuel storage	14 Abandoned water well	
3 Watertight sewer lines	6 Seepage pit	9 Feedyard	12 Fertilizer Storage	15 Oil well/gas well	

Direction from well? How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	4	Topsoil			
4	8	Clay, gray/green			
8	37	Clay, brown			
37	54.5	Clay, gray			
54.5	66	Creek gravel, dirty w/limestone			
66	68	Shale, gray			Screened
68	82.5	Sandstone, brown			
82.5	85	Shale, gray			

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) **4/26/07**... and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **138**..... This Water Well Record was completed on (mo/day/year) **5/7/07**..... under the business name of **Peterson Irrigation, Inc.** by (signature) *Mike Peterson*

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. Visit us at <http://www.kdhe.state.ks.us/geo/waterwells>.



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stockton Field Office

MEMORANDUM

TO: Files

DATE: August 29, 2016

FROM: Jodie K. Barker *JKB*

RE: Water Right,
File Nos. 19,812 & 35,452;
Appropriation of Water, File
Nos. 45,284 & 46,173

The referenced files are authorized for municipal use within the boundaries of RWD #1, Cloud County.

File 19812 is certified 10.237 (31.416 AF) mgy @ 55 gpm from one (1) well.

The 2015 WUR shows:
Beginning: 43352000
Ending: 43376000
Metered quantity: .024 mg (.074 AF)

No overpump.

File 35452 is certified for 11.501 mgy (35.295 AF) @ 43 gpm from one (1) well.

The 2015 WUR shows:
Beginning: 47150000
Ending: 52419000
Metered quantity: 5.269 mg (16.17 AF)

No overpump.

File 45284 is authorized 25.824 mgy (79.25 AF) @ 99 gpm from one (1) well, limited to a total of 25.824 mgy (79.25 AF) when combined with File 19812, 35452 & 44726-Closed. (*see below)

The 2015 WUR shows:
Beginning: 77330000
Ending: 89137000
Metered quantity: 11.807 mg (36.234 AF)

(over)

File 45284 (cont)

Total combined quantity File 19812 + 35452 + 45284 = 17.1 mg (52.478 AF)

*NOTE: WRIS reflects "0" additional quantity for File 45852. This file has a priority date of 10-24-2002, an approval date of 3-19-2003, and a perfection deadline of 12-31-2023.

File 44726 (priority 7-23-2001; appr. 12-5-2001; dism. 10-26-2009) was originally approved for 25.824 mg, limited to 25.824 mg combined with File 19812 & 35452 (4.086 mg additional quantity). Per a F&O dated 9-29-2006, File 44726 was to be dismissed as a condition of the approval of File 45284. File 44726 was finally closed following the N&P & FIR of File 45284 in 2009.

If appropriate given the dismissal of File 44726, it is recommended that WRIS be updated to reflect 4.086 mg additional under File 45284.

No overpump individual or combined quantity.

File 46173 is authorized 10.238 mg (31.419 AF) @ 55 gpm from one (1) well, limited to 10.238 mg (31.419 AF) combined with File 19812.

The 2015 WUR shows:

Beginning: 37125000

Ending: 42193000

Metered quantity: 5.068 mg (15.553 AF)

Total combined quantity File 19812 + 46173 = 5.092 mg (15.627 AF)

No overpump of individual or combined quantity.

The calculated overpump appears to have been triggered due to the additional quantity of "0" under Files 45284 & 46173.

* 19,812 - 10.237 mg
35,452 + 11.501 mg
45,284 + 4.086 mg (add'l) Limited to 25.824 with senior Files.
25.824 mg
46,173 - 0 add'l (limited to 10.238 mg with 19,812)

CLOUD COUNTY RURAL WATER DISTRICT #1

Explanation of Unaccounted for Water Loss:

With a district as old as ours, we believe there are many undetectable small leaks throughout the system. As leaks are located, we promptly repair them. Very often we find that the pipes were not packed with sand or anything else in rocky areas where it was originally laid. The pipes have rubbed on the rocks over the years and split on the bottom of the pipe with the water running down through the rocks instead of coming up to the ground where it is able to be located.

We have a lot of water line that runs through pastures and fields that are far from the road. The only way to locate these is when a farmer notifies us that he has a soft spot or water is actually spraying out of the ground. Leaks like this may run for a long time before being detected.

We also believe that the expansion and contraction of the pipes cause water to leak that is undetectable. Glue holding pipes together has deteriorated over the years allowing pipes to pull apart. Pipes may contract enough to leak out water that is absorbed into the ground, but once the pipe expands enough, the leak stops. It is extremely difficult to locate these leaks.

Even though the water loss on the report is described as unaccounted water loss, we may know where a large leak happened or the water tower overflowed, etc. but because the water is not metered, we cannot indicate it as other metered water.

Steps Taken to Reduce Water Loss:

We used to be a self read system and it was impossible to know for sure, other than when we did a physical audit, whether exceptional usage was due to inaccurate patron readings or leaks on the system. In 2014 we invested in an AMR system so we now can compute and bill for accurate water usage. This also helps us to know if a leak is being billed for or is on a main line.

We also are monitoring the water pumped out of the wells every day and when the amount pumped is above normal, we look for leaks. We recently installed some AMR master meters on our main lines as a tool to determine where leaks are located and are looking into equipment that will assist with locating the leaks through sound moving through the pipes.

The water district board reviews and discusses water loss at every meeting and is always looking for ways to reduce it.

WATER RESOURCES
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SEP 18 2017

KS DEPT OF AGRICULTURE

SCANNED

**CLOUD COUNTY RURAL WATER DISTRICT #1
APPLICATION FOR ADDITIONAL WATER RIGHTS**

Additional information regarding our need for additional water rights:

-FARMING PRACTICES: Local farming practices have changed over the years which require additional water usage. The use of no-till requires thousands of gallons of water for chemicals sprayed on weeds. Since implementation of no-till, we have not had our water rights increased to cover this additional use of water.

-AGE OF WATER DISTRICT: Our water district is over 20 years old having been developed in the mid 1970's. Although we do our best to locate and repair leaks, a lot of the leaks are small ones or are extremely large ones that run a considerable amount of water before we are able to repair. We used to be a self read meter system but invested in an automated meter reading system in 2014 so that we would have a more accurate picture of water loss and be able to recognize high usage and possibly a leak. We have also installed master meters on our main lines to help locate leaks and reduce water loss. We continue to try to control water loss but it is very difficult with an old system.

-ADDING NEW BENEFIT UNITS: Since 2001 when our records were computerized, we have added 41 pasture units and 41 residential units for a total of 82 units. This averages over 5 benefit units/year. We have averaged 4 new units/year in the past 5 years. The new residential units come from people building new homes in the country and also homes that have had their own wells which are failing and they want to get on a reliable, safe water source. Several homeowners have installed units but continue to use their wells until their wells fail so we can expect them to begin using rural water in the near future. In addition, many of the older homeowners are selling their properties to young families increasing the number of users in a residence. These individuals also may have a few animals (horses, a few head of cattle) which increase the daily water usage of an otherwise residential household.

-INCREASED USAGE DURING DROUGHT: We have installed many pasture units for cattle watering in anticipation of future drought. A lot of these units do not get used when the pasture ponds are full. Water usage can increase substantially when it is a dry year and the ponds are low on water or dry which happened in 2012.

-WILL HAVE TO STOP ISSUING NEW BENEFIT UNITS: Our current water rights provide for approximately 25 million gallons over all our wells. We have been running up against our water rights for several years and this is in time of no drought. We will have to limit or discontinue issuing new benefit units to keep from going over our water allocation if we do not receive additional water rights. We will be unable to provide water for people and animals that may not have a better option for a safe, reliable, cost effective water source. We anticipate that our greatest increase will come from agriculture but without additional water rights, we will be unable to take on any type of commercial users.

WATER RESOURCES
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SEP 18 2017

KS DEPT OF AGRICULTURE

SCANNED

49907

(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. 49,907

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.

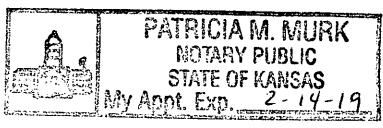
Cloud County BWD #1

By: Marcia Johnson
Signature of Applicant

State of Kansas)
County of Cloud) ss

Marcia Johnson
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 13 day of September, 2017.



Patricia M. Murk
Notary Public

My Commission Expires: 2-14-19

WATER RESOURCES
RECEIVED
SEP 18 2017
KS DEPT OF AGRICULTURE

**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

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

September 18, 2017

CLOUD CO RWD 1
PO BOX 416
CONCORDIA KS 66901

FILE COPY

RE: Application

File No. 49907

Dear Sir or Madam:

Your application for permit to appropriate water in 25-5S-5W in Cloud 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) 564-6645. 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 that reads "Kristen A. Baum".

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED