

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

1. File Number: <p style="text-align: center;">49,679</p>	2. Status Change Date: <p style="text-align: center;">6/5/2017</p>	3. Field Office: <p style="text-align: center;">01</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 64949 New to system <input type="checkbox"/> Add Seq# _____</p> <p>BRETT HERRS 122 N PENNSYLVANIA ST PALMER KS 66962</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>
<p>7b. Landowner(s) Person ID 65540 New to system <input checked="" type="checkbox"/> Add Seq# _____</p> <p>KENT HERRS 1321 10TH ROAD LINN KS 66953</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>

<p>8. WUR Correspondent Person ID 65540 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>7b.</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: **12/31/2018** 11. Perfection Date: **12/31/2022** 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: **5/2/2017** By: **DWS**
Date Entered: **6/6/2017** By: **UM**

File No. **49,679** 15. Formation Code: **330** Drainage Basin: Republican River County: **WS** Special Use: Stream:

16. Points of Diversion

T
MOD
DEL PDIV
ENT

Qualifier	S	T	R	ID	'N	'W
NE NW NE	23	4	2E	2	5120	1380

17. Rate and Quantity

Authorized		Additional		Overlap PD Files
Rate gpm	Quantity af	Rate gpm	Quantity af	
1400	192	1400	192	NONE

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

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

20. Meter Required? Yes No To be installed by **12/31/2018** Date Acceptable Meter Installed _____

21. Place of Use

T
MOD
DEL
ENT

PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? YES	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				
√ 67927	23	4	2E	2	40	40	40	40												160	7b.	YES	NONE	

Comments:

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

TO: Files

DATE: May 2, 2017

FROM: Doug Schemm

RE: Application, File No. 49,679

Brett Herrs has filed the referenced application for permit to appropriate 192 acre-feet of groundwater at a rate of diversion of 1,400 gallons per minute from a proposed well. The well would be located in the Northeast Quarter of Section 23, in Township 4 South, Range 2 East, in Washington County. The proposed appropriation is located in the drainage basin of the Republican River. The entire place of use is owned by Kent Herrs, (160 acres), and he has signed the application form stating that he has access to the point of diversion. The maximum allowable to irrigate the proposed 160 acres in Washington County is 1.2 acre-feet per acre, or a total of 192 acre-feet. Therefore, the quantity requested on the new application complies with the maximum allowable quantity.

The source of water for this pending groundwater application appears to be the **confined** Dakota aquifer system based on the test hole log that was submitted, and other area wells. No specific safe yield evaluation has been adopted by the chief engineer for the confined Dakota aquifer system, although it is likely that the confined Dakota aquifer system would receive significantly less recharge than a near-surface, unconfined aquifer. Therefore, in order to better represent the potential recharge to this confined aquifer, it was determined that the saturated thickness of the aquifer and the thickness of the confining unit are critical factors. Limited saturated thickness with a significant confining unit would get less recharge (0.3 times the "standard" K.A.R. 5-3-11 value), while significant saturated thickness with a limited confining unit would get more recharge (0.5 times the "standard" K.A.R. 5-3-11 value). For Application, File No. 49,679, the saturated thickness (70') is less than the confining unit thickness (100'), which results in factor of less than 1. A factor less than 1 gets 0.3 times the "normal" recharge. The K.A.R. 5-3-11 safe yield recharge value was determined to be 2.8 inches. Multiplying 2.8 inches x 0.3 results in a recharge of 0.84 inches. The area of consideration was determined to be approximately one-half of the circle, based on the dividing line between the confined Dakota aquifer system and the unconfined Dakota aquifer system (see attached well logs and map). Therefore, 4,133 acres x 0.84 inches x 100% recharge available / 12 provides a safe yield of 289.3 acre-feet. There are no existing appropriations in this same area of consideration (File No. 49,138 was dismissed and File No. 49,623 falls outside the circle), leaving the entire 289.3 acre-feet available, and the application requesting 192 acre-feet meets safe yield (see attached calculation sheet).

The applicant identified three domestic wells within one-half mile of the proposed point of diversion, one owned by the landowner and two others (not in use) owned by the Harvey Herrs Family Trust, of which the landowner (Kent Herrs) is a Trustee. Therefore no notification letters are required. The proposed point of diversion does not meet minimum well spacing to these domestic wells, if they are also sourcing the confined Dakota aquifer system, with the nearest being 2,100 feet away. Per the requirements in K.A.R. 5-4-4 for the confined Dakota aquifer system, the minimum well spacing should be one-half mile to domestic wells. Furthermore, the nearest permitted well known to be sourcing the confined Dakota aquifer system is just over 2 miles away (File No. 49,623) and there are several more wells that are over three miles away. Per K.A.R. 5-4-4, wells sourcing the confined Dakota aquifer system are to meet 4 mile spacing between wells. However, it appears that a spacing of over two miles to non-domestic wells and over 2,000 feet to domestic wells, should be adequate to prevent direct impairment to the nearest water rights. With no other non-domestic wells in two miles, obviously this area is not heavily developed. Per K.A.R. 5-4-4, the minimum well spacing criteria to non-domestic wells of 4 miles, and the minimum spacing to domestic wells of one-half miles, is not necessary to prevent direct impairment in this specific instance, and the proposed well spacing is sufficient to prevent direct impairment and to protect the public interest.

Please note, there are several wells sourcing the confined Dakota aquifer system in this local area, which have been diverting water for many years (see File Nos. 29,215 & 35,086), with no reported impairment concerns. Also note that both of these senior files pumped their authorized quantity of water in 2012, and they are located approximately one mile apart.

Brett Herrs
File No. 49,679
Page 2

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 chemicals will be injected into the water pumped under this permit, a check valve will also be required.

Katie Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced application in a May 2, 2017 e-mail.

Based on the above discussion, the area is open to new appropriations, the point of diversion meets minimum well spacing criteria, the application complies with safe yield criteria, and approval will not impair senior water rights, it is recommended that the referenced application be approved.

Doug Schemm
Environmental Scientist
Topeka Field Office

Schemm, Doug

From: Tietsort, Katie
Sent: Tuesday, May 2, 2017 7:36 AM
To: Schemm, Doug
Cc: Baum, Kristen
Subject: RE: Kent Herra 49,679

Doug,

I agree with proceeding forward on this one based on the full proposal you provided on the first Dakota application in this sequence.

Thanks, Katie

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

From: Schemm, Doug
Sent: Wednesday, April 19, 2017 1:36 PM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>
Subject: Kent Herra 49,679

This is the second of the confined Dakota files we discussed this morning. Nobody else in 2 mile circle. Just shy of meeting spacing to three domestic wells all owned by Kent (2 are not in use).

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

June 6, 2017

BRETT HERRS
122 N PENNSYLVANIA ST
PALMER KS 66962

FILE COPY

Re: Appropriation of Water, File No. 49,679

Dear Mr. Herrs:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents. A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this 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: Topeka Field Office
Kent Herrs

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,679** of the applicant

**BRETT HERRS
122 N PENNSYLVANIA ST
PALMER KS 66962**

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 **July 28, 2016**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
23	4S	2E	40	40	40	40													160

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE¼ NW¼ NE¼) of Section 23, more particularly described as being near a point 5,120 feet North and 1,380 feet West of the Southeast corner of said section, in Township 4 South, Range 2 East, Washington 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 **1,400 gallons per minute (3.12 c.f.s.)** and to a quantity not to exceed **192 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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

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

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

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

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

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

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

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

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

Ordered this 5th day of June, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 5th day of June, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

CERTIFICATE OF SERVICE


On this 6th day of June, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,679, dated June 5th, 2017 was mailed postage prepaid, first class, US mail to the following:

BRETT HERRS
122 N PENNSYLVANIA ST
PALMER KS 66962

With photocopies to:

KENT HERRS
1321 10TH ROAD
LINN KS 66953

Topeka Field Office



Division of Water Resources

APPLICATION COMPLETE

4/11/2017

Reviewer 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

File Number 41,679

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

JUL 28 2016

11:58

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): BRETT HERRS
Address: 122 N PENNSYLVANIA ST
City: PALMER State: KS Zip Code 66962
Telephone Number: (785) 747-7325

2. The source of water is: surface water in _____ (stream)
OR groundwater in REPUBLICAN RIVER (Dakota Formation) _____ (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 192 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 1400 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:
S.O. GMD Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County WS By AJW Date 7/28/16
Code REG REP Fee \$ 300 TR # _____ Receipt Date 7/28/16 Check # 6854

8/1/2016 LCM

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 ~~NO~~^{NW} quarter of the NE quarter of Section 23, more particularly described as being near a point 3,960^{5,120} feet North and 1,320^{1,380} feet West of the Southeast corner of said section, in Township 4 South, Range 2 EAST, WASHINGTON County, Kansas.
- (B) One in the ____ quarter of the ____ quarter of the ____ quarter of Section ____, more particularly described as being near a point ____ feet North and ____ feet West of the Southeast corner of said section, in Township ____ South, Range ____ East/West (circle one), _____ County, Kansas.
- (C) One in the ____ quarter of the ____ quarter of the ____ quarter of Section ____, more particularly described as being near a point ____ feet North and ____ feet West of the Southeast corner of said section, in Township ____ South, Range ____ East/West (circle one), _____ County, Kansas.
- (D) One in the ____ quarter of the ____ quarter of the ____ quarter of Section ____, more particularly described as being near a point ____ feet North and ____ feet West of the Southeast corner of said section, in Township ____ South, Range ____ East/West (circle one), _____ County, Kansas.

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

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

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

Kent Herrs 1321 10th Rd Links 66953 785-747-6709
(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 July 22, 2016. Kent Herrs
Applicant's Signature

7. The proposed project for diversion of water will consist of WELL
(number of wells, pumps or dams, etc.)
and (was) completed (by) SUMMER 2016
(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 Summer 2016
(Mo/Day/Year)

WATER RESOURCES
RECEIVED

SCANNED JUL 28 2016

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes No If "yes", a check valve shall be required.

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

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

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

• If yes, show the Water Structures permit number here _____

• If no, explain here why a Water Structures permit is not required _____

GROUNDWATER WELL

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

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

NONE

WATER RESOURCES
RECEIVED

SCANNED

JUL 28 2016

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 Agent
(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):
Kent Hems 1321 10th Rd Linn KS 66953 785-747-6709
(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 Linn, Kansas, this 22 day of July, 2016.
(month) (year)

[Signature]
(Applicant Signature)

[Redacted]
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By [Signature]
(Agent or Officer Signature)

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

(Agent or Officer - Please Print)

Assisted by DWS TOPEKA FO Date: 7/14/2016
(office/title)

WATER RESOURCES RECEIVED

SCANNED

JUL 28 2016

KENT HERRS - FILE 49,679
 Section 23, Township 4 South, Range 2 East
 Washington County

*Harvey Herr Trustee
 1321 10th Pl.
 King, KS 66953
 Domestic
 Not in use*



1:12,000



Proposed Place of Use



Proposed Point of Diversion

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

Kent Herrs



**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49,679

Name of Applicant (Please Print): BRETT HERRS

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: Kent Herrs
 ADDRESS: 1321 10th Rd , Linn, KS 66953

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23	4S	2E	40	40	40	40													160

Landowner of Record NAME: _____
 ADDRESS: _____

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

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	

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:

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:

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).

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

49,679 Herrs

Sargent Drilling

Geneva, NE
TEST HOLE LOG

~~Matt~~ Matt
402.759-3902

CUSTOMER: <i>Keat Herrs</i>	TH # <i>2</i>	DATE: <i>3-15-17</i>
LOCATION: <i>Linn KS</i>		SWL
DRILLED BY: <i>Scott</i>		PWL
		GPM
GPS: N <i>39° 41' 48.5"</i> W <i>97° 10' 02.1"</i>		
ELEVATION: <i>1441'</i>	<i>39.696806</i>	<i>97.16725</i>

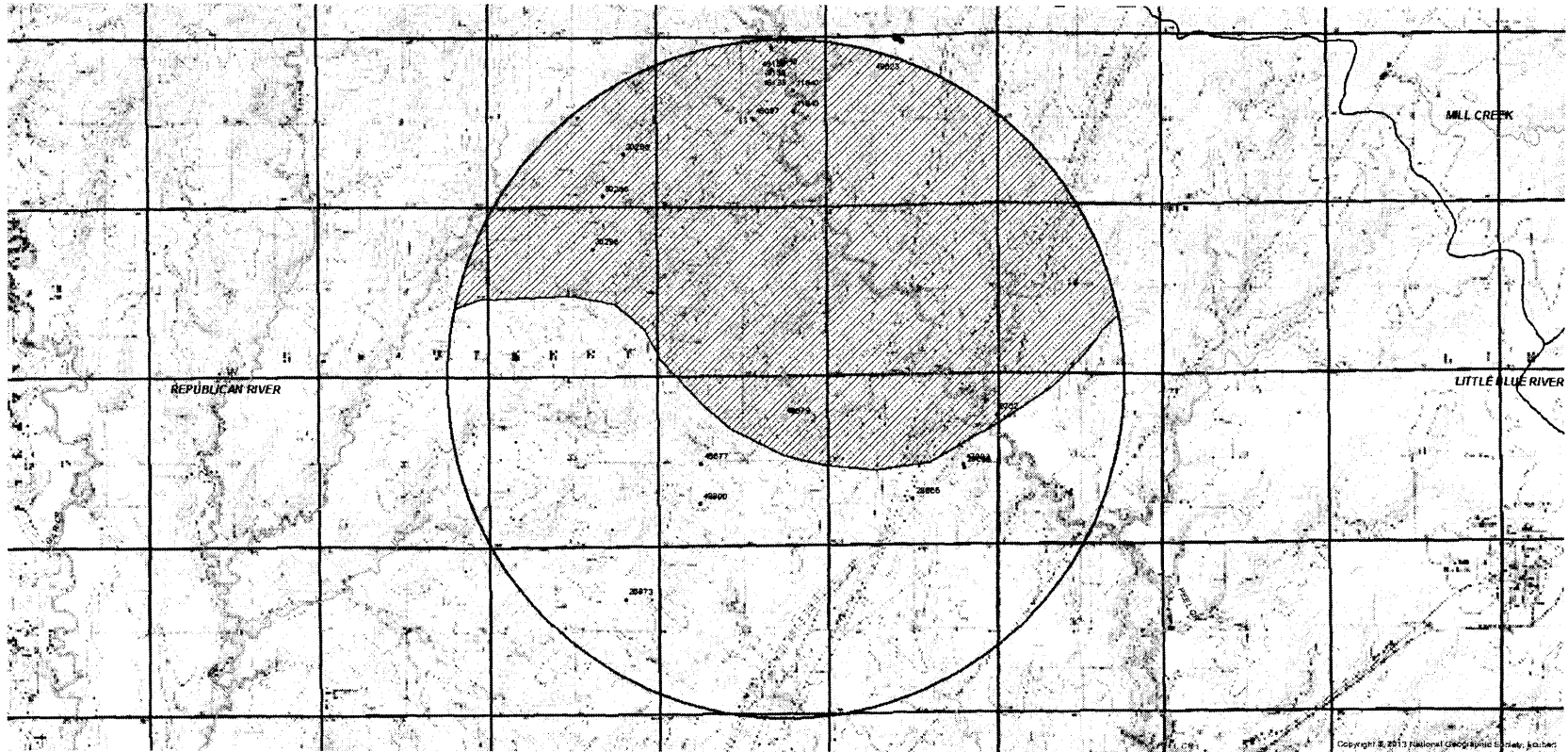
5,120'N + 1380'W

(Include: Type, Hardness & Color)

0	20	<i>Top Soil Brown & Orange Clay 9' Shale & Aprite</i>
20	40	<i>Shale Tan Red, white</i>
40	60	<i>Shale Red White, Brown, Gray</i>
60	80	<i>Shale Red, White Gray</i>
80	100	<i>Shale Gray</i>
100	120	<i>Shale Gray 8' Sandstone 12'</i>
120	140	<i>Sandstone</i>
140	160	<i>Medium Sandstone 10' Shale 1' white 2' ML Sandstone 2'</i>
160	180	<i>ML Sandstone Shale Strip 7' Sandstone 14' Gray shale 1' Limestone 1'</i>
180	200	<i>Shale 1'</i>
200	220	
220	240	
240	260	
260	280	
280	300	
300	320	
320	340	
340		

Plain casing _____ of _____ " OD
 Perf casing _____ of _____ " x _____ OD
 Gravel pack from _____ to _____ and from _____ to _____
 Groundwater from _____ to _____ and from _____ to _____ volume

Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in NWNWNE 23-04S-02
FILE NO. 49,679



File #49,679
 meets safe
 Yield
 Confined DAKOTA
 Aquifer

Analysis Results

The selected PD is in an area to new appropriations. **289.3**
 The safe yield, based on the variables listed below is ~~723.28~~ AF.
 Total prior appropriation in the circle is 431.60 AF. - ~~431.6~~ = 0
 Total quantity of water available for appropriation is ~~291.68~~ AF.

289.3 AF

Safe Yield Variables

The area used for the analysis is set at 4133 acres.
 Potential annual recharge of the area is estimated to be 2.8 inches. $\times 3 = 0.84$
 The percent of recharge available for appropriation is ~~75~~%.

100

Authorized Quantity values are as of 18-APR-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 3 water right(s) and 5 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A 49138	00	IRR	GY	G	NW	SW	NE	3955	2000	11	04	02E	6	WR	280.20	143.60	265.50	0.00
Same		IRR	GY	G	SW	NW	NE	4245	2000	11	04	02E	7	WR				
Same		IRR	GY	G	NW	SW	NE	3665	2000	11	04	02E	8	WR				
A 49623	00	IRR	AY	G	SW	NE	NW	4023	3811	12	04	02E	1	WR	96.00	96.00	80.00	80.00
A 49679	00	IRR	AY	G	NC	NE		3960	1320	23	04	02E	2	WR	192.00	192.00	160.00	160.00

to be dismissed

← out of circle

Pending

CONFINED DAKOTA AQUIFER SYSTEM SAFE YIELD EVALUATION

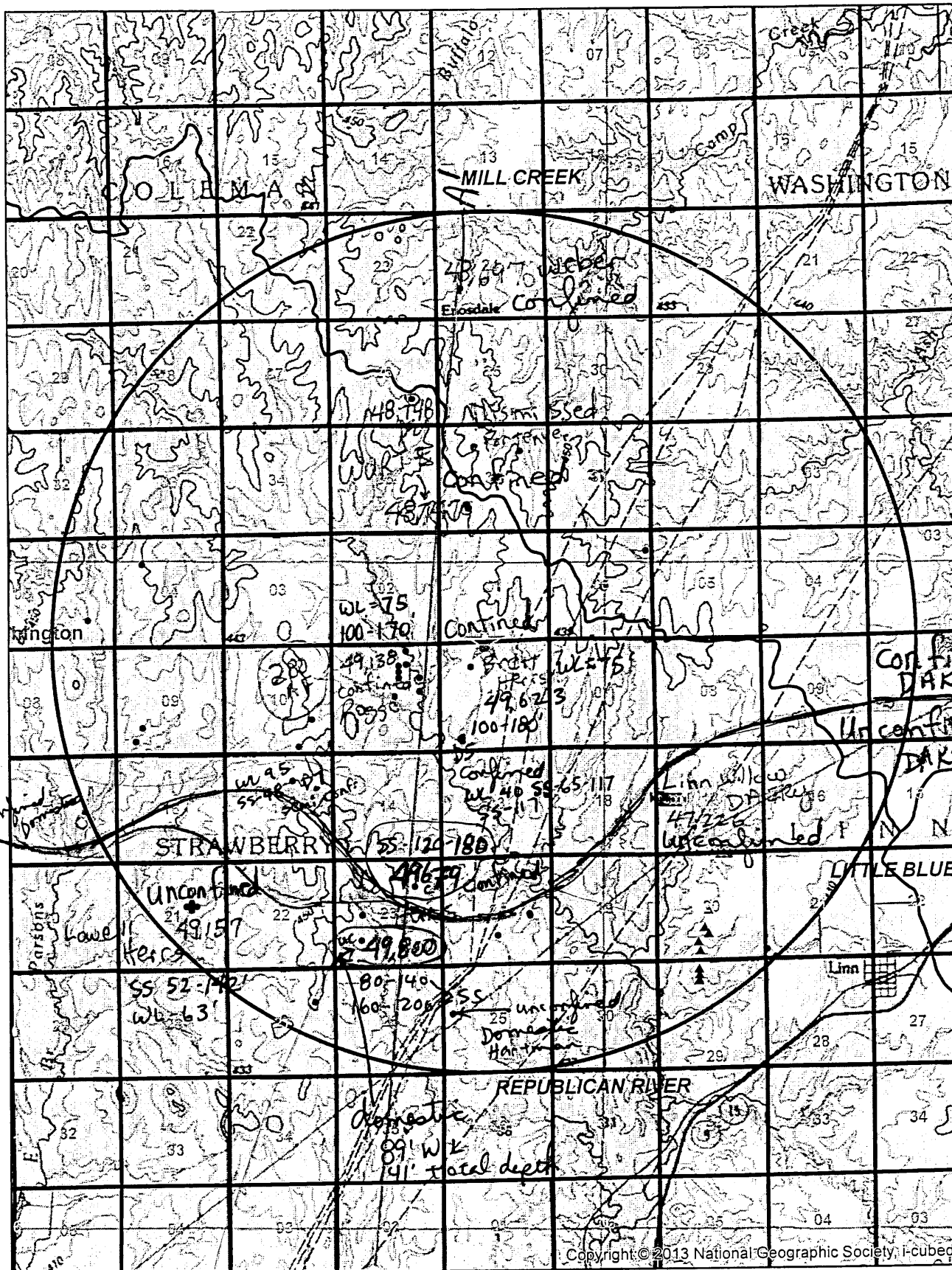
FILE NUMBER: **49,679**

<u>Safe Yield Calculation</u>				
Thickness of Saturated Aquifer (in feet)	divided by	Thickness of Confining Unit (in feet)	=	A Factor
70		100	=	0.70
If Factor < 1		Multiply Normal Recharge by 0.3 to get Confined Aquifer Recharge (in inches)		
If Factor is between 1 and 2		Multiply Normal Recharge by 0.4 to get Confined Aquifer Recharge (in inches)		
If Factor > 2		Multiply Normal Recharge by 0.5 to get Confined Aquifer Recharge (in inches)		
Normal Recharge (per 5-3-11) = 2.8 inches		2.8 inches x 0.3 = 0.84 inches of recharge		
Area of consideration =	4133 acres			
Annual Recharge =	0.84 inches			
Percent Recharge =	1	100%		
Confined Dakota Aquifer Safe Yield =				289.31 acre-feet

This would provide more recharge to a well that has a thinner confining unit and greater saturated thickness (i.e. a higher factor score).

Further review indicates that saturated thickness of the aquifer and thickness of confining unit are the 2 key variables that would most likely influence well production and recharge, respectively. Therefore, a weighted system was designed to account for this by dividing the saturated thickness by the thickness of the confining unit. The less confining unit you have the higher the recharge potential and the greater the saturated thickness the better production you will get from the well. This ratio provides a factor which can be used to evaluate the percentage of safe yield to consider as reasonable. Saturated thickness is pertinent to safe yield since per definition it is "long-term sustainable yield of the source".

DAKOTA WELLS



Sec. 18

Confined
DAKOTA
Unconfined
DAKOTA

STRAWBERRY

LITTLE BLUE

REPUBLICAN RIVER



1:83,636

unconfined DAKOTA

H

uncontinued
Hariman
domestic

Continued

48,697 Weber
A

1510

49,800

49,679

D-5

49,623

49,747

49,748

1510

1460

- 1460

1410

- 1410

1360

- 1360

1310

- 1310

1260

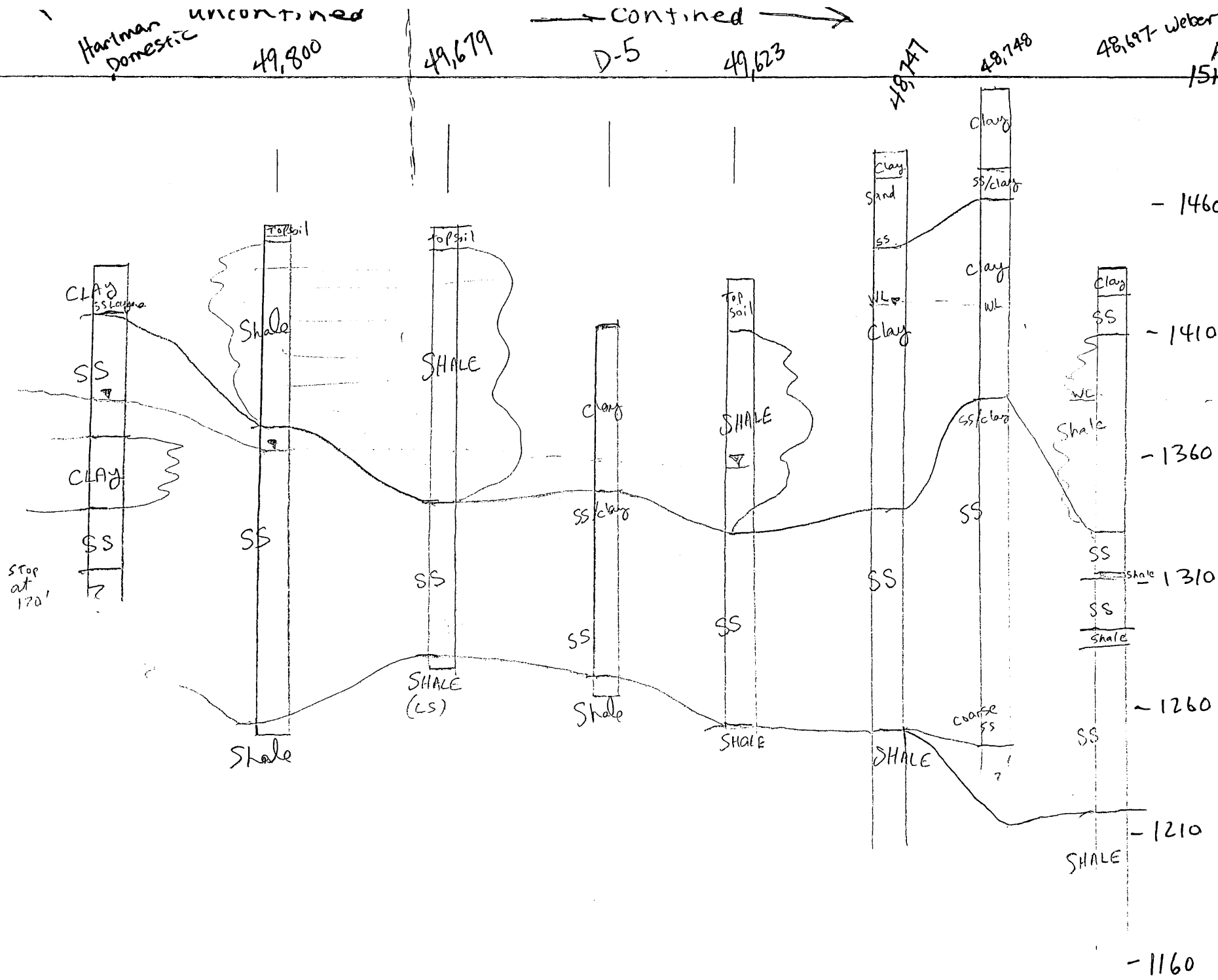
- 1260

1210

- 1210

1160

- 1160



associated DRILLING, INC.

201 Industrial Rd., PO Box 7, Olsburg, KS 66520
(785) 468-3324, Fax: (785) 468-3363

48,697
Weber

July 1, 2013

Test hole log for Scott Weber located at N 39.77460 W 97.15765 with an elevation of

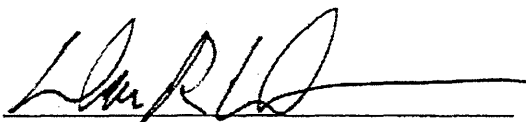
1435'

1451 feet

SW 1/4 Sec 24-3-2 E

0-12	Clay
12-30	Sandstone
30-108	Shale, red to tan to gray
108-124	Sandstone
124-128	Shale, Tan
128-148	Sandstone
148-156	Shale, Gray
156-222	Sandstone
222-260	Shale, Gray

The test hole was 6-inches in diameter drilled with 4.5 inch drill stem. The test hole appears it will yield adequate quantities of water for irrigation purposes.



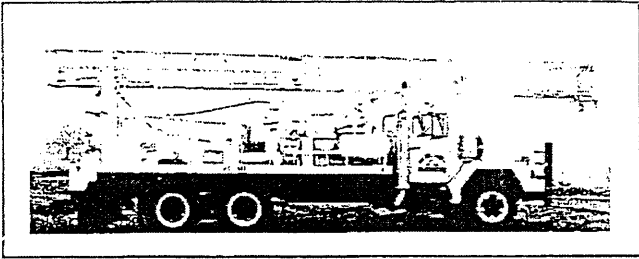
Darin R. Duncan, PG
Associated Drilling, Inc.

WATER RESOUR
RECEIVER

JUL 15 2013

KS DEPT OF AGRICULTURE

SCANNED



DARYL COX & SONS, INC.
WELL DRILLERS

CLIFTON, KANSAS 66937

FOR Calvin Wilgers
Washington, Kansas

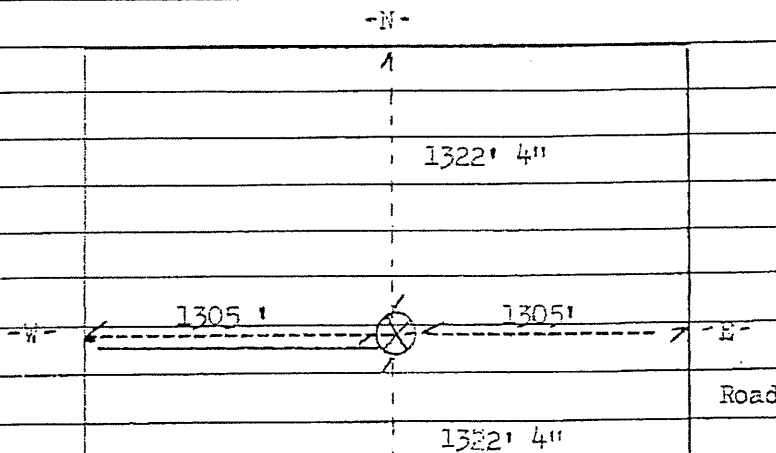
DATE January 25, 1981

1505' Elev.

Log: Drilled in center of section 26, Township 3, Range 3 East, Washington County

0-----3	topsoil
3-----32	brown clay
32-----48	sandrock / clay layers
48-----66	brown clay
66-----78	red clay
78-----128	gray clay
128-----187	sandrock w/ clay layers
187-----188	hard rock
188-----204	sandrock w/ clay layers
204-----206	blue clay
206-----219	sandrock w/ clay layers
219-----260	sandrock coarse
260-----	caved and stop

Measurements of Field:



WATER RESOURCES
RECEIVED

AUG 08 2013

KS DEPT OF AGRICULTURE

COPIED

48,747

Sargent Drilling

INDUSTRIAL ENGINEERING
COMPLETE MUNICIPAL AND INDUSTRIAL
WELL AND PUMP SERVICE

PO Box 367
Geneva, NE 68361-0367

846 South 13th St.

Phone: (402) 759-3902
1-888-496-3902

TEST HOLE LOG

1480'

CUSTOMER: Calvin Wilgers	
WELL ID:	
LOCATION: SW ¼, 36-T3S-R2E, Washington Co., NE	
LATITUDE: 39° 44' 41.1"	
LONGITUDE: 097° 09' 25.7"	
FOOTAGES:	
DATE: 10-31-08	DRILLED BY: CL

SWL: ≈ 60'
PWL:

<u>from feet</u>	<u>- to feet</u>	
0	10	Tan clay and hard spots
10	20	Fine, medium and coarse orange sand
20	33	Fine and medium yellow sand
33	37	Very hard rock
37	40	Clay
40	95	Red and white sticky clay
95	105	Blue clay
105	120	Red and gray clay
120	136	White and tan clay
136	140	Blue clay and sand streaks
140	160	Sandstone and blue clay streaks
160	220	Fine sandstone
220	228	Fine and medium sandstone
228	240	Blue shale. Hard

RECEIVED
MAR 30 2009
BUREAU OF WATER

dh

SCANNED

48,747

1480'

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD
KSA B2a-1201-1215

Kansas Department of Health and Environment-Division of Environment
(Water well Contractors)
Topeka, Kansas 66620

1. Location of well:		County WASHINGTON	Fraction C 1/4 1/4 SW 1/4	Section number 36	Township number T 3 S R 2 E	Range number 2 E
2. Distance and direction from nearest town or city: Street address of well location if in city:		6 SOUTH 1/2 E McANULTYVILLE		3. Owner of well: R.R. or street: City, state, zip code:		
4. Locate with "X" in section below:		Sketch map:		6. Bore hole dia. 22 in. Completion date _____ Well depth 230 ft. 6-1-77		
				7. <input type="checkbox"/> Cable tool <input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input type="checkbox"/> Reverse rotary		
5. Type and color of material				8. Use: <input type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other		
				9. Casing: Material AC Height <u>Above</u> or below Threaded <input type="checkbox"/> Welded <input type="checkbox"/> Surface 12 in. RMP <input type="checkbox"/> PVC <input type="checkbox"/> Weight 30 lbs./ft. Dia 12 in. to 230 ft. depth Wall Thickness: inches or Dia. <input type="checkbox"/> in. to <input type="checkbox"/> ft. depth gage No. 34		
				10. Screen: Manufacturer's name S. JOHANSON CONCRETE Type ASBESTOS Dia. 12 Slot/gauze 1/8 Length 52 Set between 178 ft. and 230 ft. Gravel pack? YES Size range of material 4 X 8		
				11. Static water level: _____ mo./day/yr. 61 ft. below land surface Date 6-1-77		
				12. Pumping level below land surfaces: 220 ft. after 1 hrs. pumping 500 g.p.m. _____ ft. after _____ hrs. pumping _____ g.p.m. Estimated maximum yield 500 g.p.m.		
				13. Water sample submitted: _____ mo./day/yr. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____		
				14. Well head completion: <input type="checkbox"/> Pitless adapter 12 inches above grade		
				15. Well grouted? YES With: <input type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input checked="" type="checkbox"/> Concrete Depth: From 0 ft. to 10 ft.		
				16. Nearest source of possible contamination: ft. 1500 Direction S.W. Type L.C.B. Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
				17. Pump: _____ Not installed Manufacturer's name WESTERN LAND PULLER Model number 1-100-HC-HP-80 Volts _____ Length of drop pipe 215 ft. capacity 500 g.p.m. Type: <input type="checkbox"/> Submersible <input checked="" type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other		
18. Elevation: 83		19. Remarks:		20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. GEO COX & SONS INC 258 Business name _____ License No. _____ Address ELYTON, KANS 66937 Signed Harold Cox Date 6-1-77 Authorized representative 6-1-77		

3
20
36
CSW

Forward the white, blue and pink copies to the Department of Health and Environment

RECEIVED WWC-5

Original well - plugged

AUG 08 2013

MS-1023
SCANNED
KS DEPT OF AGRICULTURE

* Per test hole GPS, well is located 5,142' N & 3,319' W. DWS Lwr 49,623
 confirmed well location with applicant on 3/21/17. 3/21/17

1430' elev

Sargent Drilling

Geneva, NE
TEST HOLE LOG

CUSTOMER: <i>Brook Hills TN 17-074</i>	DATE: <i>3-15-17</i>	
LOCATION: <i>Linn KS</i>	SWL	
DRILLED BY: <i>Scott</i>	PWL	GPM
* GPS: N <i>34° 43' 33.0"</i> W <i>097° 09' 47"</i>		
ELEVATION: <i>1409'</i>		

(Include: Type, Hardness & Color)

0	20	<i>Sandstone 5' Shale Brown, White Red</i>
20	40	<i>Shale Red, white, gray</i>
40	60	<i>Shale gray, white, Red</i>
60	80	<i>Shale Red, white, Gray</i>
80	100	<i>Shale gray in sandstone striped layers 13' sandstone 7'</i>
100	120	<i>Sandstone</i>
120	140	<i>Sandstone</i>
140	160	<i>Fine to Medium sandstone</i>
160	180	<i>Medium sandstone 5' Shale white, gray, black</i>
180	200	
200	220	
220	240	
240	260	
260	280	
280	300	

RECEIVED
 MAR 15 2017

Tupper Lake Office
 DIVISION OF WATER RESOURCES

Pipe casing _____ of _____ OD _____ ID type _____
 and from _____ to _____ desc _____ qty _____
 and from _____ to _____ volume _____ type _____
 and from _____ to _____ volume _____ type _____

49,138

Similar log to
file # 49,623

associated DRILLING, INC.

201 Industrial Rd., PO Box 7, Olsburg, KS 66520
(785) 468-3324, Fax: (785) 468-3363

July 21, 2014, 2014

Test hole log for Ralph Rogge.


The location of the test hole is N 39.722974 W 97.170524 with an elevation of 1447 feet.

1410'

0-34	Clay, red to red brown
34-35	Sand, fine to medium ~ 5 gpm
35-100	Shale, gray, red and tan
100-170	Sandstone, H2O, > 100 gpm
170-216	Shale, gray
216	Total depth

Static Water Level: 75 feet below ground surface.

There appears to be approximately 70 feet of water bearing sandstone present. It may require a battery of wells to supply enough water to a center pivot irrigation system.



 Darin R. Duncan, PG
 Associated Drilling, Inc.

RECEIVED
 JUL 25 2014
 TOPEKA FIELD OFFICE
 DIVISION OF WATER RESOURCES

WATER RESOURCES
 RECEIVED
 AUG 20 2014
 SCANNED

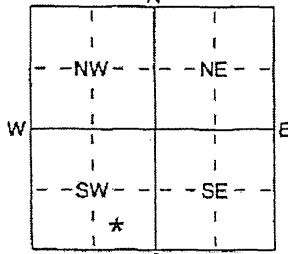
KS DEPT OF AGRICULTURE

1410' confined D-5

1 LOCATION OF WATER WELL: Fraction Section Number Township Number Range Number
 County: Washington SW ¼ SE ¼ SW ¼ 12 T 4 S R 2 (EW)

Distance and direction from nearest town or city street address of well if located within city?
2 North & 4 West of Linn

2 WATER WELL OWNER: Terry Kearn
 RR#, St. Address, Box # : 225 E 3 Board of Agriculture, Division of Water Resources
 City, State, ZIP Code : Washington, KS 66968 Application Number: _____

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: DEPTH OF COMPLETED WELL 140 ft. ELEVATION: _____

 Depth(s) Groundwater Encountered _____ ft. 2 _____ ft. 3 _____ ft.
 WELL'S STATIC WATER LEVEL (40') ft. below land surface measured on mo/day/yr 4/21/05
 Pump test data: Well water was _____ ft. after _____ hours pumping _____ gpm
 Est. Yield 100 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 _____
 Was a chemical/bacteriological sample submitted to Department? Yes _____ No *; If yes, mo/day/yr sample was sub-
 mitted Water Well Disinfected? Yes * No

5 TYPE OF BLANK 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 120 ft. Dia _____ in. to _____ ft. Dia _____ in. to _____ ft. Dia _____ in. to _____ ft. Dia _____
 Casing height above land surface 18 in., weight 200 lbs./ft. Wall thickness or guage No. 265
 TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC 10 Asbestos-Cement
 1 Steel 3 Stainless Steel 5 Fiberglass 8 RMP (SR) 11 Other (Specify) _____
 2 Brass 4 Galvanized Steel 6 Concrete tile 9 ABS 12 None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE: 5 Guazed wrapped 8 Saw cut 11 None (open hole)
 1 Continuous slot 3 Mill slot 6 Wire wrapped 9 Drilled holes
 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify) _____ ft.
 SCREEN-PERFORATED INTERVALS: From 120 ft. to 140 ft. From _____ ft. to _____ ft.
 From _____ ft. to _____ ft. From _____ ft. to _____ ft.
 GRAVEL PACK INTERVALS: From 30 ft. to 140 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 _____
 Grout intervals: From 5' ft. to 30 ft. From _____ ft. to _____ ft. From _____ ft. to _____ ft.
 What is the nearest source of possible contamination: 10 Livestock pens 14 Abandoned water well
 1 Septic tank 4 Lateral lines 7 Pit privy 11 Fuel storage 15 Oil well/Gas well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 12 Fertilizer storage 16 Other (specify below)
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 13 Insecticide storage _____
 Direction from well? SE How many feet? 60

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	13	Brown Clay			
13	17	Light Brown Clay			
17	51	Orange Silty Clay			
51	65	Ironstone & Clay			
65	117	Sandstone & Clay			
117	138	Sandstone			
138	142	Gray Shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 4/21/05 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's Licence No 518 This Water Well Record was completed on (mo/day/yr) 5/10/05 under the business name of Blue Valley Drilling 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.

49,679 Herrs

~~1450~~

1450

~~1450~~ Matt

402-759-3902

Sargent Drilling

Geneva, NE
TEST HOLE LOG

CUSTOMER: <i>Kent Herrs</i>	TA # <i>17-028</i>	DATE: <i>3-15-11</i>
LOCATION: <i>Linn KS</i>	SWL	
DRILLED BY: <i>Scott</i>	PWL	GPM
GPS: N <i>39° 41' 49.5"</i> W <i>97° 10' 21"</i>		
ELEVATION: <i>1441</i>	<i>39.696806</i>	<i>97.16725</i> S <i>120'N + 1380'W</i>

(Include: Type, Hardness & Color)

0	20	<i>Top Soil Brown & Orange Clay 9" Shale & Aprite October 11</i>
20	40	<i>Shale Tan Red, white</i>
40	60	<i>Shale Red white Brown, Gray</i>
60	80	<i>Shale Red, White, Gray</i>
80	100	<i>Shale Gray</i>
100	120	<i>Shale Gray 8" Sandstone 12</i>
120	140	<i>Sandstone</i>
140	160	<i>Shale Medium Sandstone 16" Shale white to A.M. Sandstone 2</i>
160	180	<i>MC Sandstone Shale 14" Sandstone 14" Gray Shale 1' Limestone 1'</i>
180	200	<i>U. Hard 1'</i>
200	220	
220	240	
240	260	
260	280	
280	300	
300	320	
320	340	
340		

Per casing _____ of _____ OD & _____ ID
 Per casing _____ of _____ OD & _____ ID
 _____ to _____ and from _____ to _____
 _____ to _____ and from _____ to _____ volume

Sargent Drilling

Geneva, NE

TEST HOLE LOG

RECEIVED

APR 3 2017

1450

Topeka Field Office
DIVISION OF WATER RESOURCES

CUSTOMER: <i>Dean Hess</i>	TH # <i>2</i>	17-067	DATE: <i>3-7-17</i>
LOCATION: <i>Linn KS</i>			SWL <i>Estimated 89 feet</i>
DRILLED BY: <i>Scott</i>			PWL
GPS: N <i>39° 41' 03.6"</i> W <i>97° 10' 52.0"</i>			GPM
ELEVATION: <i>1476'</i>	<i>39.684333</i>	<i>97.181111</i>	<i>Sec. 23-4S-2E</i>

(Include: Type, Hardness & Color)

0	20	<i>Top Soil 1st Brown Clay 5' Shale Red, White & Purple Sandstone w Red Mottling</i>
20	40	<i>Shale Red, White Blue, Brown</i>
40	60	<i>Shale White, Brown, Blue</i>
60	80	<i>Shale Blue & White Red, Brown, Gray</i>
80	100	<i>Sandstone w Blue Shale layers</i>
100	120	<i>Sandstone</i>
120	140	<i>Sandstone 3' Shale Gray, White Red Brown</i>
140	160	<i>Brown & Blue Shale 9' Sandstone 11'</i>
160	180	<i>Sandstone 12'</i>
180	200	<i>Sandstone 16' Purple & Shale 4'</i>
200	220	<i>Shale gray, Blue, Blue 10'</i>
220	240	
240	260	
260	280	
280	300	
300	320	
320	340	
340	360	
360	380	
380	400	

Well Depth: _____' Plain casing: _____' of _____" OD & _____" ID type _____

Bore Hole Dia: _____" Perf casing: _____' of _____" x _____ OD Slot Size _____

Gravel pack from _____' to _____' and from _____' to _____' desc _____ qty _____

Grouted/sealed from _____' to _____' and from _____' to _____' volume _____ type _____

from _____' to _____' and from _____' to _____' volume _____ type _____

Hartman Dom

LOCATION OF WATER WELL: Fraction SW 1/4 SW 1/4 NW 1/4 Section Number 35 Township Number T 4 S Range Number R 2 EW
 County: WASHINGTON

Distance and direction from nearest town or city? 1 WEST Street address of well if located within city? 3 N PALMER

WATER WELL OWNER: WALTER A. HARTMAN
 R#, St. Address, Box #: CLAY CENTER, KANSAS 67432
 City, State, ZIP Code: CLAY CENTER, KANSAS 67432
 Board of Agriculture, Division of Water Resources Application Number:

DEPTH OF COMPLETED WELL: 120 ft. Bore Hole Diameter: 8 in. to _____ ft., and _____ in. to _____ ft.
 Well Water to be used as:
 Domestic Feedlot Oil field water supply Air conditioning Injection well
 Irrigation Industrial Lawn and garden only Dewatering Other (Specify below)
 Observation well
 Well's static water level: 52 ft. below land surface measured on _____ month _____ day _____ year
 Pump Test Data: Well water was _____ ft. after _____ hours pumping _____ gpm
 Test Yield: 60 gpm: Well water was _____ ft. after _____ hours pumping _____ gpm

TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 6 Asbestos-Cement 8 Concrete tile Casing Joints: Glued Clamped
 PVC 4 ABS 7 Fiberglass 9 Other (specify below) Welded
 2 Brass 10 Observation well Threaded
 Blank casing dia: 5 in. to _____ ft., Dia _____ in. to _____ ft., Dia _____ in. to _____ ft.
 Casing height above land surface: 12 in., weight _____ lbs./ft. Wall thickness or gauge No. 258

TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 10 Asbestos-cement
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 11 Other (specify) _____
 12 None used (open hole)
 Screen or Perforation Openings Are:
 1 Continuous slot 3 Mill slot 6 Wire wrapped 8 Saw cut 11 None (open hole)
 2 Louvered shutter 4 Key punched 7 Torch cut 9 Drilled holes 10 Other (specify) _____
 Screen-Perforation Dia: 5 in. to _____ ft., Dia _____ in. to _____ ft., Dia _____ in. to _____ ft.
 Screen-Perforated Intervals:
 From _____ ft. to _____ ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 Travel Pack Intervals:
 From _____ ft. to _____ ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.

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

CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on _____ month _____ day _____ year
 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 359
 This Water Well Record was completed on _____ month _____ day _____ year under the business name of DARYL Cox + Sons Inc by (signature) Margery

LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:	FROM		LITHOLOGIC LOG	FROM		TO	LITHOLOGIC LOG
		0	3	TOPSOIL			
	3	8	GRAY CLAY				
	8	18	YELLOW CLAY w/ SAND ROCK LAYERS				
	18	68	SAND ROCK				
	68	95	BLUE CLAY				
	95	120	SAND ROCK				
	120		STOP				

ELEVATION: 1420'
 Depth(s) Groundwater Encountered 1. _____ ft. 2. _____ ft. 3. _____ ft. 4. _____ ft. (Use a second sheet if needed)

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



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

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

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

October 26, 2016

BRETT HERRS
122 N PENNSYLVANIA ST
PALMER KS 66962

RE: Pending Application, File No. 49,679

Dear Mr. Herrs:

Additional information is required in order to continue our review of the above referenced application. Upon completion of your test hole drilling, please plot the location of the point of diversion (i.e. the well) on the enclosed aerial map. You must complete your test hole drilling within a 160 acre parcel of ground encompassing your proposed well location. Per K.A.R. 5-3-4, the location of all water wells of every kind within one-half (½) mile of your proposed point of diversion, must be plotted on the site map, identified as to its use, and **include the name and mailing address of the well owner**. Please provide this information once you have established your point of diversion for this file, and **sign the map where indicated**.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion, unless the chief engineer has sufficient information to understand the lithology and determine the groundwater source formation. Please supply a test hole or driller's log for your proposed well.

Please submit the site map with the required well owner information and well log to:

**KANSAS DEPARTMENT OF AGRICULTURE
6531 SE FORBES AVENUE SUITE B
TOPEKA KS 66619**

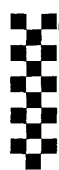
If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure



Date: April 5, 2017

Fax Number: ~~785-862-2460~~

785-296-8298

To: Douglas W. Schemm

Environmental Scientist

Reference: Arial map, Pending application, File No. 49,679

From: Kent Herrs

1321 10th Road

Linn, Kansas 66953

Phone: (785)747-6709

RECEIVED

APR 11 2017

Topeka Field Office
DIVISION OF WATER RESOURCES

Date: April 5, 2017

Fax Number: ~~785-862-2460~~

785-296-8298

To: Douglas W. Schemm

Environmental Scientist

Reference: Arial map, Pending application, File No. 49,679

From: Kent Herrs

1321 10th Road

Linn, Kansas 66953

Phone: (785)747-6709



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

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

July 28, 2016

BRETT HERRS
122 N PENNSYLVANIA ST
PALMER KS 66962

FILE COPY

RE: Application
File No. 49679

Dear Sir or Madam:

Your application for permit to appropriate water in 23-4S-2E in Washington County, was received and has been assigned the file number noted above.

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

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

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

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

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

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT: DLW
pc: TOPEKA Field Office
GMD

SCANNED