

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

1. File Number: <p style="text-align: center;">50,006</p>	2. Status Change Date: <p style="text-align: center;">8/3/2018</p>	3. Field Office: <p style="text-align: center;">3</p>	4. GMD: <p style="text-align: center;">0</p>
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

<p>7a. Applicant(s) Person ID <u>62804</u> New to system <input type="checkbox"/> Add Seq# _____</p> <p style="text-align: center;">JUSTIN SCHMIDT 424 N 90TH RD GLASCO KS 67445</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="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: **12/31/2019** 11. Perfection Date: **12/31/2023** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **7/16/2018** By: **DWS**
Date Entered: **8/7/2018** By: **LCM**

File No. 50,006	15. Formation Code: 330	Drainage Basin: SOLOMON RIVER 23	County: CD	Special Use:	Stream:
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16. Points of Diversion	17. Rate and Quantity												
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD	86633	SE NW SE	25	8	5W	1	1420	1580 (Geo-Ctr)	800	230	800	230	NONE
ENT	86980	SE NW SE	25	8	5W		1720	1580 (Batt 1 of 4)					
ENT	86981	SE NW SE	25	8	5W		1570	1580 (Batt 1 of 4)					
ENT	86982	NE SW SE	25	8	5W		1270	1580 (Batt 1 of 4)					
ENT	86983	NE SW SE	25	8	5W		1120	1580 (Batt 1 of 4)					
Battery ID # 2099													

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 **12/31/2019** 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								
√		68773	25	8	5W	1				25	3	12	39												39	8	17	34	177	7a.	NO	NONE	

Comments:

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

TO: Files

DATE: July 16, 2018

FROM: Doug Schemm

RE: Applications, File Nos. 50,006 and 50,007

Justin Schmidt has filed the above referenced new applications to appropriate groundwater for irrigation use. Both files had requested 60 days to locate the specific point of diversion, and the original applications were returned to our office on June 11, 2018. For each file, the applicant has signed the application form stating he has access to the point of diversion, and both of the places of use are owned by the applicant. There are no overlapping files in point of diversion or place of use. Note that these two files represent two different irrigation projects, and are located over four miles apart. Specific details regarding the applications are presented below.

APPLICATION, FILE NO. 50,006

Application File No. 50,006 is proposing the appropriation of 230 acre-feet of groundwater for irrigation use at a diversion rate of 800 gallons per minute. The point of diversion (battery geo-center) is located in the Southeast Quarter of Section 25, in Township 8 South, Range 5 West, Cloud County, Kansas. The requested quantity of water of 230 acre-feet to irrigate 177 acres is equivalent to 1.3 acre-feet per acre, the maximum allowable for Cloud County. The applicant did not identify any domestic wells within one-half mile of the proposed point of diversion. A review of aerial photographs and WWC-5 database also support this, showing the nearest domestic well to be over 3,000 feet away. No notification letters are required. According to the WRIS database, the nearest non-domestic point of diversion is located over 3,700 feet away. Per K.A.R. 5-4-4 the point of diversion complies with well spacing criteria for the unconfined Dakota aquifer system of one-quarter mile to domestic wells and one-half mile to non-domestic wells. There is no indication that senior water rights will be impaired by approval of this application.

The test hole log for File No. 50,006 shows medium sand to gravel extending from 31 feet to 53 feet below ground surface, underlain by a layer of sandstone extending from 53 feet to 70 feet below ground. The hole ended on clay at a total depth of 100 feet. The sources of water would appear to be both Solomon River alluvium and the unconfined Dakota sandstone system. Static water level was not provided, but it is likely to coincide with the top of the sand layer at 31 feet below ground surface, providing a saturated thickness of the aquifer in this local area of approximately 39 feet. Saturated thickness is typically defined as the distance from the water table to the base of the aquifer for a shallow, unconfined aquifer.

Maintaining consistency with senior files in similar geologic conditions, for wells producing from both sources, the extent of the river alluvium is considered to be the area of consideration. K.A.R. 5-3-11 applies to safe yield evaluations for all unconfined aquifers. One of the specific criteria is to determine the extent of the unconfined aquifer, which as discussed above, is limited to the extent of the alluvium within the two-mile circle, and provides an area of consideration of 6,066 acres. With 2.4 inches of recharge and 75% of recharge available, safe yield was determined to be 909.89 acre-feet. Existing appropriations total 673 acre-feet, leaving 236.89 acre-feet available, and therefore Application, File No. 50,006 requesting 230 acre-feet complies with safe yield criteria.

APPLICATION, FILE NO. 50,007

Application File No. 50,007 is proposing the appropriation of 346 acre-feet of groundwater for irrigation use at a diversion rate of 800 gallons per minute. The point of diversion (battery geo-center) is located in the Southwest Quarter of Section 10, in Township 8 South, Range 4 West, Cloud County, Kansas. The requested quantity of water of 346 acre-feet to irrigate 266 acres is equivalent to 1.3 acre-feet per acre, the maximum allowable for Cloud County. The only domestic well within one-half mile of the proposed point of diversion is owned by the applicant. A review of aerial photographs and WWC-5 database also support this, showing the nearest domestic well not owned by the applicant to be over 3,400 feet away. No notification letters are required.

According to the WRIS database, there are no permitted wells within the two-mile radius circle. The applicant's domestic well is located over 2,400 feet away. Per K.A.R. 5-4-4 the point of diversion complies with well spacing criteria for the unconfined Dakota aquifer system of one-quarter mile to domestic wells and one-half mile to non-domestic wells. There is no indication that senior water rights will be impaired by approval of this application.

The test hole log for File No. 50,007 shows a sandstone layer extending from 57 feet to 154 feet below ground surface, and a second sandstone layer extending from 168 feet to 176 feet below ground. The hole ended on shale at a total depth of 200 feet. No static water level was provided on the well log, however based on nearby domestic wells it is estimated to be at the top of the sandstone layer at 57 feet. Area domestic wells have similar depths to the sandstone aquifer, with static water levels very near or just below the top of the sandstone aquifer. The source would appear to be the unconfined Dakota sandstone system.

It was determined that one domestic well on the west edge of the two-mile circle is likely sourcing the confined Dakota aquifer system, and this area was truncated out of safe yield. K.A.R. 5-3-11 applies to safe yield evaluations for all unconfined aquifers. One of the specific criteria is to determine the extent of the unconfined aquifer, which as discussed above, it was determined that a small portion of the two-mile circle containing confined Dakota aquifer system be excluded, providing 7,321 acres. Safe yield was determined to be 1,143.85 acre-feet, there are no existing appropriations, leaving 1,143.85 acre-feet available, and Application, File No. 50,007 requesting 346 acre-feet meets safe yield.

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, check valves will also need to be installed.

In a July 12, 2018 e-mail, Kelly Stewart, Water Commissioner, Stockton Field Office, recommended approval of the referenced applications. Based on the above discussion, well spacing and safe yield criteria are met for both files, 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 applications be approved.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 8, 2018 **FILE COPY**

JUSTIN SCHMIDT
424 N 90TH RD
GLASCO KS 67445

Re: Appropriation of Water, File Nos. 50,006 and 50,007

Dear Mr. Schmidt:

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

THE STATE OF KANSAS



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. 50,006** of the applicant

**JUSTIN SCHMIDT
424 N 90TH RD
GLASCO KS 67445**

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 8, 2018**.
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				
25	8S	5W	25	3	12	39												39	8	17	34	177

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells with a geographic center located in the Southeast Quarter of the Northwest Quarter of the Southeast Quarter (SE¼ NW¼ SE¼) of Section 25, more particularly described as being near a point 1,420 feet North and 1,580 feet West of the Southeast corner of said section, in Township 8 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 **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **230 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, 2019** 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, 2023** 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.

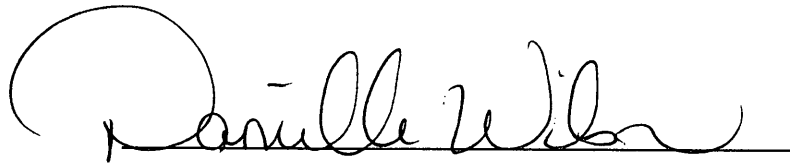
CERTIFICATE OF SERVICE

On this 8th day of August, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,006, dated August 3rd, 2018 was mailed postage prepaid, first class, US mail to the following:

JUSTIN SCHMIDT
424 N 90TH RD
GLASCO KS 67445

With photocopies to:

Stockton Field Office

A handwritten signature in cursive script, appearing to read "Danielle Wilson", written over a horizontal line.

Division of Water Resources

APPLICATION COMPLETE

7/12/18

Reviewer CAB for DWS

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

Water Resources
Received

JUN 11 2018

1:20

KS Dept Of Agriculture

File Number 50006
This item to be completed by the Division of Water Resources.

APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

Water Resources
Received

MAR 08 2018

11:17

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): Justin Schmidt
Address: 424 N 90th RD
City: Glasco State KS Zip Code 67445
Telephone Number: (785) 275-1540

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 230 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 IRR Source G/S County SD By AKW Date 3/8/18
Code REQ Fee \$ 300 TR # _____ Receipt Date 3/8/18 Check # 10416

SCANNED
3/12/2018 ULM

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~~ ^{SW} quarter of the ~~SE~~ ^{SE} quarter of the E 1/2** of Section 25, more particularly described as being near a point 1420 feet North and 1580 feet West of the Southeast corner of said section, in Township 08 South, Range 05 West, Cloud County, Kansas.

Possible battery well

(B) One in the ~~SW~~ ^{SW} quarter of the ~~SE~~ ^{SE} quarter of the E 1/2 quarter of Section 25, more particularly described as being near a point 1420 feet North and 1580 feet West of the Southeast corner of said section, in Township 8 South, Range 5 East/West (circle one), Cloud County, Kansas.

(C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

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

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

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

_____ (name, address and telephone number)

_____ (name, address and telephone number)

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

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

Executed on 3/1, 2018. Justin Schmitt
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 batt of 4 wells
(number of wells, pumps or dams, etc.)
and will completed (by) 2019
(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 2019
(Mo/Day/Year)

* Per feet Distances. DWS/DWR
Discussion with applicant on 7/16/18. DWS/DWR

File No. 50006

Batt 4 of 4 NE SW SE 1,120' N & 1,580' W 25-8S-5W - Cloud Co.

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)
Geo-Center

One in the ~~SW~~^{SE} quarter of the ~~SW~~^{NW} quarter of the ~~E 1/2~~^{SE} of Section 25, more particularly described as being near a point 1420 feet North and 1580 feet West of the Southeast corner of said section, in Township 08 South, Range 05 West, Cloud County, Kansas.

1 of 4 possible battery well

(B) One in the ~~SW~~^{SE} quarter of the ~~SW~~^{NW} quarter of the ~~E 1/2~~^{E 1/2 SE} quarter of Section 25, more particularly described as being near a point 1920 feet North and 1580 feet West of the Southeast corner of said section, in Township 8 South, Range 5 East West (circle one), Cloud County, Kansas.

2 of 4

(C) One in the SE quarter of the NW quarter of the SE quarter of Section 25, more particularly described as being near a point 1570 feet North and 1580 feet West of the Southeast corner of said section, in Township 8 South, Range 5 East West (circle one), Cloud County, Kansas.

3 of 4

(D) One in the NE quarter of the SW quarter of the SE quarter of Section 25, more particularly described as being near a point 1270 feet North and 1580 feet West of the Southeast corner of said section, in Township 8 South, Range 5 East West (circle one), Cloud 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 3/1, 2018.

Justin Schmitt
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 batt of 4 wells * (Line up North to South)

and will completed (by) 2019
(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 2019

(Mo/Day/Year)

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

Water Resources
Received
JUN 11 2018
1:20
KS Dept Of Agriculture

File Number 50006
This item to be completed by the Division of Water Resources.

Water Resources
Received
MAR 08 2018
11:17
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): Justin Schmidt
Address: 424 N 90th RD
City: Glasco State KS Zip Code 67445
Telephone Number: (785) 275-1540

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 230 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only:
F.O. 3 GMD Meets K.A.R. 5-3-1 (YES/NO) Use FR Source GYS County By AW Date 3/8/18
Code 150 Fee \$ 300 TR # _____ Receipt Date 3/8/18 Check # 10410

SCANNED
3/12/2018 UH

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 ground 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.

** Request 60 days to provide test hole log. See map for outline of 160 contiguous acre area.

Water Resources Received JUN 11 2018	Water Resources Received MAR 08 2018
KS Dept Of Agriculture	KS Dept Of Agriculture SCANNED

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	~ 5/10/18	_____	_____	_____
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)

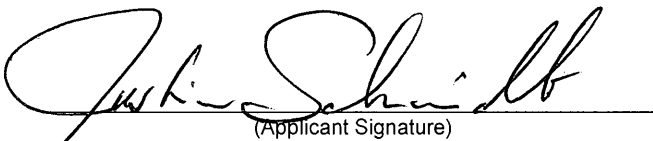
15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(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 3/1/18, Kansas, this _____ day of _____, _____
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by M. BILLINGER ASST. WATER Commissioner Date: 3-1-18
(office/title)

RECEIVED
DIVISION

MAR 1 4 2018

STATE OF KANSAS

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50006

Name of Applicant (Please Print): Justin Schmidt

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: 424 N 90th RD

ADDRESS: Glasco, KS 67445

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
25	08S	05W	25	3	12	39												39	8	17	34	177	

Landowner of Record NAME: _____

ADDRESS: _____

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

Landowner of Record NAME: _____

ADDRESS: _____

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

Water Resources

Water Resources

Received

Received

JUN 11 2018

MAR 08 2018

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): _____ %

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

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: tillage

ii. For sprinkler systems:

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

(2) What is the sprinkler package design rate? _____ 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: corn, soybeans, alfalfa

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

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

New Application - Groundwater
 Assisted by Division of Water Resources
 Stockton Field Office

50006



Authorized Place of Use

▲ Surface Water Point of Diversion

1:24,000

● Groundwater Point of Diversion

Water Resources

Received

MAR 08 2018



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160 acres proposed
 for test hole
 exploration

JUN 11 2018

KS Dept Of Agriculture

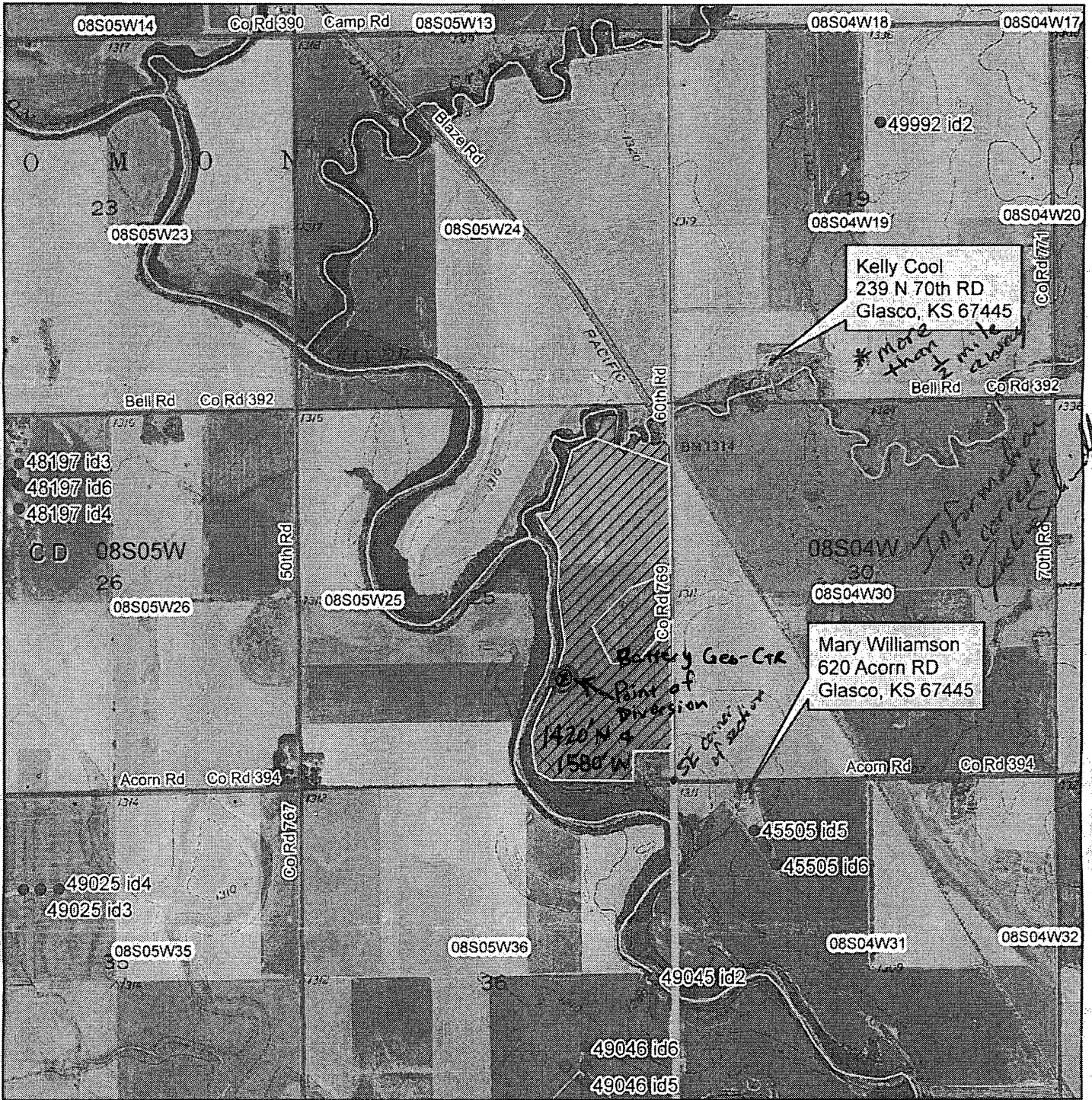
Signature Required

Justin Schmitt

By signing this I am stating that to the best of my knowledge
 that all wells within 1/2 mile of proposed well location are
 identified on this map.

New Application - Groundwater
 Assisted by Division of Water Resources
 Stockton Field Office

50006




Authorized Place of Use

▲ Surface Water Point of Diversion

● Groundwater Point of Diversion

1:24,000

Water Resources
 160 acres processed
 for test data
 exploration
 Received
JUN 11 2018
 KS Dept Of Agriculture

Signature Required

 By signing this I am stating that to the best of my knowledge
 that all wells within 1/2 mile of proposed well location are
 identified on this map.
 Water Resources
 Received
MAR 08 2018
 KS Dept Of Agriculture
 SCANNED

50,006

Williams Drilling Co., Inc.
P. O. Box 327 6204 Spur 85D
Belvidere, Nebraska 68315
Phone 800-477-3745 Fax 402-768-6099

Justin Schmidt
Test Hole
SE ¼ of Sec 25 – T8S – R5W in Cloud County
39* 19' 30.32"
97* 49' 22.18"

0 – 3	Top Soil
3 – 31	Tan Clay
31 – 42	Medium Sand and Small Gravel
42 – 49	Medium Gravel
49 – 53	Medium Sand
53 – 70	Fine Sand – Sand Stone
70 – 93	Gray Clay
93 – 100	Fire Clay

Water Resources
Received

JUN 11 2018

KS Dept Of Agriculture

Schemm, Doug [KDA]

From: Stewart, Kelly [KDA]
Sent: Thursday, July 12, 2018 3:09 PM
To: Schemm, Doug [KDA]
Cc: Billinger, Mark [KDA]; Hageman, Rebecca [KDA]
Subject: RE: Justin Schmidt 50,006 and 50,007

Doug,

I have no objection to the approval of the referenced applications.

Kelly

From: Schemm, Doug [KDA]
Sent: Wednesday, July 11, 2018 9:41 AM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>
Subject: Justin Schmidt 50,006 and 50,007

Hello Stockton,

These 2 files are over 4 miles apart, so not overlapping in any way.

The junior file is typical Solomon River alluvium/unconfined Dakota, meets spacing and safe yield, no wells within ½ mile.

The senior file is unconfined Dakota, meets spacing and safe yield, no wells within ½ mile (except his own domestic).

He's got pretty good aquifer thickness in both these, I don't see any issues.

Please review,

Have a great day,

Doug

Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 909.89 AF.

Total prior appropriations in the circle is 903.00 AF. **- 230 = 673**

Total quantity of water available for appropriation is ~~689~~ AF.

236.89 AF

50,006
meets safe
Yield

Safe Yield Variables

The area used for the analysis is set at 6,066 acres.

The potential annual recharge at the circle center is estimated to be 2.4 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 10-JUL-2018 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 rights and 18 points of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 45505 00	IRR	NK	G		SE	NW	NW	4590	4304	31	08	04W	5	WR	100.00	100.00	115.90	115.90
Same	IRR	NK	G		SE	NW	NW	4109	4002	31	08	04W	6	WR				
Same	IRR	NK	G		SE	NW	NW	4350	4153	31	08	04W	7	WR				
A 48197 00	IRR	LO	G		SE	NW	NW	4452	4073	26	08	05W	2	WR	200.00	200.00	154.00	154.00
Same	IRR	LO	G		SW	NE	NW	4597	3949	26	08	05W	3	WR				
Same	IRR	LO	G		SW	NE	NW	3971	3949	26	08	05W	4	WR				
Same	IRR	LO	G		SE	NW	NW	4328	3977	26	08	05W	5	WR				
Same	IRR	LO	G		SW	NE	NW	4288	3938	26	08	05W	6	WR				
A 49025 00	IRR	LO	G			NC	NW	3960	3960	35	08	05W	1	WR	169.00	169.00	130.00	130.00
Same	IRR	LO	G			NC	NW	3960	3960	35	08	05W	2	WR				
Same	IRR	LO	G			NC	NW	4160	3960	35	08	05W	3	WR				
Same	IRR	LO	G			NC	NW	3760	3960	35	08	05W	4	WR				
A 49046 00	IRR	LO	G			NC	SE	1320	1320	36	08	05W	3	WR	204.00	204.00	157.00	157.00
Same	IRR	LO	G			NC	SE	1320	1195	36	08	05W	4	WR				
Same	IRR	LO	G			NC	SE	1320	1070	36	08	05W	5	WR				
Same	IRR	LO	G			NC	SE	1320	1445	36	08	05W	6	WR				
Same	IRR	LO	G			NC	SE	1320	1570	36	08	05W	7	WR				
A 50006 00	IRR	AY	G				E2	2805	660	25	08	05W	1	WR	230.00	230.00	177.00	177.00

Limitations

File Number	Seq Num	Limitations
A 49046 00	1	204 AF/YR COM/W #49045

#50,006

Report Date Wednesday, July 11 2018

Water Rights and Points of Diversion Within 2.00 miles of point defined as:
1420 ft N and 1580 ft W of the SE Corner of Section 25, T 8S, R 5W
Located at: 97.822388 West Longitude and 39.325142 North Latitude
GROUNDWATER ONLY

All wells > 1/2 mile
meets Specing
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__ 45505	00	IRR	NK	G	3745	--	SE	NW	NW	4350	4153	31	8	4W	7	G	2	100.00	100.00	AF
Same					3477	--	SE	NW	NW	4590	4304	31	8	4W	5	B	2			
Same					4015	--	SE	NW	NW	4109	4002	31	8	4W	6	B	2			
A__ 48197	00	IRR	LO	G	8215	--	SE	NW	NW	4328	3977	26	8	5W	5	G	4	200.00	200.00	AF
Same					8349	--	SE	NW	NW	4452	4073	26	8	5W	2	B	4			
Same					8287	--	SW	NE	NW	4597	3949	26	8	5W	3	B	4			
Same					8071	--	SW	NE	NW	3971	3949	26	8	5W	4	B	4			
Same					8165	--	SW	NE	NW	4288	3938	26	8	5W	6	B	4			
A__ 49025	00	IRR	LO	G	8200	--	--	NC	NW	3960	3960	35	8	5W	1	G	3	169.00	169.00	AF
Same					8200	--	--	NC	NW	3960	3960	35	8	5W	2	B	3			
Same					8134	--	--	NC	NW	4160	3960	35	8	5W	3	B	3			
Same					8270	--	--	NC	NW	3760	3960	35	8	5W	4	B	3			
A__ 49046	00	IRR	LO	G	5408	--	--	NC	SE	1320	1320	36	8	5W	3	G	4	204.00	204.00	AF
Same					5415	--	--	NC	SE	1320	1195	36	8	5W	4	B	4			
Same					5425	--	--	NC	SE	1320	1070	36	8	5W	5	B	4			
Same					5404	--	--	NC	SE	1320	1445	36	8	5W	6	B	4			
Same					5402	--	--	NC	SE	1320	1570	36	8	5W	7	B	4			
A__ 49992	00	IRR	AY	G	9106	NC	W2	W2	NE	3930	2425	19	8	4W	2			208.00	208.00	AF
A__ 50006	00	IRR	AY	G	1663	--	--	E2		2805	660	25	8	5W	1			230.00	230.00	AF

← Pending Senior File

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	438.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	573.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	100.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1111.00	.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:
97.822388 West Longitude and 39.325142 North Latitude
GROUNDWATER ONLY
WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 45505	00	IRR	NK G
>	JUSTIN SCHMIDT		
>			
>	424 N 90TH RD		
>	GLASCO KS 67445		

A__ 48197	00	IRR	LO G

> TANER LITTON
>
> 571 N 30TH RD
> GLASCO KS 67445

A__ 49025 00 IRR LO G

> TANER LITTON
>
> 571 N 30TH RD
> GLASCO KS 67445

A__ 49046 00 IRR LO G

> TANER LITTON
>
> 571 N 30TH RD
> GLASCO KS 67445

A__ 49992 00 IRR AY G

> DICK WALSH
>
> 910 N 4TH
> HEBRON NE 68370

A__ 50006 00 IRR AY G

> JUSTIN SCHMIDT
>
> 424 N 90TH RD
> GLASCO KS 67445

=====

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 8, 2018

FILE COPY

JUSTIN SCHMIDT
424 N 90TH RD
GLASCO KS 67445

Re: Pending Applications,
File Nos. 50,006 and 50,007

Dear Sir or Madam:

The Division of Water Resources returned the above referenced applications to you for additional information on March 30, 2018, and the current deadline for your response is May 30, 2018. 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 30, 2018**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **May 30, 2018**. 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@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:

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 30, 2018

FILE COPY

JUSTIN SCHMIDT
424 N 90TH RD
GLASCO KS 67445

Re: Pending Applications,
File Nos. 50,006 and 50,007

Dear Sir or Madam:

After a preliminary review of your above referenced applications for permits to appropriate water received in this office on March 8, 2018, 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 the specified 160 acre tracts of land described as being within:

- The East Half (E $\frac{1}{2}$) of Section 25, in Township 8 South, Range 5 West, Cloud County, Kansas
- The West Half (W $\frac{1}{2}$) of Section 10, in Township 8 South, Range 4 West, Cloud County, Kansas

Due to the delay in returning the original applications to you, the 60-day period of time will start as of the date of this letter.

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.

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 30, 2018**, 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.

(over)

SCANNED

If you have any questions, please contact me at (785) 564-6631 or by email at alexander.whitesell@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, appearing to read "Alex Whitesell". The signature is stylized and cursive.

Alex Whitesell
Environmental Scientist
Water Appropriation Program

enclosures

pc: Stockton Field Office

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
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PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 9, 2018

JUSTIN SCHMIDT
424 N 90TH RD
GLASCO KS 67445

RE: Application
File No. 50006

Dear Sir or Madam:

Your application for permit to appropriate water in 23-8S-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) 564-6637. 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 Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STOCKTON Field Office
GMD

SCANNED

Williams Drilling Co., Inc.
P. O. Box 327 6204 Spur 85D
Belvidere, Nebraska 68315
Phone 800-477-3745 **Fax 402-768-6099**

Justin Schmidt
Test Hole
SE ¼ of Sec 25 – T8S – R5W in Cloud County
39* 19' 30.32"
97* 49' 22.18"

0 – 3	Top Soil
3 – 31	Tan Clay
31 – 42	Medium Sand and Small Gravel
42 – 49	Medium Gravel
49 – 53	Medium Sand
53 – 70	Fine Sand – Sand Stone
70 – 93	Gray Clay
93 – 100	Fire Clay

Water Resources
Received

JUN 11 2018

KS Dept Of Agriculture

SCANNED

3/1/18

(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. 50006

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.

Justin Schmidt
Signature of Applicant

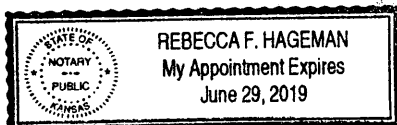
Justin Schmidt
(Print Applicant's Name)

State of Kansas)
County of ROOKS) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 1st day of MARCH, 2018.

Rebecca Hageman
Notary Public

My Commission Expires:
6-29-19



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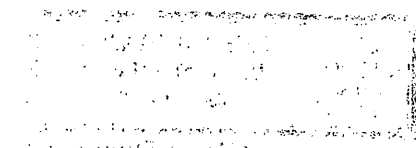
KS Dept Of Agriculture
SCANNED

**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



DEPARTMENT OF TRANSPORTATION

STATE OF KANSAS

50000

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00 <i>pd</i>
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

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