





File No. **50,242**      15. Formation Code: **330**      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	
√	<b>84687</b>	<b>SW SE NW</b>	<b>18</b>	<b>6</b>	<b>2W</b>	<b>14</b>	<b>2755</b>	<b>3820</b>	<b>(Geo-Ctr)</b>
√	<b>84688</b>	<b>SE SW NW</b>	<b>18</b>	<b>6</b>	<b>2W</b>	<b>15</b>	<b>2910</b>	<b>4001</b>	<b>(Batt 1 of 4)</b>
√	<b>84689</b>	<b>SW SE NW</b>	<b>18</b>	<b>6</b>	<b>2W</b>	<b>16</b>	<b>2833</b>	<b>3910</b>	<b>(Batt 1 of 4)</b>
√	<b>84690</b>	<b>SW SE NW</b>	<b>18</b>	<b>6</b>	<b>2W</b>	<b>17</b>	<b>2677</b>	<b>3730</b>	<b>(Batt 1 of 4)</b>
√	<b>84691</b>	<b>NW NE WW</b>	<b>18</b>	<b>6</b>	<b>2W</b>	<b>18</b>	<b>2600</b>	<b>3640</b>	<b>(Batt 1 of 4)</b>

17. Rate and Quantity MOD ADDL RATE				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>800</b>	<b>187</b>	<b>200</b>	<b>0</b>	<b>47,839</b>

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: **420 AF/YEAR** at **800** gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **47,839 (From the point of diversion)**  
 Limitation: **187** af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **50,241 on the Place of Use**

20. Meter Required?  Yes  No      To be installed by **12/31/2020**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files	
T MOD DEL ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
√	<b>34946</b>	<b>18</b>	<b>6</b>	<b>2W</b>	<b>1</b>						<b>34</b>	<b>38</b>	<b>38</b>	<b>34</b>										<b>144</b>	<b>7a.</b>	<b>NO</b>	<b>50,241</b>

Comments: **Term Permit, File Nos. 20169108 and 20179026 both expired on December 31, 2018.**



**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**MEMORANDUM**

**TO:** Files

**DATE:** May 14, 2019

**FROM:** Doug Schemm

**RE:** Application, File Nos. 50,241 and 50,242

Bestifor Farms has filed the above referenced new applications to appropriate groundwater for irrigation use. Please note that these are both existing well batteries currently authorized under existing water rights for industrial use at a proposed ethanol plant. The irrigation place of use is owned by the applicant, and these two files will overlap in place of use on 144 acres. A representative of the applicant has signed the application forms stating they have access to the points of diversion. Both of the well batteries are located in the Northwest Quarter of Section 18, Township 6 South, Range 2 West, Cloud County, in the Republican River basin.

Note that the applicant has been irrigating from each of these well batteries under Term Permit, File Nos. 20169108 and 20179026, in both 2017 and 2018. Both of these term permits were authorized 162.5 acre-feet of groundwater at a rate of diversion not to exceed 600 gallons per minute, with File No. 20179026 limited in quantity of water with File No. 20169108 to 162.5 acre-feet, to provide the maximum allowable quantity of water for irrigation use on 125 acres. Term Permit, File No. 20169180 overlapped in point of diversion with Appropriation of Water, File No. 47,839, while Term Permit, File No. 20179026 overlapped in point of diversion with File Nos. 27,769 and 47,838.

The purpose of irrigation use under these term permits was to provide an evaluation of the aquifer's ability to sustain the proposed pumping rate over an extended period of time. The source of water is the unconfined Dakota aquifer system and obtaining additional information concerning this aquifer is critical to future development and for evaluating potential impacts to area wells. Information collected during this test pumping showed that no senior water rights were impaired, and the aquifer can sustain this level of pumping. In addition, DWR was provided with a significant amount of information regarding this aquifer during processing of the senior files. The applicant has applied for regular appropriation rights to replace these term permits for irrigation use, which both expired on December 31, 2018.

**File No. 50,241**

File No. 50,241 is requesting 187 acre-feet of groundwater at a diversion rate of 800 gallons per minute for irrigation use. This file overlaps in point of diversion with File Nos. 27,769 and 47,838. The quantity of 187 acre-feet on 144 acres is equivalent to 1.3 acre-feet per acre, which is the maximum allowable for Cloud County, Kansas. The applicant has requested that the quantity of water be limited to the quantity of water authorized under File Nos. 27,769 and 47,838 of 462 acre-feet (providing 0 additional quantity), from this well battery. Based on senior file 47,838, the safe yield circle excluded portions that included alluvial deposits to the north and confined Dakota aquifer in the southern portion, providing a total of 6,909 acres for the area of consideration. With a potential recharge of 2.5 inches, and 75% of this available for appropriation, safe yield was determined to be 1,079.48 acre-feet. Existing water rights within this area of consideration have appropriated 1,123.01 acre-feet, leaving no water available for appropriation. However, as noted above, the applicant has requested that this application be limited to 462 acre-feet with senior files 27,769 and 47,838, providing no additional quantity of water. This satisfies safe yield criteria because those calculations are based on the additional quantity of water requested.



**File No. 50,242**

File No. 50,242 is also requesting 187 acre-feet of groundwater at a diversion rate of 800 gallons per minute for irrigation use. This file overlaps in point of diversion with File No. 47,839. The quantity of 187 acre-feet on 144 acres is equivalent to 1.3 acre-feet per acre, which is the maximum allowable for Cloud County, Kansas. Therefore, this second application will be limited to 187 acre-feet with senior file 50,241 on the place of use. In addition, the applicant has requested that the quantity of water be limited to the quantity of water authorized under File No. 47,839 of 420 acre-feet (providing 0 additional quantity), from this well battery. Based on senior file 47,839, the safe yield circle excluded portions that included alluvial deposits to the north and confined Dakota aquifer in the southern portion, providing a total of 6,275 acres for the area of consideration. With a potential recharge of 2.5 inches, and 75% of this available for appropriation, safe yield was determined to be 980.44 acre-feet. Existing water rights within this area of consideration have appropriated 1,158.3 acre-feet, leaving no water available for appropriation. However, as noted above, the applicant has requested that this application be limited to 420 acre-feet with senior file 47,839, providing no additional quantity of water. This satisfies safe yield criteria because those calculations are based on the additional quantity of water requested.

The applicant did not identify any wells located within one-half ( $\frac{1}{2}$ ) mile of the proposed points of diversion for these applications, other than the well batteries under these applications. Information from the senior files show that nearby well owners were previously notified, and no comments of any kind were received. Obviously, these are existing wells and all surrounding well owners would be aware of their existence, and no known impairment has occurred.

Application, File Nos. 50,241 and 50,242 are located slightly less than the recommended 2,640 feet from each other for the unconfined Dakota aquifer system (2,356 feet apart). However, they are both owned by the applicant, and will be operated together as part of the same irrigation project. There is no indication that any senior water rights would be impaired with approval of these applications. Therefore, well spacing is adequate to prevent impairment and protect the public interest. The proposed points of diversion meet minimum spacing requirements to all other nearby non-domestic and domestic wells.

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. Rates greater than 100 gallons per minute have been proposed, so water level measurement tubes will be required on these wells.

In a May 15, 2019 e-mail, Kelly Stewart, Water Commissioner, Stockton Field Office, recommended approval of the referenced applications. Based on the above discussion, the area is open to new appropriations, the applications comply with safe yield and reduced minimum well spacing requirements, they are both limited to no new water from the source of supply, and test pumping has shown no impairment will occur, it is recommended that the referenced applications be approved.

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office



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



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

Mike Beam, Secretary

Laura Kelly, Governor

June 10, 2019

FILE COPY

BESTIFOR FARMS  
% THAYNE A LARSON  
PO BOX 220  
BELLEVILLE KS 66935

RE: Appropriation of Water, File Nos. 50,241 and 50,242

Dear Mr. Larson:

Enclosed are permits authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in these permits. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in these permits, with specific reference to the quantity of water limitations with your senior files.

Notices must be filed on the enclosed forms once the diversion works have been completed for each file. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of these permits. If you need an extension of time, you must request it before the deadline for completion set forth in these permits. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00 per file number.

Acceptable water flowmeters must be installed on the diversion works authorized by these permits prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year, for each of these permits. If complete annual water use reports are not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your reports online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approvals of your applications constitute permits to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain Certificates of Appropriation which will establish the extent of your perfected water rights. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Stockton Field Office at 785-425-6787. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

KAB:dws  
Enclosure(s)

pc: Stockton Field Office



THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Mike Beam, 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. 50,242** of the applicant

**BESTIFOR FARMS  
PO BOX 220  
BELLEVILLE KS 66935**

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 **April 22, 2019**.
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	
18 6S 2W					34	38	38	34									144

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 Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW¼ SE¼ NW¼) of Section 18, more particularly described as being near a point 2,755 feet North and 3,820 feet West of the Southeast corner of said section, in Township 6 South, Range 2 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 **187 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, 2020** 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, 2024** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.
12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.
13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).
14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.
15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.



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

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

19. That the quantity of water and rate of diversion approved under this permit is limited to the quantity and rate which combined with Appropriation of Water, File No. 47,839, will provide a **total not to exceed 420.0 acre-feet** of water per calendar year to be diverted at a maximum diversion rate not in excess of **800 gallons per minute** (1.78 c.f.s.) from the point of diversion described herein.

20. That the quantity of water approved under this permit is further limited to the quantity which combined with Appropriation of Water, File No. 50,241, will provide a **total not to exceed 187 acre-feet** of water per calendar year for irrigation use on the land 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 7<sup>th</sup> day of June, 2019, in Manhattan, Riley County, Kansas.

*Lane P. Letourneau*

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

State of Kansas )  
                                  ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of June, 2019, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*

Notary Public

**CERTIFICATE OF SERVICE**

On this 10<sup>th</sup> day of June, 2019, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,242, dated June 7<sup>th</sup>, 2019 was mailed postage prepaid, first class, US mail to the following:

BESTIFOR FARMS  
PO BOX 220  
BELLEVILLE KS 66935

With photocopies to:

Stockton Field Office

*Danielle Wilson*

Division of Water Resources



THE STATE OF KANSAS



WATER RESOURCES RECEIVED

APR 22 2019

1:25

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50242

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

APPLICATION COMPLETE  
5/15/19  
Reviewer KAB

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, Kansas 66502:

1. Name of Applicant (Please Print): BESTIFOR FARMS  
Address: PO BOX 220  
City: BELLEVILLE State KS Zip Code 66935  
Telephone Number: (785) 527-2450

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in REPUBLICAN (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 187 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:  
Code 03 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County CD By DAW Date 4/22/19  
Code REZ Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 4/22/19 Check # 3901

SCANNED

4/25/2019 CW



Geo-Center = SW SE NW, 2755'N + 3820'W  
Sec. 18, T 6S, R 2W, CD Co.

File No. 50242

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.

194 (A) One in the NE quarter of the NE quarter of the NW quarter of Section 18, more particularly described as being near a point 2910 feet North and 4001 feet West of the Southeast corner of said section, in Township 6 South, Range 2 WEST, CLOUD County, Kansas.

294 (B) One in the NE quarter of the NE quarter of the NW quarter of Section 18, more particularly described as being near a point 2833 feet North and 3910 feet West of the Southeast corner of said section, in Township 6 South, Range 2 WEST, CLOUD County, Kansas.

394 (C) One in the NE quarter of the NE quarter of the NW quarter of Section 18, more particularly described as being near a point 2677 feet North and 3730 feet West of the Southeast corner of said section, in Township 6 South, Range 2 WEST, CLOUD County, Kansas.

494 (D) One in the NE quarter of the NE quarter of the NW quarter of Section 18, more particularly described as being near a point 2600 feet North and 3640 feet West of the Southeast corner of said section, in Township 6 South, Range 2 WEST, 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 April 18th, 2019.

Thom [Signature]  
Applicant's Signature

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

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

and WILL BE completed (by) 2020  
(Month/Day/Year - each was or will be completed)

WATER RESOURCES RECEIVED

APR 22 2019

KS DEPT OF AGRICULTURE



THE STATE OF KANSAS



WATER RESOURCES RECEIVED

APR 22 2019

1:25

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50242

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.)

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

1. Name of Applicant (Please Print): BESTIFOR FARMS  
Address: PO BOX 220  
City: BELLEVILLE State KS Zip Code 66935  
Telephone Number: (785) 527-2450

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in REPUBLICAN (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 187 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 IRR Source  S County CD By DAW Date 4/22/19  
Code REZ Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 4/22/19 Check # 3901

4/25/2019 CW



File No. 50242

8. The first actual application of water for the proposed beneficial use was or is estimated to be 2019.

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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 N/A
- If no, explain here why a Water Structures permit is not required \_\_\_\_\_

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

- 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.
- If the application is for groundwater, please show the location of any existing water wells of any kind within ½ 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 ½ mile, please advise us.
- If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
- The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- 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.

47839

THIS APPLICATION WILL BE LIMITED TO QTY APPROVED UNDER ABOVE PERMITS WHEN

COMBINED. WILL ALSO BE FURTHER LIMITED TO 185 AF WITH ACCOMPANYING APPLICATION

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File No. 50242

FOR NORTH WELL BATTERY ON SAME IRRIGATION PLACE OF USE

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

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

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

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

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

\_\_\_\_\_ (name, address and telephone number)

\_\_\_\_\_ (name, address and telephone number)

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

Dated at Belleville, Kansas, this 18th day of April, 2019.  
(month) (year)

[Signature]  
(Applicant Signature)

By [Signature]  
(Agent or Officer Signature)

Thayne A. Larson  
(Agent or Officer - Please Print)

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Assisted by M. BILLINGER ASST. WATER COMMISS Date: 4/16/19  
(office/title)

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## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50242

Name of Applicant (Please Print): BESTIFOR FARMS

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: BESTIFOR FARMS LP

ADDRESS: 1325 US HWY 36 BELLEVILL, KS 66935

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18	6S	2W					34	38	38	34									144

**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	

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APR 22 2019



# 50,242

**Schemm, Doug [KDA]**

---

**From:** Stewart, Kelly [KDA]  
**Sent:** Tuesday, May 14, 2019 7:32 AM  
**To:** Schemm, Doug [KDA]  
**Cc:** Billinger, Mark [KDA]; Hageman, Rebecca [KDA]  
**Subject:** RE: Bestifor Farms 50,241 & 50,242

Doug,

I have no objection to the approval of these applications.

Kelly

---

**From:** Schemm, Doug [KDA]  
**Sent:** Tuesday, May 14, 2019 7:24 AM  
**To:** Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>  
**Cc:** Billinger, Mark [KDA] <Mark.Billinger@ks.gov>  
**Subject:** Bestifor Farms 50,241 & 50,242

Good Morning Stockton,  
These regular appropriations will replace the 2 term permits for IRR use. There is no additional water available, however these will be limited to the senior IND use files, such that no more water will be pumped from the source of supply. They will also be limited to each other for IRR use. They don't quite meet spacing to each other, but past pumping shows no impairment.  
Please review,  
Thanks, Doug

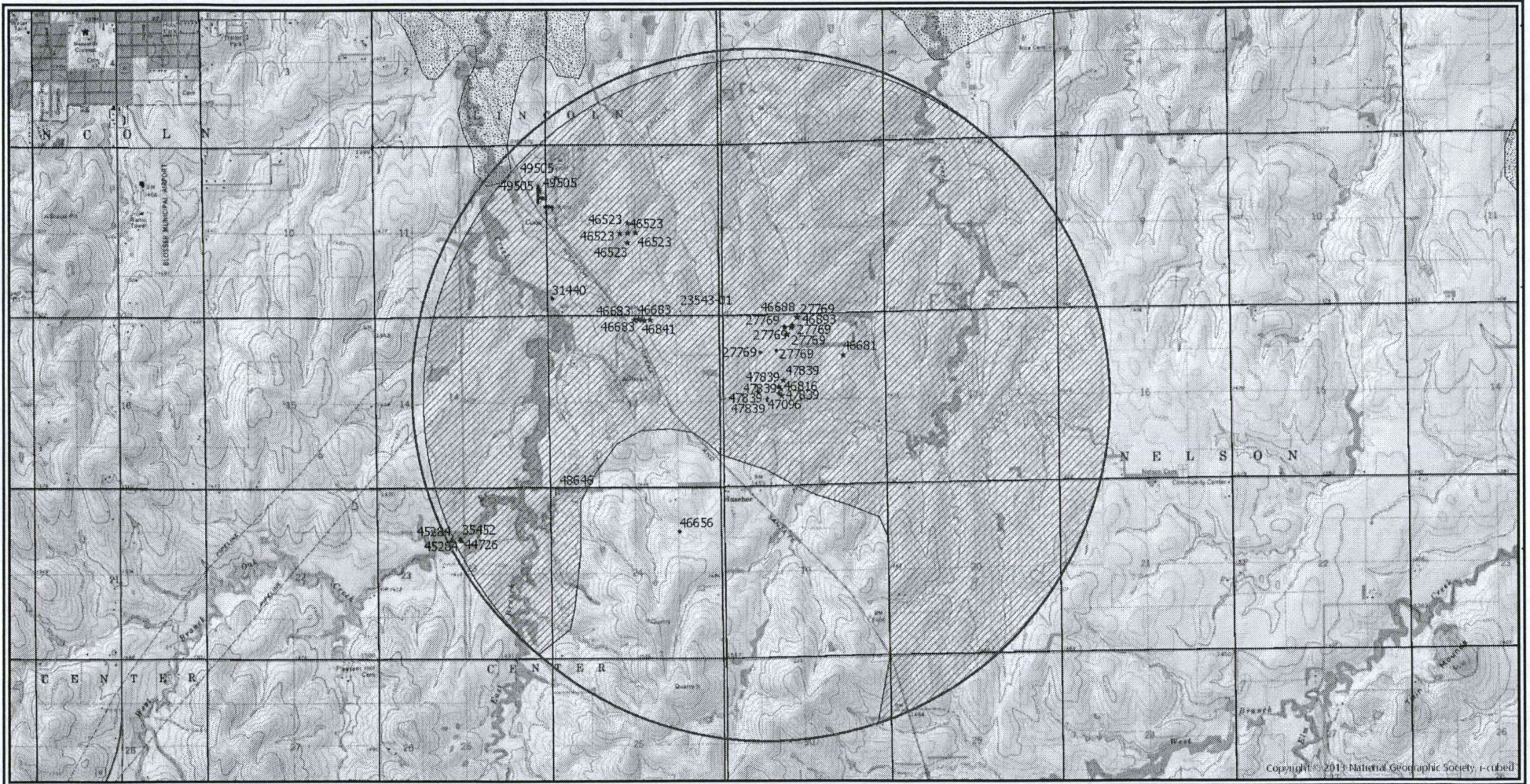


# Safe Yield Report Sheet

## Water Right- A5024200

### Point of Diversion in 18-06S-02W

### Footages from SE corner- 2,755 feet North 3,820 feet West



*Handwritten notes in blue ink:*

NO. 11188 3 WE  
NO. 11188 3 WE  
NO. 11188 3 WE  
NO. 11188 3 WE



## Analysis Results

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

The safe yield based on the variables listed below is 980.44 AF.

Total prior appropriations in the circle is 1,158.30 AF.  $-0 = 1158.3 \text{ AF}$

Total quantity of water available for appropriation is 0.00 AF.

## Safe Yield Variables

The area used for the analysis is set at 6,275 acres.

The potential annual recharge at the circle center is estimated to be 2.5 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 08-MAY-2019 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 10 water rights and 21 points of diversion within the circle.

#50,242

Applicant has requested that this application be limited to 420 AF from this well battery, when combined with File # 47,839. Providing 0 additional quantity of water.

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 27769 00	IND	NK	G		NE	NE	NW	5150	2730	18	06	02W	4	WR	42.00	42.00		
Same	IND	NK	G		NE	NE	NW	4900	3000	18	06	02W	6	WR				
Same	IND	NK	G		NE	NE	NW	4850	2900	18	06	02W	7	WR				
Same	IND	NK	G		NE	NE	NW	4850	3100	18	06	02W	8	WR				
Same	IND	NK	G		NE	NE	NW	4938	2933	18	06	02W	9	WR				
A 35452 00	MUN	NK	G		NE	SE	NW	3996	2739	23	06	03W	2	WR	35.30	35.30		
A 47838 00	IND	HK	G		NE	NE	NW	5150	2730	18	06	02W	4	WR	420.00	420.00		
Same	IND	HK	G		NE	NE	NW	4900	3000	18	06	02W	6	WR				
Same	IND	HK	G		NE	NE	NW	4850	2900	18	06	02W	7	WR				
Same	IND	HK	G		NE	NE	NW	4850	3100	18	06	02W	8	WR				
Same	IND	HK	G		NE	NE	NW	4938	2933	18	06	02W	9	WR				
A 47839 00	IND	HK	G		SW	SE	NW	2755	3820	18	06	02W	14	WR	<u>420.00</u>	<u>420.00</u>		
Same	IND	HK	G		SE	SW	NW	2910	4001	18	06	02W	15	WR				
Same	IND	HK	G		SW	SE	NW	2833	3910	18	06	02W	16	WR				
Same	IND	HK	G		SW	SE	NW	2677	3730	18	06	02W	17	WR				
Same	IND	HK	G		NW	NE	SW	2600	3640	18	06	02W	18	WR				
A 47840 00	IND	KE	G		NW	NW	NE	5200	2614	13	06	03W	2	WR	155.99	155.99		
Same	IND	KE	G		NW	NW	NE	5220	2480	13	06	03W	3	WR				
Same	IND	KE	G		NW	NW	NE	5200	2380	13	06	03W	4	WR				
Same	IND	KE	G		NW	NW	NE	5180	2310	13	06	03W	5	WR				
Same	IND	KE	G		NW	NW	NE	5200	2114	13	06	03W	6	WR				
A 48413 00	IND	KE	G		NW	NW	NE	5200	2380	13	06	03W	1	WR	20.01	20.01		
Same	IND	KE	G		NW	NW	NE	5200	2614	13	06	03W	2	WR				
Same	IND	KE	G		NW	NW	NE	5220	2480	13	06	03W	3	WR				
Same	IND	KE	G		NW	NW	NE	5180	2310	13	06	03W	5	WR				



# 50,242

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
Same	IND	KE	G		NW	NW	NE	5200	2114	13	06	03W	6	WR				
A 48646 00	REC	LO	G		NW	NW	NW	5200	4980	24	06	03W	2	WR	45.00	45.00		
A 49505 00	IND	LO	G		NE	SE	NE	3850	190	11	06	03W	1	WR	20.01	20.01		
Same	IND	LO	G		NE	SE	NE	3895	190	11	06	03W	2	WR				
Same	IND	LO	G		SW	NW	NW	4300	4950	12	06	03W	8	WR				
A 50241 00	IRR	AY	G		NE	NE	NW	5150	2730	18	06	02W	4	WR	187.00	<del>0.00</del>	144.00	144.00
Same	IRR	AY	G		NE	NE	NW	4900	3000	18	06	02W	6	WR				
Same	IRR	AY	G		NE	NE	NW	4850	2900	18	06	02W	7	WR				
Same	IRR	AY	G		NE	NE	NW	4850	3100	18	06	02W	8	WR				
Same	IRR	AY	G		NE	NE	NW	4938	2933	18	06	02W	9	WR				
A 50242 00	IRR	AY	G		SW	SE	NW	2755	3820	18	06	02W	14	WR	187.00	<del>0.00</del>	144.00	0.00
Same	IRR	AY	G		SE	SW	NW	2910	4001	18	06	02W	15	WR				
Same	IRR	AY	G		SW	SE	NW	2833	3910	18	06	02W	16	WR				
Same	IRR	AY	G		SW	SE	NW	2677	3730	18	06	02W	17	WR				
Same	IRR	AY	G		NW	NE	SW	2600	3640	18	06	02W	18	WR				

## Limitations

File Number	Seq Num	Limitations
A 48413 00	1	300 GPM COM/W #47840 (FROM THE P/D)



AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50242 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50242 00 IRR

Complies with  
Reduced spacing not causing  
impairment.

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

2755 Feet North and 3820 Feet West of the Southeast Corner of Section 18 T 6S R 2W

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__ 23543	01	DOM	NK	G	3614	--	SW	SE	SE	183	1197	12	6	3W	7		3.24	3.24	AF
A__ 27769	00	IND	NK	G	<u>2356</u>	--	NE	NE	NW	4938	2933	18	6	2W	9	G 4	42.00	42.00	AF
Same					2631	--	NE	NE	NW	5150	2730	18	6	2W	4	B 4			
Same					2296	--	NE	NE	NW	4900	3000	18	6	2W	6	B 4			
Same					2288	--	NE	NE	NW	4850	2900	18	6	2W	7	B 4			
Same					2215	--	NE	NE	NW	4850	3100	18	6	2W	8	B 4			
A__ 35452	00	MUN	NK	G	10090	--	NE	SE	NW	3996	2739	23	6	3W	2		35.30	35.30	AF
A__ 45284	00	MUN	LO	G	10549	--	NE	SE	NW	3691	3105	23	6	3W	3		79.25	12.54	AF
A__ 47838	00	IND	HK	G	<u>2356</u>	--	NE	NE	NW	4938	2933	18	6	2W	9	G 4	420.00	420.00	AF
Same					2631	--	NE	NE	NW	5150	2730	18	6	2W	4	B 4			
Same					2296	--	NE	NE	NW	4900	3000	18	6	2W	6	B 4			
Same					2288	--	NE	NE	NW	4850	2900	18	6	2W	7	B 4			
Same					2215	--	NE	NE	NW	4850	3100	18	6	2W	8	B 4			
A__ 47839	00	IND	HK	G	0	--	SW	SE	NW	2755	3820	18	6	2W	14	G 4	420.00	420.00	AF
Same					238	--	SE	SW	NW	2910	4001	18	6	2W	15	B 4			
Same					119	--	SW	SE	NW	2833	3910	18	6	2W	16	B 4			
Same					119	--	SW	SE	NW	2677	3730	18	6	2W	17	B 4			
Same					238	--	NW	NE	SW	2600	3640	18	6	2W	18	B 4			
A__ 47840	00	IND	KE	G	4360	--	NW	NW	NE	5200	2380	13	6	3W	4	G 4	155.99	155.99	AF
Same					4558	--	NW	NW	NE	5200	2614	13	6	3W	2	B 4			
Same					4455	--	NW	NW	NE	5220	2480	13	6	3W	3	B 4			
Same					4290	--	NW	NW	NE	5180	2310	13	6	3W	5	B 4			
Same					4138	--	NW	NW	NE	5200	2114	13	6	3W	6	B 4			
A__ 48413	00	IND	KE	G	4360	--	NW	NW	NE	5200	2380	13	6	3W	1	G 4	20.01	20.01	AF
Same					4558	--	NW	NW	NE	5200	2614	13	6	3W	2	B 4			
Same					4455	--	NW	NW	NE	5220	2480	13	6	3W	3	B 4			
Same					4290	--	NW	NW	NE	5180	2310	13	6	3W	5	B 4			
Same					4138	--	NW	NW	NE	5200	2114	13	6	3W	6	B 4			
A__ 48646	00	REC	LO	G	6882	--	NW	NW	NW	5200	4980	24	6	3W	2		45.00	45.00	AF
A__ 49505	00	IND	LO	G	9250	--	NE	SE	NE	3850	190	11	6	3W	1		20.01	20.01	AF
Same					9281	--	NE	SE	NE	3895	190	11	6	3W	2				
Same					9185	--	SW	NW	NW	4300	4950	12	6	3W	8				
A__ 49906	00	MUN	KE	G	10549	--	NE	SE	NW	3691	3105	23	6	3W	3		30.69	30.69	AF
A__ 50241	00	IRR	AY	G	<u>2356</u>	--	NE	NE	NW	4938	2933	18	6	2W	9	G 4	187.00	.00	AF
Same					2631	--	NE	NE	NW	5150	2730	18	6	2W	4	B 4			
Same					2296	--	NE	NE	NW	4900	3000	18	6	2W	6	B 4			
Same					2288	--	NE	NE	NW	4850	2900	18	6	2W	7	B 4			
Same					2215	--	NE	NE	NW	4850	3100	18	6	2W	8	B 4			
A__ 50242	00	IRR	AY	G	0	--	SW	SE	NW	2755	3820	18	6	2W	14	G 4	187.00	.00	AF
Same					238	--	SE	SW	NW	2910	4001	18	6	2W	15	B 4			
Same					119	--	SW	SE	NW	2833	3910	18	6	2W	16	B 4			
Same					119	--	SW	SE	NW	2677	3730	18	6	2W	17	B 4			
Same					238	--	NW	NE	SW	2600	3640	18	6	2W	18	B 4			
T__20169108	00	IRR	GY	G	0	--	SW	SE	NW	2755	3820	18	6	2W	14	G 4	162.50	162.50	AF

< 1/2 mile



Same	238 -- SE SW NW	2910	4001	18	6	2W	15	B	4		
Same	119 -- SW SE NW	2833	3910	18	6	2W	16	B	4		
Same	119 -- SW SE NW	2677	3730	18	6	2W	17	B	4		
Same	238 -- NW NE SW	2600	3640	18	6	2W	18	B	4		
T_20179026 00 IRR GY G	2356 -- NE NE NW	4938	2933	18	6	2W	9	G	4	162.50	.00 AF
Same	2631 -- NE NE NW	5150	2730	18	6	2W	4	B	4		
Same	2296 -- NE NE NW	4900	3000	18	6	2W	6	B	4		
Same	2288 -- NE NE NW	4850	2900	18	6	2W	7	B	4		
Same	2215 -- NE NE NW	4850	3100	18	6	2W	8	B	4		

```

=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =      .00          .00
Total Permitted Amount (AF) =    1209.19        .00
Total Inspected Amount (AF) =      77.55          .00
Total Pro_Cert Amount (AF) =       .00          .00
Total Certified Amount (AF) =     80.54          .00
Total Vested Amount (AF) =        .00          .00
TOTAL AMOUNT (AF) =    1367.28          .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:  
 2755 Feet North and 3820 Feet West of the Southeast Corner of Section 18 T 6S R 2W

GROUNDWATER ONLY  
 WATER USE CORRESPONDENTS:

- ```

=====
File Number  Use ST SR
A__  23543 01 DOM NK G
> HAROLD (BUTCH) JOHNSON
>
> 1781 PLUM RD
> CONCORDIA KS 66901
>-----
A__  27769 00 IND NK G
> BESTIFOR FARMS
>
> PO BOX 220
> BELLEVILLE KS 66935
>-----
A__  35452 00 MUN NK G
> CLOUD RWD 01
> BOOKKEEPER
> PO BOX 416
> CONCORDIA KS 66901
>-----
A__  45284 00 MUN LO G
> CLOUD RWD 01
> BOOKKEEPER
> PO BOX 416
> CONCORDIA KS 66901

```



\_\_\_\_\_  
(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. 50242

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.

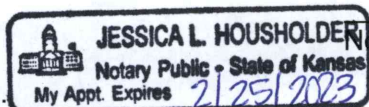
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

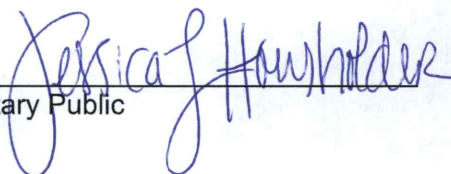
  
Signature of Applicant

State of Kansas )  
County of Republic ) ss

Thayne A. LARSON  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 18 day of April, 2019.



  
Notary Public

My Commission Expires:

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50242

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

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

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

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

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50242

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 PRACTICES AND PROPER IRRIGATION TIMING

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: ALFALFA

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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

KS DEPT OF AGRICULTURE

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



50242

153 8578 TW16-07  
WATER WELL RECORD

Form WWC-5

Division of Water Resources; App. No. [ ]

|                                                   |                                  |                      |                          |                                  |
|---------------------------------------------------|----------------------------------|----------------------|--------------------------|----------------------------------|
| <b>1 LOCATION OF WATER WELL:</b><br>County: Cloud | Fraction<br>SW 1/4 SE 1/4 NW 1/4 | Section Number<br>18 | Township Number<br>T 6 S | Range Number<br>R 2 E <b>(W)</b> |
|---------------------------------------------------|----------------------------------|----------------------|--------------------------|----------------------------------|

Distance and direction from nearest town or city street address of well if located within city? Approximately 1 3/4 mile south and 3 3/4 mile east of Concordia

**Global Positioning Systems** (decimal degrees, min. of 4 digits)  
 Latitude: 39.53205  
 Longitude: -97.587013  
 Elevation: Unknown  
 Datum: NAD83  
 Data Collection Method: WAAS GPS Unit

**2 WATER WELL OWNER:** Everton Energy LLC  
 RR#, St. Address, Box # : 1020 E. 19th Street North  
 City, State, ZIP Code : Wichita, KS 67214

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

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

**4 DEPTH OF COMPLETED WELL** 177 ft.

Depth(s) Groundwater Encountered (1) \_\_\_\_\_ ft. (2) \_\_\_\_\_ ft. (3) \_\_\_\_\_ ft.

WELL'S STATIC WATER LEVEL 74.30 ft. below land surface measured on mo/day/yr 06-12-07

Pump test data: Well water was Not checked ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_ gpm

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

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

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

2 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well **Test Well**

Was a chemical/bacteriological sample submitted to Department? Yes \_\_\_\_\_ No  If yes, mo/day/yrs \_\_\_\_\_

Sample was submitted \_\_\_\_\_ Water well disinfected? Yes  No \_\_\_\_\_

**5 TYPE OF CASING USED:** 5 Wrought Iron 8 Concrete tile CASING JOINTS: Glued  Clamped

1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) \_\_\_\_\_ Welded \_\_\_\_\_

**(2) PVC** 4 ABS 7 Fiberglass \_\_\_\_\_ Threaded \_\_\_\_\_

Blank casing diameter 5 in. to 85 ft., Diameter 5 in. to 135 ft., Diameter \_\_\_\_\_ in. to \_\_\_\_\_ ft.

Casing height above land surface 24 in., weight 2.36 lbs./ft. Wall thickness or gauge No. 214

**TYPE OF SCREEN OR PERFORATION MATERIAL:**

1 Steel 3 Stainless Steel 5 Fiberglass **(7) PVC** 9 ABS 11 Other (Specify) \_\_\_\_\_

2 Brass 4 Galvanized Steel 6 Concrete tile 8 RM (SR) 10 Asbestos-Cement 12 None used (open hole)

**SCREEN OR PERFORATION OPENINGS ARE:**

1 Continuous slot **(3) Mill slot** 5 Gauzed 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 85 ft. to 115 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

From 135 ft. to 175 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**GRAVEL PACK INTERVALS:** From 25 ft. to 180 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**6 GROUT MATERIAL:** 1 Neat Cement 2 Cement grout 3 Bentonite **(4) Other** Bentonite Holeplug

Grout Intervals: From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From 0 ft. to 25 ft.

What is the nearest source of possible contamination:

1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 13 Insecticide Storage **(16) Other (specify below)**

2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 14 Abandoned water well \_\_\_\_\_

3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer Storage 15 Oil well/gas well None known

Direction from well? \_\_\_\_\_ How many feet? \_\_\_\_\_

| FROM | TO | LITHOLOGIC LOG                                       | FROM | TO  | PLUGGING INTERVALS                                        |
|------|----|------------------------------------------------------|------|-----|-----------------------------------------------------------|
| 0    | 5  | Topsoil                                              | 78   | 92  | Sandstone, hard, tan color, with clay streaks, gray       |
| 5    | 19 | Clay, gray, hard                                     |      |     |                                                           |
| 19   | 21 | Clay, brown, hard                                    | 92   | 125 | Sandstone, tan color, hard                                |
| 21   | 51 | Sandstone, brown color, soft                         | 125  | 147 | Sandstone, tan color, with clay streaks, gray and yellow  |
| 51   | 57 | Clay, white and gray, hard, with sandstone streaks   | 147  | 149 | Cemented sandstone, hard                                  |
| 57   | 60 | Clay, white and yellow, hard, with sandstone streaks | 149  | 176 | Sandstone, soft, with ironstone streaks                   |
|      |    |                                                      | 176  | 178 | Sandstone, tan color, hard                                |
| 60   | 67 | Sandstone, soft, with clay streaks, gray and white   | 178  | 182 | Cemented sandstone, hard                                  |
|      |    |                                                      | 182  | 183 | Sandstone, hard, with clay streaks, gray                  |
| 67   | 78 | Clay, dark gray and yellow, hard                     | 183  | 189 | Clay, dark gray, with streaks of cemented sandstone, hard |

**7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was (1) **constructed** (2) reconstructed (3) plugged under my jurisdiction and was completed on (mo/day/year) 06-12-07 and this record is true to the best of my knowledge and belief.

Kansas Water Well Contractor's License No. 185 This Water Well Record was completed on (mo/day/year) 08-14-07

Under the business name of Clarke Well & Equipment, Inc. by (signature) \_\_\_\_\_

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

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



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

Mike Beam, Secretary

Laura Kelly, Governor

April 25, 2019

BESTIFOR FARMS  
PO BOX 220  
BELLEVILLE, KS 66935

RE: Application, File No. **50242**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stockton Field Office at 785-425-6787. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

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

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

- (A) One in the NE quarter of the NE quarter of the NW quarter of Section 18, more particularly described as being near a point 2910 feet North and 4001 feet West of the Southeast corner of said section, in Township 6 South, Range 2 WEST, CLOUD County, Kansas.
- (B) One in the NE quarter of the NE quarter of the NW quarter of Section 18, more particularly described as being near a point 2833 feet North and 3910 feet West of the Southeast corner of said section, in Township 6 South, Range 2 WEST, CLOUD County, Kansas.
- (C) One in the NE quarter of the NE quarter of the NW quarter of Section 18, more particularly described as being near a point 2677 feet North and 3730 feet West of the Southeast corner of said section, in Township 6 South, Range 2 WEST, CLOUD County, Kansas.
- (D) One in the NE quarter of the NE quarter of the NW quarter of Section 18, more particularly described as being near a point 2600 feet North and 3640 feet West of the Southeast corner of said section, in Township 6 South, Range 2 WEST, 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 April 18th, 2019. Tham [Signature]  
Applicant's Signature

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

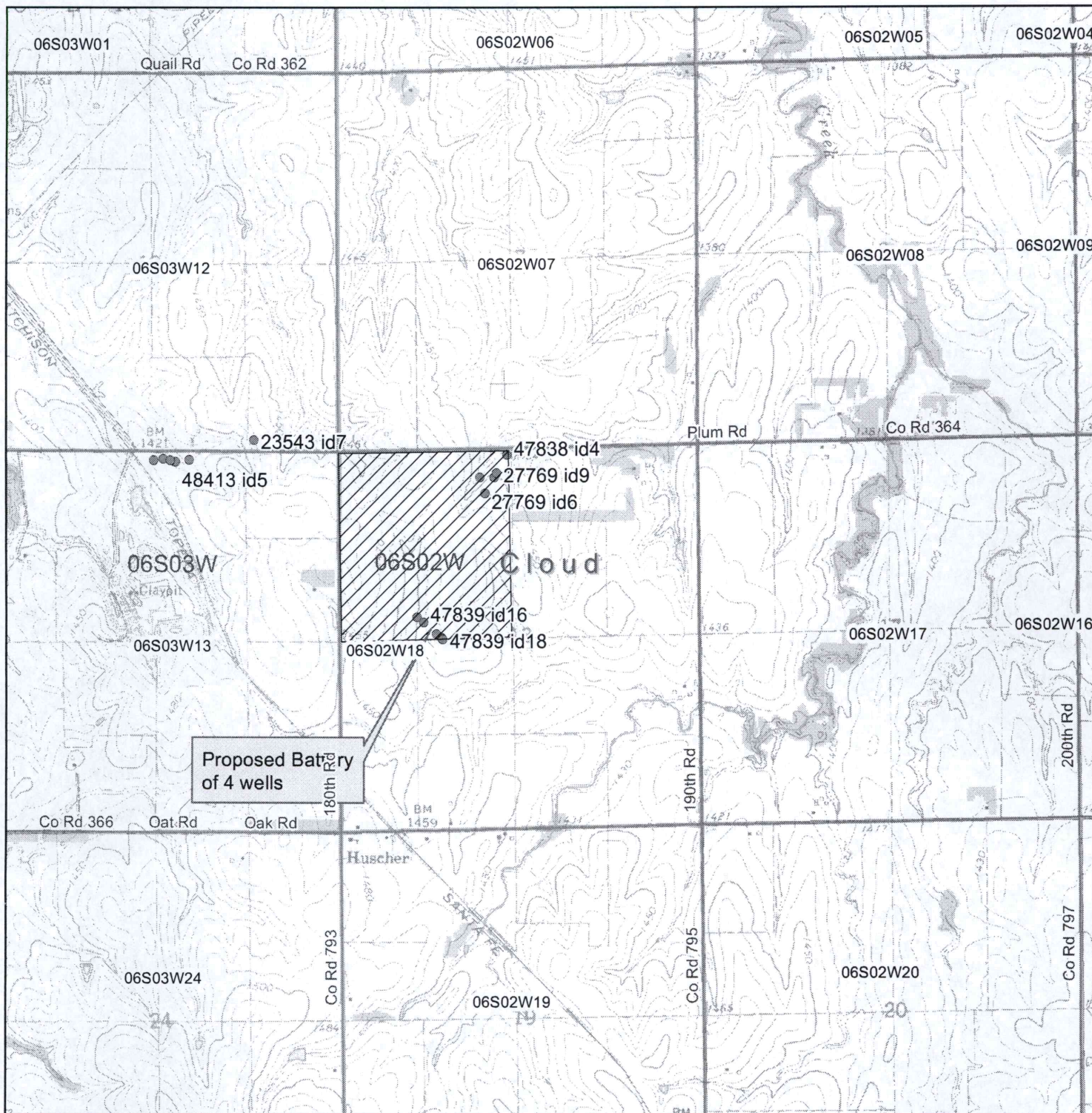
7. The proposed project for diversion of water will consist of BATT OF 4 WELLS  
(number of wells, pumps or dams, etc.)  
and WILL BE completed (by) 2020  
(Month/Day/Year - each was or will be completed)

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

50242



Proposed Place of Use

▲ Surface Water Point of Diversion

● Groundwater Point of Diversion

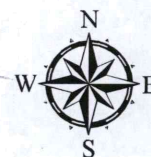
1:24,000

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Signature Required  
*Thomas G. ...*  
 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.



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