

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

1. File Number: <p style="text-align: center;">49,802</p>	2. Status Change Date: <p style="text-align: center;">8/9/2017</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 64391 New to system <input type="checkbox"/> Add Seq# _____</p> <p>RODNEY & ANJANETTE HERRINGTON 3637 NW DOCKING RD SILVER LAKE KS 66539</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>
<p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>

<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p style="padding-left: 40px;"><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p style="padding-left: 40px;"><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p style="padding-left: 40px;"><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: **6/13/2017** By: **DWS**
Date Entered: 8/10/2017 By: **UM**

File No. **49,802** 15. Formation Code: 113 Drainage Basin: **KANSAS RIVER MODIFY BASIN** County: **SN** Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files
											Rate gpm	Quantity af	Rate gpm	Quantity af	
√			85983	NC NW SE	7	11	14E	5	1980	1980	1200	38	1200	38	NONE

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

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

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

21. Place of Use								NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files		
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
√			68282	7	11	14E	8																	40		40	7a.	NO	NONE

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 13, 2017

FROM: Doug Schemm

RE: Application, File No. 49,802

Rodney & Anjanette Herrington have filed the referenced application requesting to appropriate 38 acre-feet of groundwater at a diversion rate of 1,200 gallons per minute to irrigate a total of 40 acres. The place of use is owned by the applicant, and Rodney has signed the application form stating he has access to the point of diversion. There are no overlapping files in point of diversion or place of use. The well is located in the Southeast Quarter of Section 7, Township 11 South, Range 14 East, Shawnee County, in the Kansas River Basin. The requested quantity of water of 38 acre-feet is only slightly less than the maximum allowable to irrigate the proposed acreage with 1.0 acre-feet per acre in Shawnee County. The applicants also own Appropriation of Water, File No. 49,297, however it was dismissed on May 26, 2017 for failure to complete diversion works and pay the required field inspection fee.

The applicant identified three wells within one-half mile of the point of diversion, and nearby well owner letters were sent out on May 15, 2017. A telephone call was received from Dennis Keller, he didn't have any concerns, just wondered why it took so long to get his nearby letter (the well is apparently already drilled). The proposed point of diversion meets minimum well spacing of 660 feet to all domestic wells (none identified within one-half mile) and to all non-domestic wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be 660 feet to domestic wells and one-quarter mile to non-domestic wells. The nearest non-domestic well is located over 2,000 feet away.

No well logs were provided (which is typical for Kansas River alluvium applications). A well log from a nearby well contains medium to coarse sand extending from 24 feet to 65 feet below ground, where shale bedrock was encountered. Static water level was 16 feet below ground level. The source of supply will be the Kansas River alluvium. K.A.R. 5-3-11 states that calculated recharge in the Kansas River alluvium shall be determined by taking 25% of the average annual rainfall in the area of consideration. In this local area, the aquifer would receive 8.5 inches of recharge. The extent of the alluvium for the area of consideration provides a total of 6,344 acres, and with 75% available for appropriation, safe yield was determined to be 3,370.25 acre-feet. Prior appropriations in this area of consideration total 3,423.5 acre-feet leaving no water available. However, Appropriation of Water, File No. 45,200, authorized 116 acre-feet, will be certified for only 11 acre-feet of water (116 AF – 11 AF = 105 AF). Therefore, subtracting 105 AF and 38 AF (pending app.) from prior appropriations of 3,423.5 AF, results in 3,280.5 acre-feet appropriated. Please note that File No. 41,015 authorized 51 acre-feet must be added back into prior appropriations, (because it is limited to a surface water right on place of use), resulting in 3,331.5 acre-feet appropriated. Subtracting 3,331.5 acre-feet from 3,370.25 acre-feet leaves 38.75 acre-feet available, and Application, File No. 49,802 requesting 38 acre-feet meets safe yield.

The applicant has submitted a signed Kansas River Assurance District form, which has been properly notarized. By completing this statement, the applicant affirms his/her knowledge that there could be times when the diversion of water may not be allowed under this permit. In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Note that the proposed well is located over one-quarter mile from the Kansas River; therefore per the Kansas River Water Assurance Program Operations Agreement, the KRWAD was not notified of these pending applications (i.e. they are not within the KRWAD boundaries).

In a June 8, 2017 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

August 11, 2017

RODNEY & ANJANETTE HERRINGTON
3637 NW DOCKING RD
SILVER LAKE, KS 66539

FILE COPY

Re: Appropriation of Water, File No. 49,802

Dear Mr. and Mrs. Herrington:

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,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures

pc: Topeka Field Office

THE STATE  OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,802** of the applicant

**RODNEY & ANJANETTE HERRINGTON
3637 NW DOCKING RD
SILVER LAKE KS 66539**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **March 20, 2017**.
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		
7 11S 14E															40			40

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located near the center of the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 7, more particularly described as being near a point 1,980 feet North and 1,980 feet West of the Southeast corner of said section, in Township 11 South, Range 14 East, Shawnee 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 **1,200 gallons per minute (2.67 c.f.s.)** and to a quantity not to exceed **38.0 acre-feet** of water for any calendar year.

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

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

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

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

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

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

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

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

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

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

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

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

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

18. That the applicant shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, within 30 days following the drilling of the well at the location authorized 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 9th day of August, 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 9th day of August, 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 11th day of August, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,802, dated August 9, 2017 was mailed postage prepaid, first class, US mail to the following:

RODNEY & ANJANETTE HERRINGTON
3637 NW DOCKING RD
SILVER LAKE KS 66539

With photocopies to:

Topeka Field Office

A handwritten signature in cursive script, reading "Danielle Wilson", is written over a solid horizontal line.

Division of Water Resources

APPLICATION COMPLETE

5/31/2017 7/17/17
Reviewer DWS KAB

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49802

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

WATER RESOURCES
RECEIVED

MAR 20 2017
1:36

**APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE** KS DEPT OF AGRICULTURE

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): RODNEY & ANJANETTE HERRINGTON
Address: 3637 NW DOCKING RD
City: SILVER LAKE State: KS Zip Code 66539
Telephone Number: (785) 633-9240

2. The source of water is: surface water in _____ (stream)
OR groundwater in KANSAS RIVER (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 38 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 1200 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. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use FRR Source (G) S County SN By AWJ Date 3/20/17
Code _____ REG Fee \$ 200 TR # _____ Receipt Date 3/20/2017 Check # 219

SCANNED

4/3/2017 ULM

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

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

- (A) One in the Near Center of the NW quarter of the SE quarter of Section 7, more particularly described as being near a point 1,980 feet North and 1,980 feet West of the Southeast corner of said section, in Township 11 South, Range 14 EAST, SHAWNEE County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

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

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

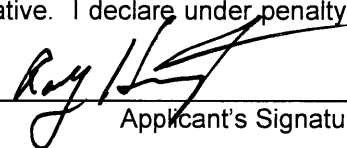
6. The owner of the point of diversion, if other than the applicant is (please print):

(name, address and telephone number)

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

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

Executed on MARCH 15, 2017.


Applicant's Signature

7. The proposed project for diversion of water will consist of ONE WELL
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) FALL 2017
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be FALL 2017
(Mo/Day/Year)

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

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

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

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

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

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

GROUNDWATER WELL

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 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.
- (c) 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.
- (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

MAR 20 2017

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 Topeka, Kansas, this 15th day of MARCH, 2017.
(month) (year)



(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

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

(Agent or Officer - Please Print)

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,802

Name of Applicant (Please Print): RODNEY HERRINGTON

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: RODNEY & ANJANETTE HERRINGTON

ADDRESS: 3637 NW DOCKING ROAD, SILVER LAKE, KS 66539

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7	11	14E														40			40

Landowner of Record NAME: _____

ADDRESS: _____

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

Landowner of Record NAME: _____

ADDRESS: _____

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

WATER RESOURCES
RECEIVED

MAR 20 2017

SCANNED

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.

File #49,802
 Requesting 38 AF
 Meets safe yield

Analysis Results

The selected PD is in an area to new appropriations.

The safe yield, based on the variables listed below is 3,370.25 AF.

Total prior appropriation in the circle is 3,423.50 AF. - 105 AF (#45,200) - 38 AF (Pending) = 3,280.5 AF

Total quantity of water available for appropriation is 0.00 AF. CERT

Safe Yield Variables

Water Available = 38.75 AF

File #41,015 = 51 AF
 3,331.5 AF

The area used for the analysis is set at 6344 acres.

Potential annual recharge of the area is estimated to be 8.5 inches.

The percent of recharge available for appropriation is 75%.

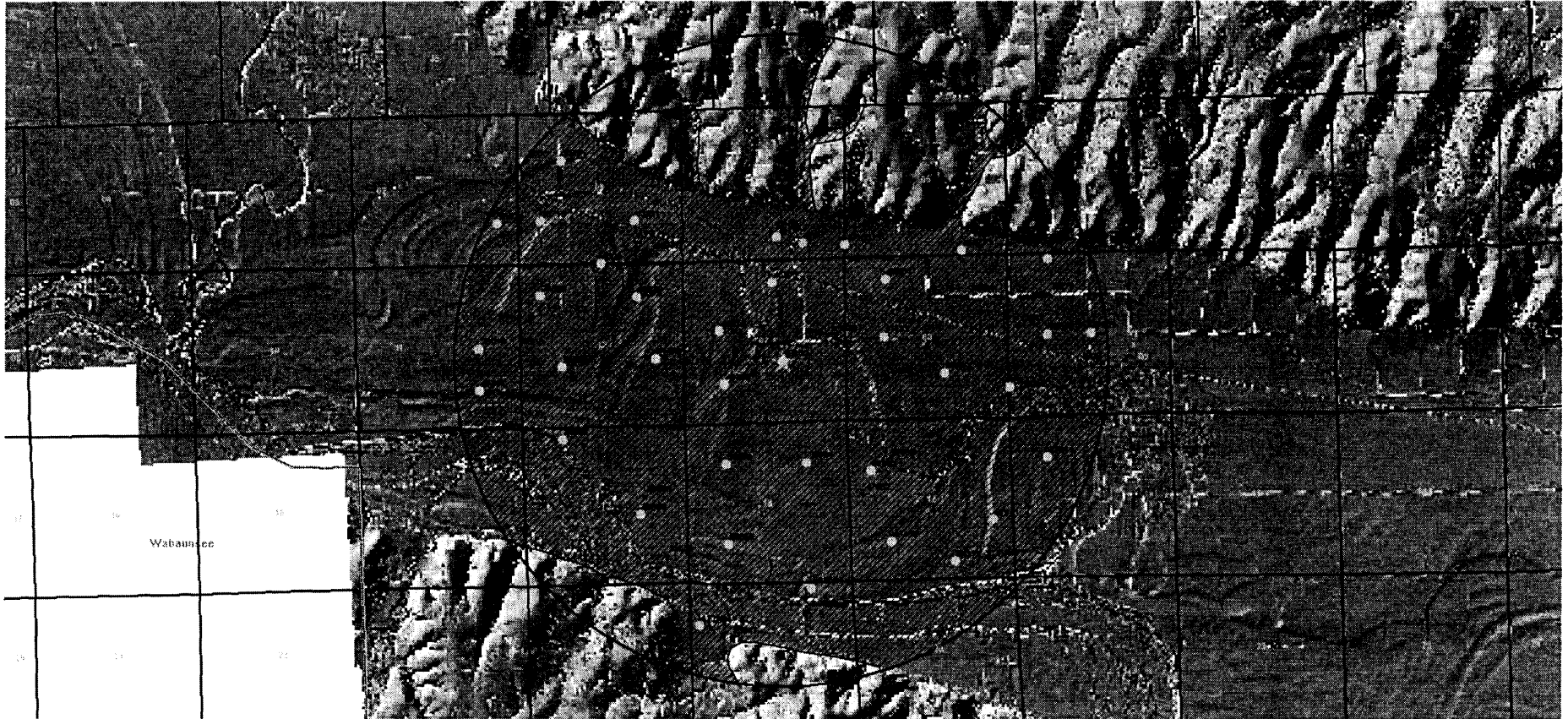
Authorized Quantity values are as of 07-JUN-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 42 water right(s) and 38 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	1608	00	IRR	NK	G			SW	SW	SE	0	0	01	11	13E	1	WR	142.00	142.00	142.00	142.00	
A	2562	00	IRR	NK	G			SW	NW	SE	0	0	08	11	14E	1	WR	80.00	80.00	80.00	80.00	
A	2672	00	IRR	NK	G			NW	SE	NW	3411	3821	01	11	13E	3	WR	72.00	72.00	159.00	159.00	
A	9657	00	IRR	NK	G			SW	SE	SE	0	0	06	11	14E	1	WR	97.00	97.00	75.00	75.00	
A	10165	00	IRR	NK	G			SW	SW	SW	0	0	05	11	14E	1	WR	134.00	134.00	75.00	75.00	
A	10166	00	IRR	NK	G			NW	SW	SE	715	2175	06	11	14E	3	WR	100.00	100.00	120.00	120.00	
A	11131	00	IRR	NK	G			SE	SW	NW	2720	4040	08	11	14E	8	WR	105.00	105.00	81.00	81.00	
A	11132	00	IRR	NK	G			NE	SE	SE	1000	15	08	11	14E	7	WR	144.00	144.00	96.00	96.00	
A	12543	00	IRR	NK	G			SE	SW	NW	2660	3970	09	11	14E	6	WR	120.00	120.00	80.00	80.00	
A	13065	00	IRR	NK	G			NW	NE	SW	2016	3887	12	11	13E	1	WR	61.00	61.00	80.00	80.00	
A	13211	00	IRR	NK	G			NW	SE	NW	3411	3821	01	11	13E	3	WR	158.00	94.50	159.00	0.00	
Same			IRR	NK	G			SE	NW	SE	1412	1483	01	11	13E	4	WR					
A	18057	00	IRR	NK	G			SW	SW	NE	0	0	09	11	14E	3	WR	114.00	114.00	93.00	93.00	
A	19715	00	IRR	NK	G			SE	NW	SW	1400	4420	01	11	13E	5	WR	61.00	61.00	77.00	77.00	
A	22699	00	IRR	NK	G			SE	NW	NE	4100	1420	12	11	13E	6	WR	56.00	56.00	106.00	106.00	
A	27841	00	IRR	NK	G			NC	NE	SE	1980	660	17	11	14E	1	PD	120.00	120.00	285.00	285.00	
Same			IRR	NK	G						3960	3940	16	11	14E	1	PD	112.00	112.00			
A	28518	00	IRR	NK	G					NC	E2	2634	1310	11	11	13E	10	WR	71.00	71.00	80.00	80.00
A	28519	00	IRR	NK	G			NC	S2	NW	NW	4350	4600	12	11	13E	3	WR	92.00	92.00	101.00	101.00
A	28520	00	IRR	NK	G			NC	E2	SE	1330	660	02	11	13E	4	WR	80.00	80.00	88.00	88.00	
A	29556	00	IRR	NK	G			NE	NW	SE	2450	1500	13	11	13E	4	WR	72.00	72.00	120.00	120.00	

o/L #2672

Safe Yield Report Sheet
Water Right- A4980200
Point of Diversion in SENWNC 7-11S-14E 5 (85983)



A	29557	00	IRR	NK	G	NC	SW	1320	3930	18	11	14E	1	WR	69.00	69.00	130.00	130.00		
A	34211	00	IRR	NK	G	NC	N2	NW	4580	3940	08	11	14E	4	WR	37.00	37.00	85.00	85.00	
A	34372	00	IRR	NK	G			650	1900	17	11	14E	3	WR	66.00	66.00	73.00	73.00		
A	36378	00	IRR	NK	G	NC	SW	1320	3930	18	11	14E	1	WR	55.00	10.00✓	130.00	0.00	o/L 29,557	
A	39063	00	IRR	NK	G	NC	NW	3960	3960	18	11	14E	2	WR	102.00	102.00	136.00	136.00		
A	39064	00	IRR	NK	G	NC	NE	3960	1330	18	11	14E	3	WR	136.00	136.00	136.00	136.00		
A	40027	00	IRR	NK	G	CE	SW	SE	184	1520	05	11	14E	2	WR	55.00	55.00	124.00	124.00	
A	40456	00	IRR	NK	G	NC	SW	1320	3960	17	11	14E	5	WR	113.00	113.00	132.00	132.00		
A	40557	00	IRR	NK	G	NW	NE	NW	5094	3926	09	11	14E	5	WR	67.00	67.00	84.50	84.50	
A	40974	00	IRR	NK	G	NC	SW	1320	3930	18	11	14E	1	WR	114.00	35.00✓	130.00	0.00	o/L 29,557	
A	40975	00	IRR	NK	G	NE	NW	SE	2450	1500	13	11	13E	4	WR	120.00	48.00✓	120.00	0.00	o/L 29,556
A	41015	00	IRR	NK	G			3899	5113	19	11	14E	6	WR	51.00	0.00	89.00	0.00	pu o/L 25,947(SW)	
A	44406	00	IRR	NK	G	NW	NE	SE	2210	871	12	11	13E	5	WR	90.00	90.00	100.00	100.00	
A	*45200*	00	IRR	MM	G	NW	NE	NW	4835	3948	13	11	13E	3	WR	116.00	116.00	116.00	116.00	To be certified for IIAF ✓
A	45208	00	IRR	NK	G	NC	SE	1273	1294	11	11	13E	11	WR	62.00	62.00	62.00	62.00		
A	45209	00	IRR	NK	G	SW	NW	NE	4555	2248	07	11	14E	1	WR	54.00	54.00	54.00	54.00	
A	45512	00	IRR	MM	G	SE	SW	NW	3075	4050	07	11	14E	2	WR	86.00	86.00	86.00	86.00	
A	46553	00	IRR	MM	G			5050	1320	19	11	14E	7	WR	81.00	81.00	81.00	81.00		
A	47652	00	IRR	LR	G	NW	SW	NW	3585	4665	17	11	14E	7	WR	53.00	53.00	54.00	54.00	
A	47978	00	IRR	LO	G	SE	NW	NE	4100	1420	12	11	13E	6	WR	106.00	50.00✓	106.00	0.00	o/L 22,699
A	48499	00	IRR	KE	G	NW	SE	SW	1270	3950	07	11	14E	3	WR	80.00	80.00	80.00	80.00	
A	48531	00	IRR	KE	G	NC	N2	NW	4580	3940	08	11	14E	4	WR	85.00	48.00✓	85.00	0.00	o/L 34,211
A	49802	00	IRR	AY	G	NC	NW	SE	1980	1980	07	11	14E	5	WR	38.00	38.00	40.00	40.00	Pending

116-11=105 AF

* Note File # 41,015 o/L in PU with File # 25,947 (Surface Water Source)

Therefore all authorized Quantity of 51 AF could be groundwater diversion, and this (Limited to 57 AF with 25,947) Quantity should be "added" back into prior appropriation total.

* 45,200 certified for IIAF on 7-17-2017
KAB/DWR 8-8-17

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49802 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49802 00 IRR

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

1980 Feet North and 1980 Feet West of the Southeast Corner of Section 7 T 11S R 14E

GROUNDWATER ONLY

Meets Spacing of 1,320' to all wells

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__	1608	00	IRR	NK	G	6589	--	SW	SW	SE	-----	-----	1	11	13E	1	142.00	142.00	AF
A__	2562	00	IRR	NK	G	5033	--	SW	NW	SE	-----	-----	8	11	14E	1	80.00	80.00	AF
A__	2672	00	IRR	NK	G	9695	--	NW	SE	NW	3411	3821	1	11	13E	3	72.00	72.00	AF
A__	9657	00	IRR	NK	G	3758	--	SW	SE	SE	-----	-----	6	11	14E	1	97.00	97.00	AF
A__	10165	00	IRR	NK	G	4327	--	SW	SW	SW	-----	-----	5	11	14E	1	134.00	134.00	AF
A__	10166	00	IRR	NK	G	4017	--	NW	SW	SE	715	2175	6	11	14E	3	100.00	100.00	AF
A__	11131	00	IRR	NK	G	3371	--	SE	SW	NW	2720	4040	8	11	14E	8	105.00	105.00	AF
A__	11132	00	IRR	NK	G	7406	--	NE	SE	SE	1000	15	8	11	14E	7	144.00	144.00	AF
A__	12543	00	IRR	NK	G	8701	--	SE	SW	NW	2660	3970	9	11	14E	6	120.00	120.00	AF
A__	13065	00	IRR	NK	G	7129	--	NW	NE	SW	2016	3887	12	11	13E	1	61.00	61.00	AF
A__	13211	00	IRR	NK	G	9695	--	NW	SE	NW	3411	3821	1	11	13E	3	158.00	94.50	AF
Same						6626	--	SE	NW	SE	1412	1483	1	11	13E	4			
A__	18057	00	IRR	NK	G	10405	--	SW	SW	NE	-----	-----	9	11	14E	3	114.00	114.00	AF
A__	19715	00	IRR	NK	G	8945	--	SE	NW	SW	1400	4420	1	11	13E	5	61.00	61.00	AF
A__	22699	00	IRR	NK	G	5103	--	SE	NW	NE	4100	1420	12	11	13E	6	56.00	56.00	AF
A__	27841	00	IRR	NK	G	9334	--	--	--	--	3960	3940	16	11	14E	1	112.00	112.00	AF
Same						8558	--	NC	NE	SE	1980	660	17	11	14E	1	120.00	120.00	AF
A__	28518	00	IRR	NK	G	9834	--	--	NC	E2	2634	1310	11	11	13E	10	71.00	71.00	AF
A__	28519	00	IRR	NK	G	8179	NC	S2	NW	NW	4350	4600	12	11	13E	3	92.00	92.00	AF
A__	28520	00	IRR	NK	G	10272	--	NC	E2	SE	1330	660	2	11	13E	4	80.00	80.00	AF
A__	29556	00	IRR	NK	G	6715	--	NE	NW	SE	2450	1500	13	11	13E	4	72.00	72.00	AF
A__	29557	00	IRR	NK	G	6231	--	--	NC	SW	1320	3930	18	11	14E	1	69.00	69.00	AF
A__	34211	00	IRR	NK	G	4229	--	NC	N2	NW	4580	3940	8	11	14E	4	37.00	37.00	AF
A__	34372	00	IRR	NK	G	8588	--	--	--	--	650	1900	17	11	14E	3	66.00	66.00	AF
A__	36378	00	IRR	NK	G	6231	--	--	NC	SW	1320	3930	18	11	14E	1	55.00	10.00	AF
A__	39063	00	IRR	NK	G	3815	--	--	NC	NW	3960	3960	18	11	14E	2	102.00	102.00	AF
A__	39064	00	IRR	NK	G	3372	--	--	NC	NE	3960	1330	18	11	14E	3	136.00	136.00	AF
A__	40027	00	IRR	NK	G	6836	--	CE	SW	SE	184	1520	5	11	14E	2	55.00	55.00	AF
A__	40456	00	IRR	NK	G	6846	--	--	NC	SW	1320	3960	17	11	14E	5	113.00	113.00	AF
A__	40557	00	IRR	NK	G	9254	--	NW	NE	NW	5094	3926	9	11	14E	5	67.00	67.00	AF
A__	40974	00	IRR	NK	G	6231	--	--	NC	SW	1320	3930	18	11	14E	1	114.00	35.00	AF
A__	40975	00	IRR	NK	G	6715	--	NE	NW	SE	2450	1500	13	11	13E	4	120.00	48.00	AF
A__	41015	00	IRR	NK	G	9036	--	--	--	--	3899	5113	19	11	14E	6	51.00	.00	AF
A__	44406	00	IRR	NK	G	4117	--	NW	NE	SE	2210	871	12	11	13E	5	90.00	90.00	AF
A__	45200	00	IRR	MM	G	7554	--	NW	NE	NW	4835	3948	13	11	13E	3	116.00	116.00	AF
A__	45208	00	IRR	NK	G	9824	--	--	NC	SE	1273	1294	11	11	13E	11	62.00	62.00	AF
A__	45209	00	IRR	NK	G	2589	--	SW	NW	NE	4555	2248	7	11	14E	1	54.00	54.00	AF
A__	45512	00	IRR	MM	G	2342	--	SE	SW	NW	3075	4050	7	11	14E	2	86.00	86.00	AF
A__	46553	00	IRR	MM	G	7467	--	--	--	--	5050	1320	19	11	14E	7	81.00	81.00	AF
A__	47652	00	IRR	LR	G	4567	--	NW	SW	NW	3585	4665	17	11	14E	7	53.00	53.00	AF
A__	47978	00	IRR	LO	G	5103	--	SE	NW	NE	4100	1420	12	11	13E	6	106.00	50.00	AF
A__	48499	00	IRR	KE	G	2094	--	NW	SE	SW	1270	3950	7	11	14E	3	80.00	80.00	AF
A__	48531	00	IRR	KE	G	4229	--	NC	N2	NW	4580	3940	8	11	14E	4	85.00	48.00	AF
A__	49297	00	IRR	GY	G	1945	--	SE	SE	NE	2769	202	7	11	14E	4	29.00	29.00	AF

A__ 49802 00 IRR AY G 0 -- NC NW SE 1980 1980 7 11 14E 5 38.00 38.00 AF

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=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =    38.00      .00
Total Permitted Amount (AF) =   157.00      .00
Total Inspected Amount (AF) =   103.00      .00
Total Pro_Cert Amount (AF) =    283.00      .00
Total Certified Amount (AF) =   2871.50      .00
Total Vested Amount (AF) =        .00      .00
TOTAL AMOUNT (AF) =    3452.50      .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:
 1980 Feet North and 1980 Feet West of the Southeast Corner of Section 7 T 11S R 14E

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 1608 00 IRR NK G
 > ROBERT J & MARY A MEIER
 >
 > 901 NW VAIL AVE
 > TOPEKA KS 66608

 A__ 2562 00 IRR NK G
 > DIANA KELSEY & BARBARA BOESE TRUSTS
 >
 > PO BOX 127
 > SILVER LAKE KS 66539

 A__ 2672 00 IRR NK G
 > FRED OLSEN
 > FARM MANAGER
 > PO BOX 526
 > MANHATTAN KS 66505

 A__ 9657 00 IRR NK G
 > JOHN & MIKE CLARK
 >
 > 4144 NW VALENCIA RD
 > SILVER LAKE KS 66539

 A__ 10165 00 IRR NK G
 > JOHN & MIKE CLARK
 >
 > 4144 NW VALENCIA RD
 > SILVER LAKE KS 66539

 A__ 10166 00 IRR NK G


Kansas
Department of Agriculture
Division of Water Resources

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

May 15, 2017

DENNIS R & ANN E KELLER
11821 NW US HIGHWAY 24
ROSSVILLE KS 66533-9741

Re: Pending Application, File No. 49,802

Dear Sir or Madam:

This is to advise you that Rodney & Anjanette Herrington have filed the application referred to above for a permit to appropriate 38 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute. The proposed point of diversion is a well located as follows:

Near the Center of the Northwest Quarter of the Southeast Quarter of Section 7, in Township 11 South, Range 14 East, Shawnee County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,



Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Rodney & Anjanette Herrington


Kansas
Department of Agriculture
Division of Water Resources

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

Jackie McClaskey, Secretary
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Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov

Sam Brownback, Governor

May 15, 2017

MICHAEL M MITCHELL
PO BOX 366
SILVER LAKE KS 66533-0366

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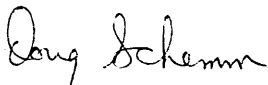
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Sincerely,



Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Rodney & Anjanette Herrington



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

May 15, 2017

MICHAEL M MITCHELL
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SILVER LAKE KS 66533-0366

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If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

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

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Rodney & Anjanette Herrington


Kansas
Department of Agriculture
Division of Water Resources

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

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

May 15, 2017

JAMES LEE & SHARI LEE GENTRY
13200 NW 46TH
PO BOX 265
ROSSVILLE, KS 66533-0265

Re: Pending Application, File No. 49,802

Dear Sir or Madam:

This is to advise you that Rodney & Anjanette Herrington have filed the application referred to above for a permit to appropriate 38 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute. The proposed point of diversion is a well located as follows:

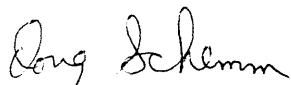
Near the Center of the Northwest Quarter of the Southeast Quarter of Section 7, in Township 11 South, Range 14 East, Shawnee County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,



Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Rodney & Anjanette Herrington

Nearby Well

WATER WELL RECORD Form WWC-5

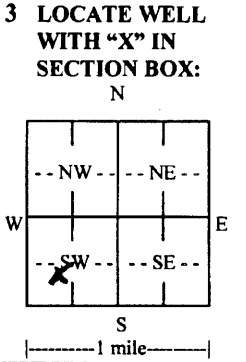
Original Record Correction Change in Well Use

Division of Water Resources App. No.

Well ID

1 LOCATION OF WATER WELL: County: SHAWNEE Fraction NE 1/4 SW 1/4 SW 1/4 Section Number 7 Township Number T 11 S Range Number R 14 E W

2 WELL OWNER: Last Name: GENTRY First: JAMES Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: Business: Address: 13200 NW 46TH ST. City: RUSSVILLE State: KS ZIP: 66533



3 LOCATE WELL WITH 'X' IN SECTION BOX: N W E S 1 mile. 4 DEPTH OF COMPLETED WELL: 71 ft. Depth(s) Groundwater Encountered: 1) ... ft. 2) ... ft. 3) ... ft., or 4) Dry Well WELL'S STATIC WATER LEVEL: 16 ft. below land surface, measured on (mo-day-yr) 11/27/13

5 Latitude: 39° 6.302' N (decimal degrees) Longitude: 95° 54.305' W (decimal degrees) Datum: WGS 84 NAD 83 NAD 27 Source for Latitude/Longitude: GPS (unit make/model): Land Survey Topographic Map Online Mapper:

6 Elevation: ... ft. Ground Level TOC Source: Land Survey GPS Topographic Map Other

7 WELL WATER TO BE USED AS: 1. Domestic: Household Lawn & Garden Livestock Irrigation Feedlot Industrial 5. Public Water Supply: well ID 6. Dewatering: how many wells? 7. Aquifer Recharge: well ID 8. Monitoring: well ID 9. Environmental Remediation: well ID Air Sparge Soil Vapor Extraction Recovery Injection 10. Oil Field Water Supply: lease 11. Test Hole: well ID Cased Uncased Geotechnical 12. Geothermal: how many bores? a) Closed Loop Horizontal Vertical b) Open Loop Surface Discharge Inj. of Water 13. Other (specify):

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted: Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded Casing diameter 16 in. to 57 ft., Diameter 16 in. to 57 ft., Diameter 16 in. to 57 ft., Diameter 16 in. to 57 ft. Casing height above land surface 7.8 in. Weight 15.853 lbs./ft. Wall thickness or gauge No. 0.50

TYPE OF SCREEN OR PERFORATION MATERIAL: Steel Stainless Steel Fiberglass PVC Brass Galvanized Steel Concrete tile None used (open hole) Other (Specify)

SCREEN OR PERFORATION OPENINGS ARE: Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify) Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)

SCREEN-PERFORATED INTERVALS: From 57 ft. to 71 ft., From ... ft. to ... ft., From ... ft. to ... ft. GRAVEL PACK INTERVALS: From 25 ft. to 71 ft., From ... ft. to ... ft., From ... ft. to ... ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other Grout Intervals: From 0 ft. to 25 ft., From ... ft. to ... ft., From ... ft. to ... ft., From ... ft. to ... ft.

Nearest source of possible contamination: Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well Other (Specify) NONE PRESENT

Direction from well? Distance from well? ft.

Table with columns: 10 FROM, TO, LITHOLOGIC LOG, FROM, TO, LITHO. LOG (cont.) or PLUGGING INTERVALS. Rows: 0-18 SILTY CLAY, 18-24 BLUE CLAY, 24-35 SAND (MED.-COARSE BLUE), 35-45 SAND (FINE-MED. YELLOW), 45-65 SAND (MED.-COARSE YELLOW), 65-73 GRAY SHALE

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 11/27/13 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 518 This Water Well Record was completed on (mo-day-year) 12/5/2013 under the business name of BLUE VALLEY DRILLING, INC.

NEARBY WELL OWNERS – HERRINGTON APPLICATION

#1 – File No. 45,209 – IRR
DENNIS R & ANN E KELLER
11821 NW US HIGHWAY 24
ROSSVILLE KS 66533-9741

#2 – File No. 45,512 – IRR
MICHAEL M MITCHELL
PO BOX 366
SILVER LAKE KS 66533-0366

#1 – File No. 48,499 – IRR
JAMES LEE & SHARI LEE GENTRY
13200 NW 46TH
PO BOX 265
ROSSVILLE KS 66533-0265

WATER RESOURCES
RECEIVED
MAR 20 2017 **SCANNED**

49802

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application
File No. 49,802

Minimum Desirable Streamflow
KANSAS River Assurance District
Water Reservation Rights

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established, an Assurance District has been formed and established or a Water Reservation Right is held by the Kansas Water Office (**circle the appropriate item**) for the source of supply to which the above referenced application applies, namely the KANSAS RIVER

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, Assurance District or Water Marketing releases are being made from storage in Federal Reservoirs or when a Reservation Right upstream of a Federal Reservoir is being administered.

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.

Raf Herrington
Signature of Applicant

Rodney Herrington
Print Applicant Name

State of Kansas)
County of Shawnee) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 15th day of March, 2017.

Lloyd Hemphill
Notary Public

My Commission Expires:



WATER RESOURCES
RECEIVED

MAR 20 2017

SCANNED

**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

Assurance Districts have been formed on the following rivers:

Kansas River Marias des Cygnes River Neosho River

The Kansas Water Office has Water Reservation Rights for the following reservoirs:

Big Hill	Marion
Clinton	Melvern
Council Grove	Milford
Elk City	Perry
Hillsdale	Pomona
John Redmond	Tuttle Creek

1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary



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

March 20, 2017

RODNEY & ANJANETTE HERRINGTON
3637 NW DOCKING RD
SILVER LAKE KS 66539

FILE COPY

RE: Application
File No. 49802

Dear Sir or Madam:

Your application for permit to appropriate water in 07-11S-14E in Shawnee County, was received and has been assigned the file number noted above.

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

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

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

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

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

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

Sincerely,

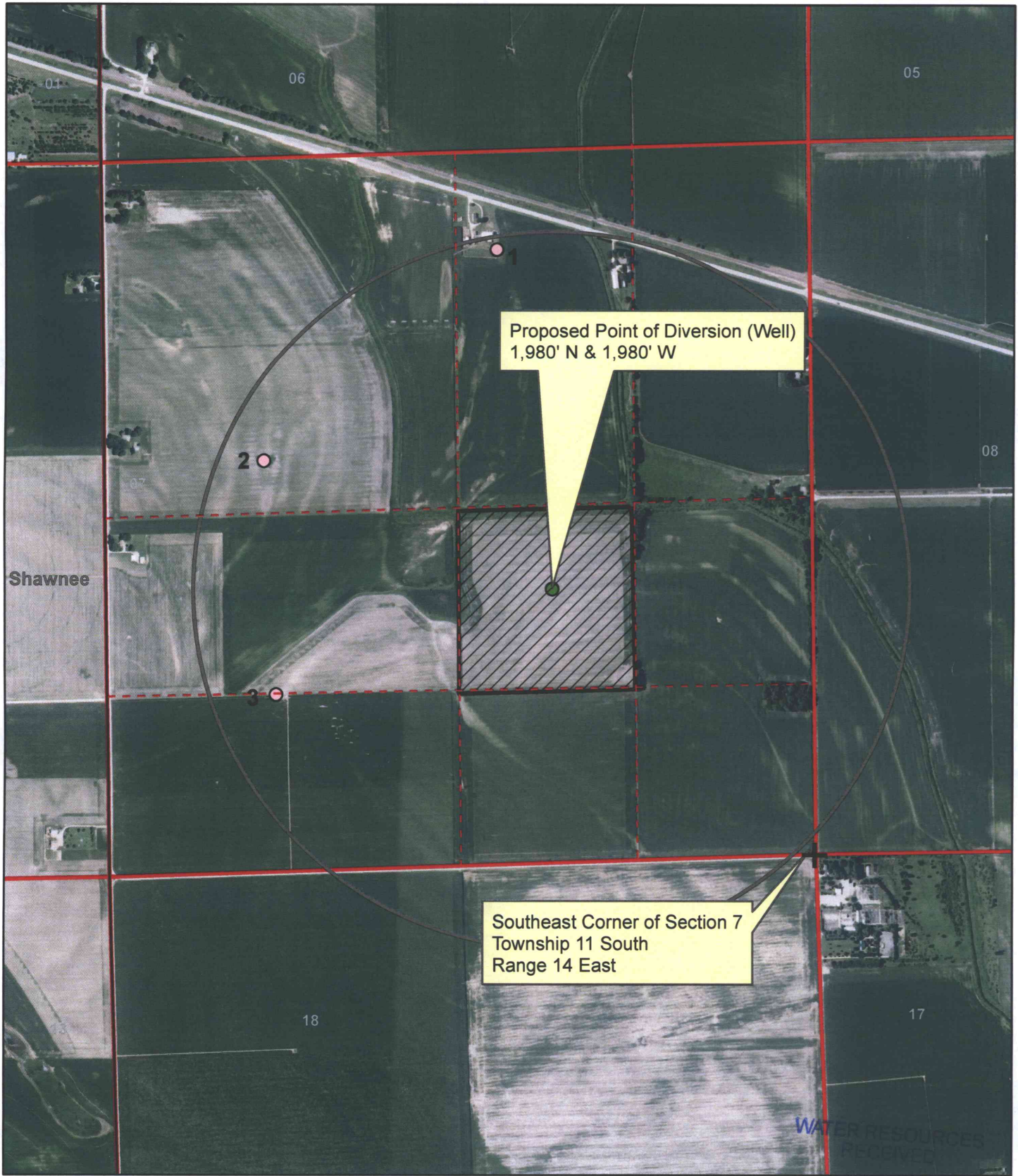
A handwritten signature in cursive script that reads "Brent A. Turney".

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

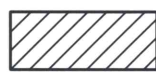

BAT: dlw
pc: TOPEKA Field Office
GMD

49 802

HERRINGTON - NEW APPLICATION
SECTION 7, TOWNSHIP 11 SOUTH, RANGE 14 EAST
SHAWNEE COUNTY



1:12,000

-  Proposed Place of Use
-  Proposed Point of Diversion

All known wells of any kind within 1/2 mile of the proposed point of diversion have been shown on this map.

Roy H. G.

MAR 20 2017
KS DEPT OF AGRICULTURE
SCANNED