

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

1. File Number: 49,811	2. Status Change Date: 7/17/2017	3. Field Office: 01	4. GMD: 0
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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 64911 New to system <input type="checkbox"/> Add Seq# _____ MARYSVILLE READY MIX INC PO BOX 467 1194 PONY EXPRESS HWY MARYSVILLE KS 66508</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 <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input checked="" type="checkbox"/> IND SIC: 3273 <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: **6/27/2017** By: **DWS**
 Date Entered: **7/19/2017** By: **LM**

File No. **49,811** 15. Formation Code: **100/500** Drainage Basin: **BIG BLUE River** County: **MS** Special Use: Stream:

MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD			11256	SE SE SE	26	2	7E	1	349	547 (Geo-Ctr)
MOD			10042	SE SE SE	26	2	7E	2	287	557 (Batt 1 of 2)
MOD			38488	SE SE SE	26	2	7E	42	411	537 (Batt 2 of 2)

Authorized		Additional		Overlap PD Files
Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	
400	3.0	400	3.0	11,528*

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 _____

MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
√	67609	23	4S	2E	1	CONCRETE MIXING PLANT (E2 SE)																	7a	No	20169023

Comments: ***FILE NO. 11,528 IS BEING VOLUNTARILY DISMISSED BY APPLICANT.**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 27, 2017

FROM: Doug Schemm

RE: Application, File No. 49,811; and
Water Right, File No. 11,528

Marysville Ready Mix Inc. has filed the above referenced new application to appropriate 3.0 million gallons (9.2 acre-feet) of groundwater at a rate of diversion not to exceed 400 gallons per minute for industrial use at a concrete mixing facility. The existing battery of two wells is located in the Southeast Quarter of Section 26, Township 2 South, Range 7 East, Marshall County, within the Big Blue River drainage basin. A representative of the applicant has signed the application form stating that they have access to the point of diversion. The proposed quantity was calculated as follows: 50,000 cubic yards x 50 gals/yard = 2.5 million gallons + 0.5 million gallons for washing and cleaning equipment = 3.0 million gallons total.

Water Right, File No. 11,528 overlaps in point of diversion. This water right is authorized for municipal use, and was previously owned by Marshall County Rural Water District No. 2. However, file information indicates that RWD #2 disconnected these wells from service, and they have not been used for many years. This water right and property were deeded to Marysville Ready Mix Co., Inc. in February 2016. The owner has provided a voluntary dismissal for File No. 11,528, contingent upon approval of this pending application. A Findings and Order will be prepared for this dismissal.

The applicant identified three domestic wells within one-half mile of the proposed point of diversion, and nearby letters were sent to these well owners on May 25, 2017. No responses of any kind were received. The nearest domestic well is over 660 feet away. There is only one other water right within a 2-mile radius of the proposed point of diversion, which is another municipal well owned by RWD #2. It is located over 2,000 feet away. There are multiple businesses and residences in the local area, but none within 660 feet of these existing wells. As noted above, these wells have been in place for many years and historically operated by RWD #2. The point of diversion complies with well spacing criteria, and there is no indication that any water right would be impacted by approval of the proposed appropriation. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be 1,320 feet to other non-domestic wells and 660 feet to domestic wells

Due to the age of these original wells, no well logs are available. A review of nearby wells and general geology map, show wells producing from glacial deposits, as well as bedrock (Chase Group). The glacial deposits appear to be of limited areal extent. The sand pit shown on the topographic map to the north of the wells is likely producing from glacial deposits. The glacial deposits and bedrock are hydraulically connected, so it would appear reasonable to use the entire two mile circle per the safe yield criteria in K.A.R. 5-3-11, for the extent of the unconfined aquifer (area of consideration). Therefore, based on 8,042 acres, a potential recharge of 4.2 inches, with 100% available for appropriation, safe yield was determined to be 2,814.7 acre-feet. Only one existing appropriation (File No. 11,528) is authorized 27.99 acre-feet, leaving 2,786.7 acre-feet available for appropriation, and the application complies with safe yield criteria.

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.

Marysville Ready Mix Inc.
File Nos. 49,811 and 11,528
Page 2

Katie Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced application File No. 49,811 in a June 26, 2017 discussion.

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, in conjunction with the dismissal of Water Right, File No. 11,528.

Doug Schemm
Environmental Scientist
Topeka Field Office

FILE COPY

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

July 19, 2017

MARYSVILLE READY MIX INC
PO BOX 467 1194 PONY EXPRESS HWY
MARYSVILLE KS 66508

Re: Appropriation of Water, File No. 49,811 and Water Right, File No. 11,528

Dear Sir or Madam:

There is enclosed a permit to appropriate water (File No. 49,811) 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.



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. 49,811** of the applicant

**MARYSVILLE READY MIX INC
PO BOX 467
1194 PONY EXPRESS HWY
MARYSVILLE KS 66508**

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 31, 2017**.
2. That the water sought to be appropriated shall be used for industrial use at a concrete mixing facility located in the East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 26, in Township 2 South, Range 7 East, Marshall County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 26, more particularly described as being near a point 349 feet North and 547 feet West of the Southeast corner of said section, in Township 2 South, Range 7 East, Marshall County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **400 gallons per minute (0.89 c.f.s.)** and to a quantity not to exceed **3 million gallons** (9.2 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 this permit is limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

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 17th day of July, 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 17th day of July, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

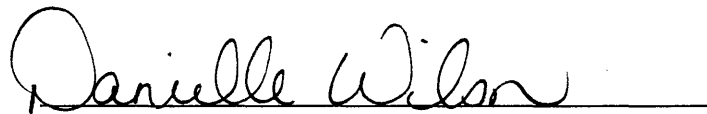
CERTIFICATE OF SERVICE

On this 19th day of July, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,811, dated July 17, 2017 was mailed postage prepaid, first class, US mail to the following:

MARYSVILLE READY MIX INC
PO BOX 467 1194 PONY EXPRESS HWY
MARYSVILLE KS 66508

With photocopies to:

Topeka Field Office



Division of Water Resources

APPLICATION COMPLETE

6/12/2017
Reviewer DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49811
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

MAR 31 2017

11:08
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): MARYSVILLE READY MIX INC.
Address: PO BOX 467, 1194 PONY EXPRESS HWY
City: MARYSVILLE State KS Zip Code 66508
Telephone Number: (785) 562-7268

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

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

3. The maximum quantity of water desired is 9.2 acre-feet OR 3.0 MILLION gallons per calendar year, to be diverted at a maximum rate of 400 gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only:
F.O. L GMD 0 Meets K.A.R. 5-3-1 (YES / NO) Use IND Source G/S County MS By AW Date 3/31/17
Code _____ REG Fee \$ 200 TR # _____ Receipt Date 3/31/17 Check # 14062

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 SE quarter of the SE quarter of the SE quarter of Section 26, more particularly described as being near a point ~~348~~³⁴⁹ feet North and ~~467~~⁵⁴⁷ feet West of the Southeast corner of said section, in Township 2 South, Range 7 East, MARSHALL County, Kansas. **(Geo-Center)**

* (B) One in the SE quarter of the SE quarter of the SE quarter of Section 26, more particularly described as being near a point ~~280~~²⁸⁷ feet North and ~~475~~⁵⁵⁷ feet West of the Southeast corner of said section, in Township 2 South, Range 7 East, MARSHALL County, Kansas. **(Batt 1 of 2)**

* (C) One in the SE quarter of the SE quarter of the SE quarter of Section 26, more particularly described as being near a point ~~390~~⁴¹¹ feet North and ~~460~~⁵³⁷ feet West of the Southeast corner of said section, in Township 2 South, Range 7 East, MARSHALL County, Kansas. **(Batt 2 of 2)**

(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):

Applicant
(name, address and telephone number)

(name, address and telephone number)

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

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

Executed on March 27, 2017. _____
Applicant's Signature

7. The proposed project for diversion of water will consist of Battery of 2 Wells
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) Spring 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 Spring 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 wells _____

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.

WATER RIGHT, FILE NO. 11,528 OVERLAPS IN POINT OF DIVERSION, BUT WILL BE VOLUNTARILY DISMISSED UPON APPROVAL OF THIS NEW APPLICATION.

WATER RESOURCES RECEIVED

MAR 31 2017

SCANNED

KS DEPT OF AGRICULTURE

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
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)

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 Marquette, Kansas, this 27 day of March, 2017.
(month) (year)


(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

48-0801687
and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

49811

INDUSTRIAL USE SUPPLEMENTAL SHEET

File No. 49,811

Name of Applicant (Please Print): MARYSVILLE READY MIX INC.

1. Please describe type of industry or product produced: CONCRETE MIXING PLANT

Standard Industrial Classification Code Number: 3273

2. Please complete the following table to show your past and present water requirements:

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	AMOUNT OF PRODUCT	WATER DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
5 years ago			
Last year			
Present year			

3. Please complete the following table to show your future water requirements:

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

NEXT 5 YEARS	AMOUNT OF PRODUCT	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1	20,000	1 Million	50 GALS/YARD
Year 2			
Year 3			
Year 4			
Year 5	50,000	2.5 Million	50 GALS/YARD

Number of days of operation of the industry per year is 365 days.

***Truck Washing, Equipment Cleaning, etc. 500,000 gallons per year. Total = 3 million gallons**

Please attach any tables, curves or additional information showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
26	2	7E	CONCRETE MIXING PLANT (E2 SE)																

WATER RESOURCES
RECEIVED

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

MAR 31 2017

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


Kansas
Department of Agriculture
Division of Water Resources

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

Sam Brownback, Governor

May 25, 2017

HALL BROTHERS INC
1196 E PONY EXPRESS HWY
MARYSVILLE KS 66508

Re: Pending New Application, File No. 49,811

Dear Sir or Madam:

This is to advise you that Marysville Ready Mix, Inc. has filed the application referred to above for a permit to appropriate 3.0 million gallons of groundwater per calendar year for industrial use to be diverted at a maximum rate of 400 gallons per minute. The proposed point of diversion is an existing battery of wells, currently authorized under Water Right, File No. 11,528. The geographic center of the well battery is located as follows:

In the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 26, in Township 2 South, Range 7 East, Marshall 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: Marysville Ready Mix, Inc.


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 25, 2017

GLENN BEHRENS JR
1188 12TH RD
MARYSVILLE KS 66508

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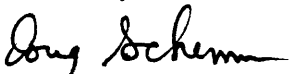
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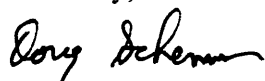
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Environmental Scientist
Topeka Field Office

pc: Marysville Ready Mix, Inc.

BB
MO

DIVISION OF WATER RESOURCES-KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 01 G.M.D. No. - County Marshall
File No. 11528 Overlap P/D or P/U File No(s). 40253
Agency KDA-DWR Inspector McCabe

In Compliance/ Date
 Yes
 No, see comments 5-19-2011
 Re-investigation

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other Big Blue Mo

Date of Order 1-3-2011 Date of N of C Ack 2-3-2011 Chg No. C _____ Date completed _____ If PD chg, old PD ID _____

Current Landowner Marshall RWD 2 Phone No. 785.562.5593

Address 7 1322 Pony Express Marysville KS 66508
Additional landowners and addresses identified in remarks section.

Water Use Correspondent same Phone No. same

Authorized Water Use Classification: Domestic Industrial Irrigation Municipal Hydraulic Dredging
 Recreation Stockwatering Water Power Artificial Recharge Contamination Remediation
 Dewatering Fire Protection Thermal Exchange Sediment Control Other _____

Water currently being used for NO USE wells are disconnected from system & power

Source: Groundwater Surface Water Basin/Stream Big Blue River Basin

Authorized Point of Diversion: SE SE SE Sec. 26, T. 7 S, R. 2E-W ID No. 01

Approximately 340 ft. North and 467 ft. West of SE corner of Sec 26.

Actual Point of Diversion: SE SE SE Sec. 26, T. 7 S, R. 2E-W

Approximately 349 ft. North and 547 ft. West of SE corner of Sec 26. Δft = 81'

How were distances determined? GPS LEO Latitude 39.84271 Longitude -96.60254

Distance from old pd _____ ft (N / S) and _____ ft (E / W) Old well: plugged capped equipped other: _____?

Location (site) map attached? Sketch or Map below

Comments: No access. See memo 5/23/2011

1 of 2 ID02 SE SE SE 287'N 557'W 39.84254° -96.60257°
2 of 2 ID04 SE SE SE 411'N 537'W 39.84288° -96.60250°

RECEIVED

JUL 14 2011

TOWNSHIP FIELD OFFICE
DIVISION OF WATER RESOURCES

WATER RESOURCES
RECEIVED

JUN 02 2011

KS DEPT OF AGRICULTURE

FILED
File No. 11528

File #49,811
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 2,814.70 AF.
 Total prior appropriation in the circle is 37.20 AF. $-9.21 = 27.99$
 Total quantity of water available for appropriation is 2,777.50 AF.

Safe Yield Variables

2,786.71

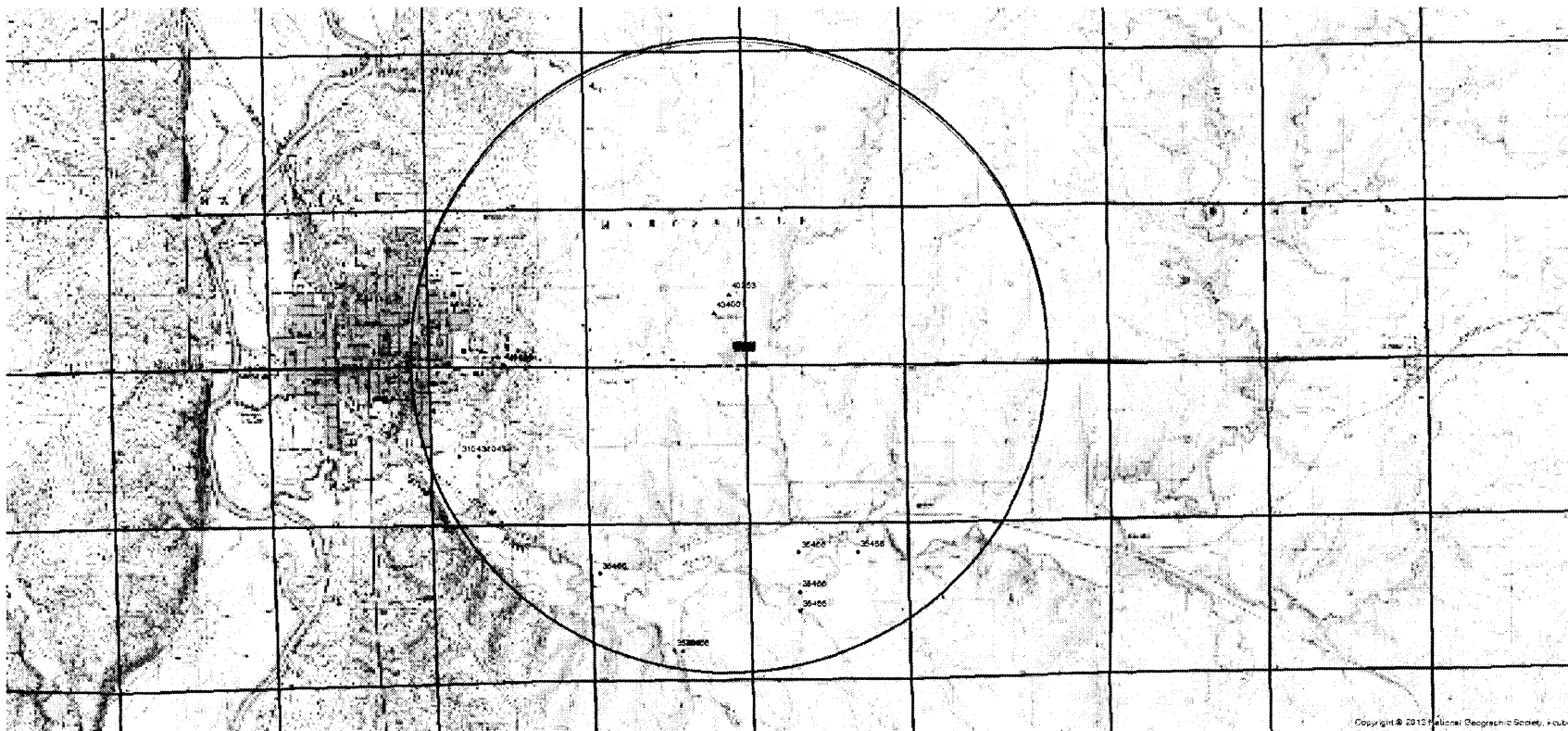
 The area used for the analysis is set at 8,042 acres.
 Potential annual recharge of the area is estimated to be 4.2 inches.
 The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 20-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 2 water right(s) and 3 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A 11528 00	MUN	NK	G		SE	SE	SE	280	475	26	02	07E	2	WR	27.99	27.99		
Same	MUN	NK	G		SE	SE	SE	340	467	26	02	07E	1	WR				
Same	MUN	NK	G		SE	SE	SE	390	460	26	02	07E	4	WR				
A 49811 00	IND	AY	G		SE	SE	SE	280	475	26	02	07E	2	WR	9.21	9.21		
Same	IND	AY	G		SE	SE	SE	340	467	26	02	07E	1	WR				
Same	IND	AY	G		SE	SE	SE	390	460	26	02	07E	4	WR				

Safe Yield Report Sheet
Water Right- A4981100
Point of Diversion in SESESE 26-2S-7E



1 LOCATION OF WATER WELL		Fraction		Section Number		Township Number		Range Number					
County: <u>Marshall</u>		SW ¼ SW ¼ SE ¼		26		T 2 S		R 7 E/W					
Distance and direction from nearest town or city? <u>1 mile East Marysville on Hy 36</u>					Street address of well if located within city?								
2 WATER WELL OWNER: <u>Willis Truhlicka</u>													
RR#, St. Address, Box # : <u>Box 166A RR 2</u>					Board of Agriculture, Division of Water Resources								
City, State, ZIP Code : <u>Marysville, Kansas 66508</u>					Application Number:								
3 DEPTH OF COMPLETED WELL <u>100</u> ft. Bore Hole Diameter <u>12</u> in. to <u>100</u> ft. and _____ in. to _____ ft.													
Well Water to be used as:													
<input checked="" type="checkbox"/> 1 Domestic		<input type="checkbox"/> 3 Feedlot		<input type="checkbox"/> 5 Public water supply		<input type="checkbox"/> 8 Air conditioning		<input type="checkbox"/> 11 Injection well					
<input type="checkbox"/> 2 Irrigation		<input type="checkbox"/> 4 Industrial		<input type="checkbox"/> 6 Oil field water supply		<input type="checkbox"/> 9 Dewatering		<input type="checkbox"/> 12 Other (Specify below)					
<input type="checkbox"/> 7 Lawn and garden only		<input type="checkbox"/> 10 Observation well		Well's static water level <u>68</u> ft. below land surface measured on <u>March</u> month <u>9th</u> day <u>1982</u> year									
Pump Test Data : Well water was _____ ft. after _____ hours pumping _____ gpm													
Est. Yield <u>25 +</u> gpm. Well water was _____ ft. after _____ hours pumping _____ gpm													
4 TYPE OF BLANK CASING USED:													
<input checked="" type="checkbox"/> 1 Steel		<input type="checkbox"/> 3 RMP (SR)		<input type="checkbox"/> 5 Wrought iron		<input type="checkbox"/> 8 Concrete tile		Casing Joints: <input type="checkbox"/> Glued <input type="checkbox"/> Clamped <input checked="" type="checkbox"/> Welded <input type="checkbox"/> Threaded.					
<input checked="" type="checkbox"/> 2 PVC		<input type="checkbox"/> 4 ABS		<input type="checkbox"/> 6 Asbestos-Cement		<input type="checkbox"/> 9 Other (specify below)							
<input type="checkbox"/> 7 Fiberglass													
Blank casing dia <u>5</u> in. to _____ ft., Dia _____ in. to _____ ft. Dia _____ in. to _____ ft.													
Casing height above land surface <u>12</u> in., weight <u>200</u> lbs. ft. Wall thickness or gauge No. <u>.200</u>													
TYPE OF SCREEN OR PERFORATION MATERIAL:													
<input type="checkbox"/> 1 Steel		<input type="checkbox"/> 3 Stainless steel		<input type="checkbox"/> 5 Fiberglass		<input checked="" type="checkbox"/> 7 PVC		<input type="checkbox"/> 10 Asbestos-cement					
<input type="checkbox"/> 2 Brass		<input type="checkbox"/> 4 Galvanized steel		<input type="checkbox"/> 6 Concrete tile		<input type="checkbox"/> 8 RMP (SR)		<input type="checkbox"/> 11 Other (specify) _____					
<input type="checkbox"/> 12 None used (open hole)													
Screen or Perforation Openings Are:													
<input type="checkbox"/> 1 Continuous slot		<input type="checkbox"/> 3 Mill slot		<input type="checkbox"/> 5 Gauzed wrapped		<input checked="" type="checkbox"/> 8 Saw cut		<input type="checkbox"/> 11 None (open hole)					
<input type="checkbox"/> 2 Louvered shutter		<input type="checkbox"/> 4 Key punched		<input type="checkbox"/> 6 Wire wrapped		<input type="checkbox"/> 9 Drilled holes							
<input type="checkbox"/> 7 Torch cut													
Screen-Perforation Dia <u>5</u> in. to _____ ft., Dia _____ in. to _____ ft., Dia _____ in. to _____ ft.													
Screen-Perforated Intervals: From <u>80</u> ft. to <u>100</u> ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.													
Gravel Pack Intervals: From <u>20</u> ft. to <u>100</u> ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.													
5 GROUT MATERIAL:													
<input type="checkbox"/> 1 Neat cement		<input type="checkbox"/> 2 Cement grout		<input checked="" type="checkbox"/> 3 Bentonite		<input type="checkbox"/> 4 Other _____							
Grouted Intervals: From <u>4</u> ft. to <u>20</u> ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.													
What is the nearest source of possible contamination:													
<input checked="" type="checkbox"/> 1 Septic tank		<input type="checkbox"/> 4 Cess pool		<input type="checkbox"/> 7 Sewage lagoon		<input type="checkbox"/> 10 Fuel storage		<input type="checkbox"/> 14 Abandoned water well					
<input type="checkbox"/> 2 Sewer lines		<input type="checkbox"/> 5 Seepage pit		<input type="checkbox"/> 8 Feed yard		<input type="checkbox"/> 11 Fertilizer storage		<input type="checkbox"/> 15 Oil well/Gas well					
<input type="checkbox"/> 3 Lateral lines		<input type="checkbox"/> 6 Pit privy		<input type="checkbox"/> 9 Livestock pens		<input type="checkbox"/> 12 Insecticide storage		<input type="checkbox"/> 16 Other (specify below) _____					
Direction from well <u>NW</u> How many feet <u>75'</u> ? Water Well Disinfected? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>													
Was a chemical/bacteriological sample submitted to Department? Yes _____ No <input checked="" type="checkbox"/> If yes, date sample submitted _____ month _____ day _____ year: Pump Installed? Yes _____ No <input checked="" type="checkbox"/>													
If Yes: Pump Manufacturer's name _____ Model No. _____ HP _____ Volts _____													
Depth of Pump Intake _____ ft. Pumps Capacity rated at _____ gal./min.													
Type of pump: <input type="checkbox"/> 1 Submersible <input type="checkbox"/> 2 Turbine <input type="checkbox"/> 3 Jet <input type="checkbox"/> 4 Centrifugal <input type="checkbox"/> 5 Reciprocating <input type="checkbox"/> 6 Other													
6 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on <u>March</u> month <u>9th</u> day <u>1982</u> year													
and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. <u>234D</u>													
This Water Well Record was completed on <u>22 March</u> month <u>22nd</u> day <u>1982</u> year under the business name of <u>Blue Valley Drilling</u> by (signature) <u>[Signature]</u>													
7 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:		FROM		TO		LITHOLOGIC LOG		FROM		TO		LITHOLOGIC LOG	
		0		2		Top soil							
		2		13		Brown clay							
		13		18		Fine sand							
		18		24		Mediumfine sand							
		24		28		Fine sand							
		28		50		Med fine sand							
		50		65		Med fine & fine sand							
65		100		Fine sand									
ELEVATION:													
Depth(s) Groundwater Encountered 1. _____ ft. 2. _____ ft. 3. _____ ft. 4. _____ ft. (Use a second sheet if needed)													

OFFICE USE ONLY

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.



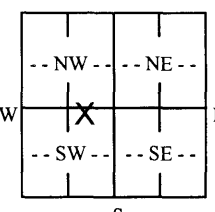
WATER WELL RECORD Form WWC-5 1348316

Division of Water Resources App. No. Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: Marshall	Fraction NE 1/4 NW 1/4 NE 1/4 SW 1/4	Section Number 25	Township Number T 2 S	Range Number R 7 <input checked="" type="checkbox"/> E <input type="checkbox"/> W
---	--	-----------------------------	---------------------------------	---

2 WELL OWNER: Last Name: Thoreson First: Shane Business: Address: 1155 Lily Creek Dr Address: City: Marvsville State: KS ZIP: 66508	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: <input type="checkbox"/> NE of Hwy 36 and 12th Rd
--	--

3 LOCATE WELL WITH "X" IN SECTION BOX: N  S -----1 mile-----	4 DEPTH OF COMPLETED WELL: 58 ft. Depth(s) Groundwater Encountered: 1) 27 ft. 2) ft. 3) ft., or 4) <input type="checkbox"/> Dry Well WELL'S STATIC WATER LEVEL: 31 ft. <input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr) 02/01/2017 <input type="checkbox"/> above land surface, measured on (mo-day-yr) Pump test data: Well water was ft. after hours pumping gpm Well water was ft. after hours pumping gpm Estimated Yield: ... 20 gpm Bore Hole Diameter: 10 in. to 58 ft. and in. to ft.	5 Latitude: 39.848281 (decimal degrees) Longitude: 96.594018 (decimal degrees) Datum: <input checked="" type="checkbox"/> WGS 84 <input type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27 Source for Latitude/Longitude: <input type="checkbox"/> GPS (unit make/model:) (WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No) <input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map <input type="checkbox"/> Online Mapper:
		6 Elevation: 1270 ft. <input checked="" type="checkbox"/> Ground Level <input type="checkbox"/> TOC Source: <input type="checkbox"/> Land Survey <input type="checkbox"/> GPS <input type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Other KOLAR

7 WELL WATER TO BE USED AS:

1. Domestic: <input checked="" type="checkbox"/> Household <input checked="" type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock	5. <input type="checkbox"/> Public Water Supply: well ID 6. <input type="checkbox"/> Dewatering: how many wells? 7. <input type="checkbox"/> Aquifer Recharge: well ID 8. <input type="checkbox"/> Monitoring: well ID	10. <input type="checkbox"/> Oil Field Water Supply: lease 11. Test Hole: well ID <input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical 12. Geothermal: how many bores? a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water 13. <input type="checkbox"/> Other (specify):
2. <input type="checkbox"/> Irrigation	9. Environmental Remediation: well ID <input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	
3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	

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 **6** in. to **58** ft., Diameter in. to ft., Diameter in. to ft.
Casing height above land surface **24** in. Weight lbs./ft. Wall thickness or gauge No. **SDR26**

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

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 **27** ft. to **47** ft., From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From **22** ft. to **58** ft., From ft. to ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other
Grout Intervals: From **0** ft. to **22** 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) **House**

Direction from well? **NE** Distance from well? **15** ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	6	Clay	44	46	Limestone
6	7	Soft Shale	46	51	Shale
7	14	Limestone w/ Shale	51	58	Limestone
14	17	Shale			
17	25	Red Shale			
25	28	Limestone			
28	31	Shale			
31	42	Fractured Limestone			
42	44	Shale			

Notes:

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) **02/01/2017** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **760** This Water Well Record was completed on (mo-day-year) **02/01/2017** under the business name of **Associated Drilling, Inc.**

KGS
Hydrology

Water Well Database Query

Scan of WWC5 Form

WATER WELL RECORD Form WWC-5 KSA 82a-1212 ID No.

1 LOCATION OF WATER WELL:		Fraction	Section Number	Township Number	Range Number															
County: Marshall		SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	35	T 2 S	R 7 (BW)															
Distance and direction from nearest town or city street address of well if located within city? SE edge of Marysville or 1174 Keystone Rd																				
2 WATER WELL OWNER: Arnold Nagley																				
RR#, St. Address, Box # : 1174 Keystone Rd				Board of Agriculture, Division of Water Resources Application Number:																
City, State, ZIP Code : Marysville, KS 66508																				
3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:			4 DEPTH OF COMPLETED WELL <u>63</u> ft. ELEVATION:																	
<table border="1" style="width: 100%; text-align: center;"> <tr><td></td><td>N</td><td></td></tr> <tr><td>--NW--</td><td>*--NE--</td><td></td></tr> <tr><td>W</td><td></td><td>E</td></tr> <tr><td>--SW--</td><td>--SE--</td><td></td></tr> <tr><td></td><td>S</td><td></td></tr> </table>				N		--NW--	*--NE--		W		E	--SW--	--SE--			S		Depth(s) Groundwater Encountered 1 ft. 2 ft. WELL'S STATIC WATER LEVEL <u>43</u> ft. below land surface measured on <u>9/29/03</u> Pump test data: Well water was ft. after hours pumping gpm Est. Yield <u>1.5</u> gpm: Well water was ft. after hours pumping gpm WELL WATER TO BE USED AS: 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		
				N																
			--NW--	*--NE--																
			W		E															
			--SW--	--SE--																
	S																			
Was a chemical/bacteriological sample submitted to Department? Yes No *; If yes, mo/day/yr sample was submitted																				
Water Well Disinfected? Yes * No																				
5 TYPE OF BLANK CASING USED:																				
1 Steel 3 RMP (SR) 2 PVC 4 ABS 5 Wrought iron 6 Concrete tile CASING JOINTS: Glued * Clamped 6 Asbestos-Cement 7 Fiberglass Welded 7 Fiberglass 8 Other (specify below) Threaded Blank casing diameter <u>5</u> in. to <u>43</u> ft. Dia in. to ft. Dia in. to ft. Casing height above land surface <u>18</u> in. weight <u>200</u> lbs./ft. Wall thickness or gauge No. <u>265</u> TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel 3 Stainless Steel 5 Fiberglass 7 PVC 10 Asbestos-Cement 2 Brass 4 Galvanized Steel 6 Concrete tile 8 RMP (SR) 11 Other (Specify) 9 ABS 12 None used (open hole) SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 None (open hole) 2 Lowered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes 10 Other (specify) ft. SCREEN-PERFORATED INTERVALS: From <u>43</u> ft. to <u>63</u> ft. From ft. to ft. From ft. to ft. From ft. to ft. GRAVEL PACK INTERVALS: From <u>30</u> ft. to <u>63</u> 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 <u>5</u> ft. to <u>30</u> ft. From ft. to ft. From ft. to ft. What is the nearest source of possible contamination: 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below) 13 Insecticide storage Direction from well? South How many feet? 200																				
FROM		TO		LITHOLOGIC LOG																
FROM		TO		PLUGGING INTERVALS																
0	2	Topsoil																		
2	8	Tan Clay																		
8	17	Brown Clay																		
17	32	Brown Clay (Silty)																		
32	65	Sand (Fine/ Yellow)																		
65	73	Limestone & Shale																		
73	75	Gray Shale																		
7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was <u>1</u> constructed, <u>(2)</u> reconstructed, or <u>(3)</u> plugged under my jurisdiction and was completed on (mo/day/year) <u>9/29/03</u> and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's Licence No. <u>518</u> . This Water Well Record was completed on (mo/day/yr) <u>10/20/03</u> under the business name of <u>Blue Valley Drilling</u> by (signature) <u>[Signature]</u>																				
<small>INSTRUCTIONS: Use indelible or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send two 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.</small>																				

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66619

Re: Application
File No. 49,811

Minimum Desirable Streamflow

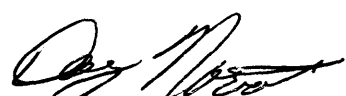
Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

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



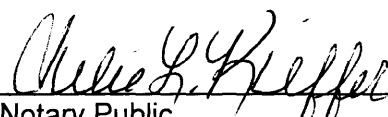
Signature of Applicant

State of Kansas)
) ss
County of Marshall)

Douglas Novotny

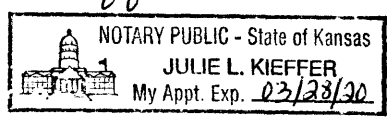
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 27th day of March, 2017.



Notary Public

My Commission Expires:



WATER RESOURCES
RECEIVED

MAR 31 2017

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

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

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

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



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700

Fax: (785) 564-6777

Email: ksag@kda.ks.gov

www.agriculture.ks.gov

Sam Brownback, Governor

April 3, 2017

FILE COPY

MARYSVILLE READY MIX INC
PO BOX 467
MARYSVILLE KS 66508

RE: Application
File No. 49811

Dear Sir or Madam:

Your application for permit to appropriate water in 26-02S-07E in Marshall 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

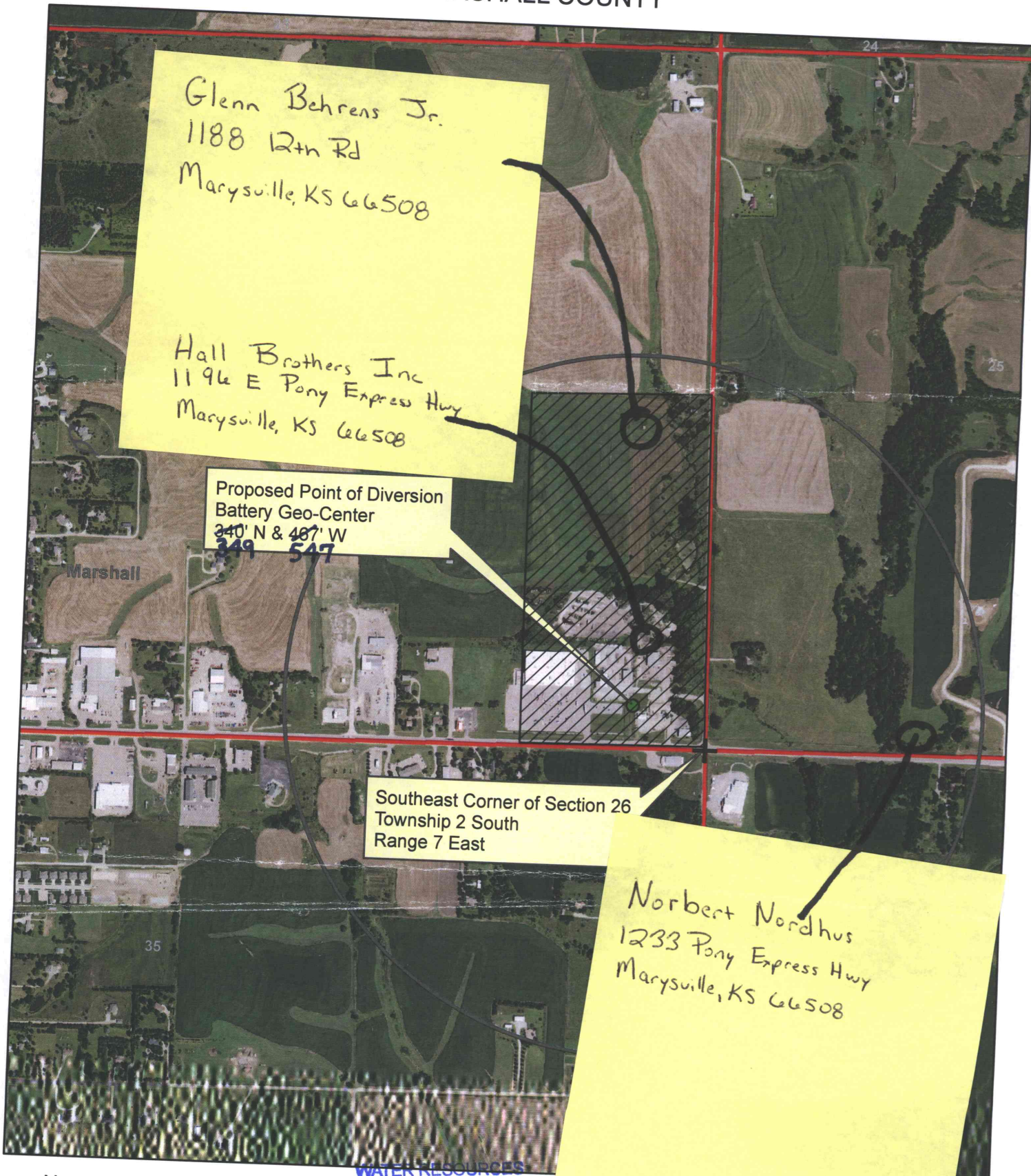
BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

MARYSVILLE READY MIX INC.
NEW APPLICATION SITE MAP
MARSHALL COUNTY

49811

1:12,000



Glenn Behrens Jr.
1188 12th Rd
Marysville, KS 66508

Hall Brothers Inc
1196 E Pony Express Hwy
Marysville, KS 66508

Proposed Point of Diversion
Battery Geo-Center
340' N & 487' W
349 547

Southeast Corner of Section 26
Township 2 South
Range 7 East

Norbert Nordhus
1233 Pony Express Hwy
Marysville, KS 66508



Proposed Place of Use

MAR 31 2017



Proposed Point of Diversion

KS DEPT OF AGRICULTURE

proposed point of diversion on this map.

[Handwritten Signature]

SCANNED