

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

1. File Number: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">49,881</div>	2. Status Change Date: <div style="text-align: center; font-size: 1.2em;">11/30/2017</div>	3. Field Office: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">01</div>	4. GMD: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">0</div>
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5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return
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6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter
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7a. Applicant(s) New to system <input type="checkbox"/> Person ID <u><b>61510</b></u> Add Seq# _____  <b>AMIR MINOOFAR</b> <b>PO BOX 356</b> <b>BONNER SPRINGS KS 66012</b>	7c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
7b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____  <b>7a.</b>	7d. Misc. New to system <input type="checkbox"/> Person ID _____ Add Seq# _____

8. WUR Correspondent New to system <input type="checkbox"/> Person ID _____ Overlap File (s) WUC                Add Seq# _____ Agree <input type="checkbox"/> Yes <input type="checkbox"/> No                Notarized WUC Form <input type="checkbox"/>	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: <u><b>4222</b></u> <input type="checkbox"/> OTHER: _____
<b>7a.</b>	

10. Completion Date: <u><b>12/31/2018</b></u>	11. Perfection Date: <u><b>12/31/2022</b></u>	12. Exp Date: _____
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13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____
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14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____
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Date Prepared: **10/11/2017** By: **DWS**  
 Date Entered: **11/30/2017** By: **UM**

File No. **49,881**      15. Formation Code: **113**      Drainage Basin: **Kansas River**      County: **LV**      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 mgy	Rate gpm	Quantity mgy	
√			<b>31823</b>	<b>SW NE SW</b>	<b>13</b>	<b>12S</b>	<b>22E</b>	<b>3</b>	<b>1384</b>	<b>3605</b>	<b>400</b>	<b>8.0</b>	<b>210</b>	<b>2.2</b>	<b>41,505</b>
√			<b>44562</b>	<b>NE SE SW</b>	<b>13</b>	<b>12S</b>	<b>22E</b>	<b>2</b>	<b>1296</b>	<b>3221</b>					
√			<b>49259</b>	<b>SW NE SW</b>	<b>13</b>	<b>12S</b>	<b>22E</b>	<b>1</b>	<b>1340</b>	<b>3413</b>					

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

19. Limitation: **8** **MGY** at **400** **gpm** ( \_\_\_\_\_ cfs) when combined with file number(s): **41,505**  
 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?	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						
√			<b>38212</b>	<b>13</b>	<b>12</b>	<b>22E</b>	<b>1</b>	<b>COLD STORAGE WAREHOUSE (NW SW)</b>																	<b>7a</b>	<b>No</b>	<b>41,505</b>		

Comments:

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

**M E M O R A N D U M**

**TO:** Files

**DATE:** November 8, 2017

**FROM:** Doug Schemm

**RE:** Application, File No. 49,881 – Safe Yield Waiver

An evaluation of safe yield has determined that no additional water is available within the area of consideration for File No. 49,881, and this application can only be approved with a **waiver of safe yield**. The following information is in support of this safe yield waiver request.

A review of the City of Olathe well field files (located on the opposite side of the Kansas River, and approximately one mile away) shows that a significant portion of the water pumped from the City's well field is surface water infiltration from the Kansas River (see model simulation pumping attachment). Out of the 13.1 million gallons pumped in the model, 6.7 million gallons is Kansas River infiltration (approximately ½ of the quantity pumped). Based on the location of the applicant's wells immediately adjacent to the Kansas River, with similar depth and lithology, it is anticipated that they would have a similar quantity of water derived from surface water infiltration. This would suggest that only half (4 million gallons) of the requested 8 million gallons would be supplied by groundwater, which is not a significant quantity of water from this alluvial aquifer. NOTE: This pending application is requesting only 2.2 million gallons of additional water.

Per K.A.R. 5-1-1(vvv) "Safe yield" means the long-term sustainable yield of the source of supply, including hydraulically connected surface water or groundwater. Although not specifically reflected in safe yield analyses within the Kansas River basin, surface water infiltration from the Missouri River is a consideration when evaluating safe yield in that basin per K.A.R. 5-3-11. As noted above, there is a significant hydraulic connection between surface water in the Kansas River and the alluvial aquifer. Please note that a recent evaluation for the Arkansas River indicated that approximately 60% of alluvial groundwater pumping was from surface water infiltration in that basin.

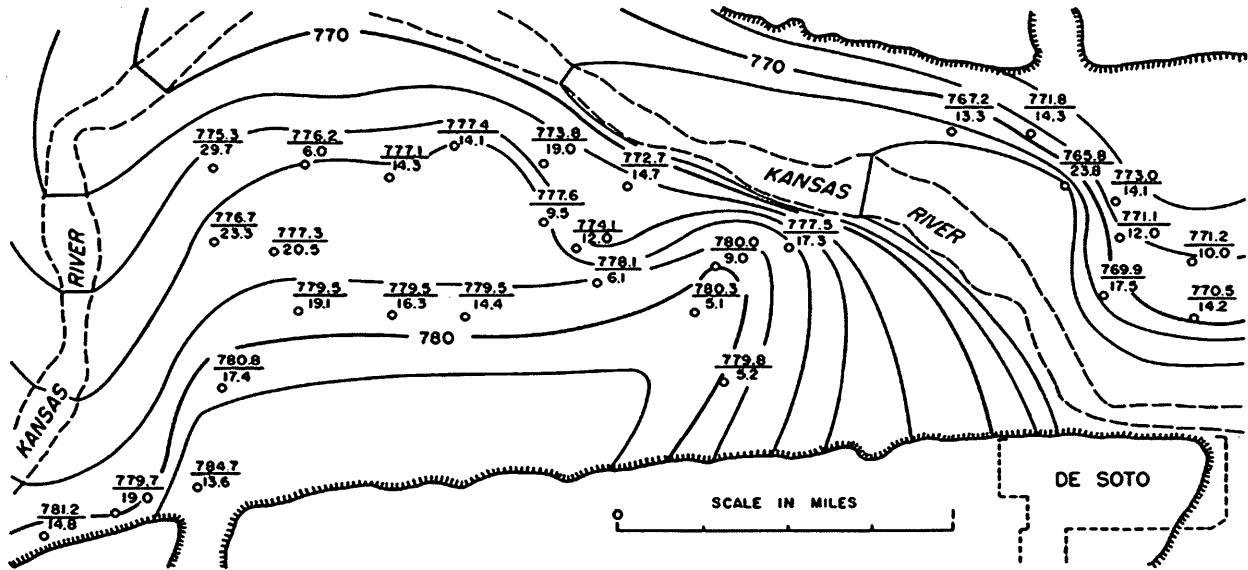
THE FOLLOWING INFORMATION IS TAKEN FROM: QUATERNARY GEOLOGY AND GROUND-WATER RESOURCES OF KANSAS RIVER VALLEY BETWEEN BONNER SPRINGS AND LAWRENCE, KANSAS, BY ALVIN E. DUFFORD, ORIGINALLY PUBLISHED IN 1958 AS KANSAS GEOLOGICAL SURVEY BULLETIN 130, PART 1.

**GROUND WATER - SOURCE, OCCURRENCE, AND MOVEMENT**

Heavily pumped areas, such as the valley flat near De Soto, may have a water table lower than the water surface of the river. Where such conditions prevail, the zone of saturation is replenished by river water.

A detailed contour map of the water table in Kansas River valley alluvium in the De Soto area is shown in Figure 9. It has been prepared from information obtained from logs of test holes drilled during July and August 1942 for the Sunflower Ordnance Plant. Altitudes of the ground surface (surveyed to tenths or hundredths of a foot) and depth to water (measured to tenths of a foot or inches) were included with the logs. The contour interval of 2 feet makes possible a clearer observation of the configuration and movement of the water table in Kansas River valley alluvium. The movement of ground water primarily is toward the river. Since 1942, 12 wells have been pumped heavily in the area, and the river in the De Soto area has been influent during periods of heavy pumpage.

**Figure 9**--Detailed contour map of water table in alluvium in part of Kansas River valley near De Soto during summer of 1942. Contour interval 2 feet. Number above line is altitude of water table, and number below line is depth to water below ground surface at test hole or well indicated by circle.

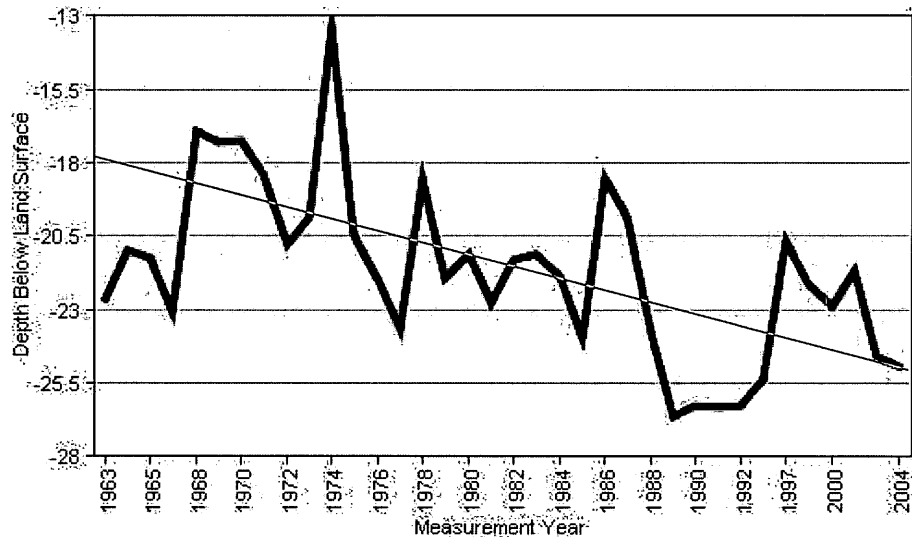


### Recharge

One of the most important sources of recharge in Kansas River valley alluvium is the infiltration of river water to the ground-water body during periods of heavy pumpage in certain areas. This increases the amount of available ground water severalfold and helps to insure abundant supplies of water from wells in Kansas River valley alluvium.

A review of the KGS WIZARD database for water wells within Township 12 South, Range 22 East shows the typical fluctuations in area wells, with periods of water table decline and recovery. The data does indicate an overall water level decline in the alluvial aquifer in this area from 1963 to 2004 of roughly 7 feet.

### Regional Average Trends



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

**M E M O R A N D U M**

**TO:** Files

**DATE:** October 11, 2017

**FROM:** Doug Schemm

**RE:** Application, File No. 49,881

Amir Minoofar has filed the above referenced new application to appropriate 8.0 million gallons (24.55 acre-feet) of groundwater at a rate of diversion not to exceed 400 gallons per minute for industrial use at a cold storage warehouse. The point of diversion is an existing battery of two wells located in the Southwest Quarter of Section 13, Township 12 South, Range 22 East, Leavenworth County, within the Kansas River Basin. The applicant has signed the application form stating that he has access to the point of diversion. The point of diversion is currently authorized under Water Right, File No. 41,505, which exceeded its authorized quantity of water in 2016. Approval of the new application will ensure adequate water in the future, and prevent further over-pumping.

The water will be used for evaporative cooling at the warehouse. The applicant pumped almost 6 million gallons in 2016 and is anticipating greater demands in the future, so the requested 8 million gallons appears reasonable. **Please note that the senior file was originally approved for the same quantity of water and rate of diversion as requested under the pending application.**

The battery of wells will be sourcing the Kansas River alluvium. A well log shows the typical alluvial deposits with finer sand near the surface and coarser sand with depth. Bedrock was encountered at 48 feet below ground surface, and static water level was at 19 feet. 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. The extent of the alluvium for the area of consideration provides a total of 3,687 acres. With a potential recharge of 9.2 inches, and 75% available for appropriation, safe yield was determined to be 2,120 acre-feet, while prior appropriations total 7,959.8 acre-feet, indicating no water is available, and the application fails safe yield. The majority of the appropriated water (7,574.4 acre-feet) is for municipal use from the City of Olathe well field, which is located on the opposite side of the Kansas River, and over a mile away. It is likely that a significant portion of the water pumped from the City's well field and the applicant's wells is surface water infiltration from the Kansas River. A review of the applicant's senior water right show that approval required a waiver of safe yield. The applicant has requested a waiver of safe yield for this pending application, noting that these wells have been operating since the late 1970's, and there have been no reported concerns of impairment of other water rights. The facility typically pumps only one of the wells at a time, and the wells are pumped based on water supply (cooling) demands at the facility, not on a continuous basis. The wells are typically operated less than two hours per day. Therefore, since this pending application is merely requesting what was originally authorized under the senior file, there is no evidence that approval would impair existing water rights, and all other regulations are complied with, it is recommended that this application be approved with a **waiver of safe yield**.

There is only one well within one-half mile, which is a domestic well located over 2000 feet away, who was notified during processing of the senior file. Since this application is simply requesting what the senior file was originally approved for in both quantity and rate, no physical changes to the wells will occur, and the wells have been operating for many years, it was deemed not necessary to again notify the domestic well owner. Obviously, he is aware of the applicant's point of diversion and use of water, and any concerns would have already been manifested. In addition, as noted above, much of the water pumped from these wells is likely surface water from the river. The WRIS database shows the nearest permitted well is almost a mile away. Therefore, this battery of wells complies with minimum well spacing criteria. With the wells located adjacent to the Kansas River, and relatively low pumping rate and quantity of water, these wells would have little impact on the alluvial aquifer.

Amir Minoofar  
File No. 49,881  
Page 2

The Kansas River Water Assurance District No. 1 was notified of receipt of this application on December 1, 2016 in order to fully inform them of the proposed location of the applicant's point of diversion and proposed use of water. This notification was as per the KSWAD Program Operations Agreement, which states, in part, "the District reserves the right to review all applications to appropriate water and change applications, including term permits, filed with the Division of Water Resources that propose the diversion of water from the Kansas River or its alluvium". No response has been received from the District.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R 5-1-12. If any chemicals will be injected into the water pumped under this permit, a check valve will also be required.

Katie Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced application in an October 9, 2017 e-mail.

Based on the above discussion, the application complies with well spacing criteria, it will address an over-pumping issue, and approval will not impair senior water rights, it is recommended that the referenced application be approved with a waiver of safe yield criteria.

Doug 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

December 4, 2017

AMIR MINOOFAR  
PO BOX 356  
BONNER SPRINGS KS 66012

Re: Appropriation of Water, File No. 49,881

**FILE COPY**

Dear Mr. Minoofar:

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

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

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

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

KAB:dws  
Enclosures

pc: Topeka Field Office



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. 49,881** of the applicant

**AMIR MINOOFAR  
PO BOX 356  
BONNER SPRINGS KS 66012**

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

1. That the priority date assigned to such application is **July 31, 2017**.
2. That the water sought to be appropriated shall be used for industrial use at a cold storage warehouse located in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 13, in Township 12 South, Range 22 East, Leavenworth 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 Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 13, more particularly described as being near a point 1,340 feet North and 3,413 feet West of the Southeast corner of said section, in Township 12 South, Range 22 East, Leavenworth 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 **8.0 million gallons (24.55 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.

19. That the quantity of water and rate of diversion approved under this permit is further limited to the quantity and rate which combined with Water Right, File No. 41,505, will provide a **total not to exceed 8.0 million gallons** of water per calendar year to be diverted at a maximum diversion rate not in excess of **400 gallons per minute** (0.89 c.f.s.) for industrial use as described herein.

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

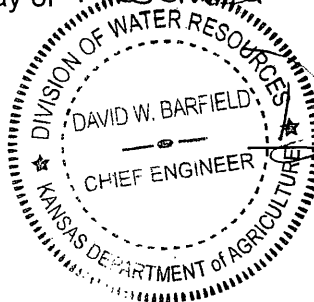
Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 30<sup>th</sup> day of November, 2017, in Topeka, Shawnee County, Kansas.



David W. Barfield  
 David W. Barfield, P.E.  
 Chief Engineer  
 Division of Water Resources  
 Kansas Department of Agriculture

State of Kansas     )  
                                   ) SS  
 County of Riley     )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of November, 2017, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter  
 Notary Public

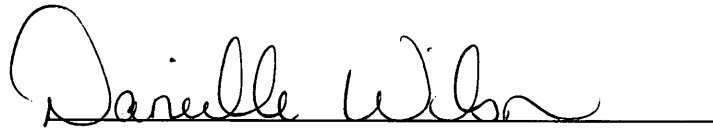
### CERTIFICATE OF SERVICE

On this ~~4<sup>th</sup>~~ day of ~~December~~, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,881, dated ~~November 30<sup>th</sup>~~, 2017 was mailed postage prepaid, first class, US mail to the following:

AMIR MINOOFAR  
PO BOX 356  
BONNER SPRINGS KS 66012

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

Kansas Department of Agriculture  
 Division of Water Resources  
**WAIVER REQUEST & WAIVER RULE WORKSHEET**

File Number: 49,881

FO: 1 GMD: 0

**WAIVER REQUEST:**

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IND	10/11/2017	53	Statewide	Safe Yield	Yield of Unconfined Groundwater Exceeded
Rule Number	Date Granted	Date Denied	Justification:	The applicant is requesting the same quantity and rate that the senior file was originally approved for. These wells have been operating since the late 1970's, and there has been no impairment of other water rights. The facility typically pumps only one of the wells at a time, the wells are not pumped on a continuous basis, and the wells are typically operated less than two hours per day.	
K.A.R. 5-3-11	11/30/2017				

**WAIVER RULE:**

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 10/11/2017 By dws

Date Entered 11/30/2017 By UM



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**WAIVER OF REGULATION**  
**K.A.R. 5-3-11 Safe Yield**

Date: 11/30, 2017.

Re: Appropriation of Water, File No. 49,881

1. That this application is proposing to divert additional water from an existing battery of two wells currently authorized under Water Right, File No. 41,505. The source of water is the Kansas River alluvium.
2. That the application does not meet safe yield criteria as set forth in K.A.R. 5-3-11. The senior file also did not comply with safe yield criteria, and it was approved with a waiver of safe yield.
3. That the applicant is requesting the same quantity of water and rate of diversion that the senior file was originally approved for, specifically 8 million gallons of water at a diversion rate of 400 gallons per minute.
4. That in his request for a waiver, the applicant notes these wells have been operating since the late 1970's, and there have been no reported concerns of impairment of other water rights. The facility typically pumps only one of the wells at a time, the wells are pumped based on water supply (cooling) demands at the facility not on a continuous basis, and the wells are typically operated less than two hours per day.
5. That the applicant exceeded the authorized quantity of water under the senior file in 2016, and the additional water will address both future water needs and over-pumping concerns.
6. That the waiver will not prejudicially or unreasonably affect the public interest, and no senior rights will be impaired by the proposed use.

Comments:

A handwritten signature in cursive script, reading "David W. Barfield", written over a horizontal line.

David W. Barfield, P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

However, a review of the USGS 06889000 KANSAS R AT TOPEKA, KS gage shows that 2003 was a very low average flow year, which certainly would have impacted alluvial groundwater levels. More recent years (2015 and 2016) show an increase in flows, which would lead to a corresponding increase in alluvial aquifer levels. With over 20 feet of saturated thickness remaining in most areas, the aquifer is certainly capable of providing the requested 8 million gallons (2.2 million gallons of additional water) for this pending application.

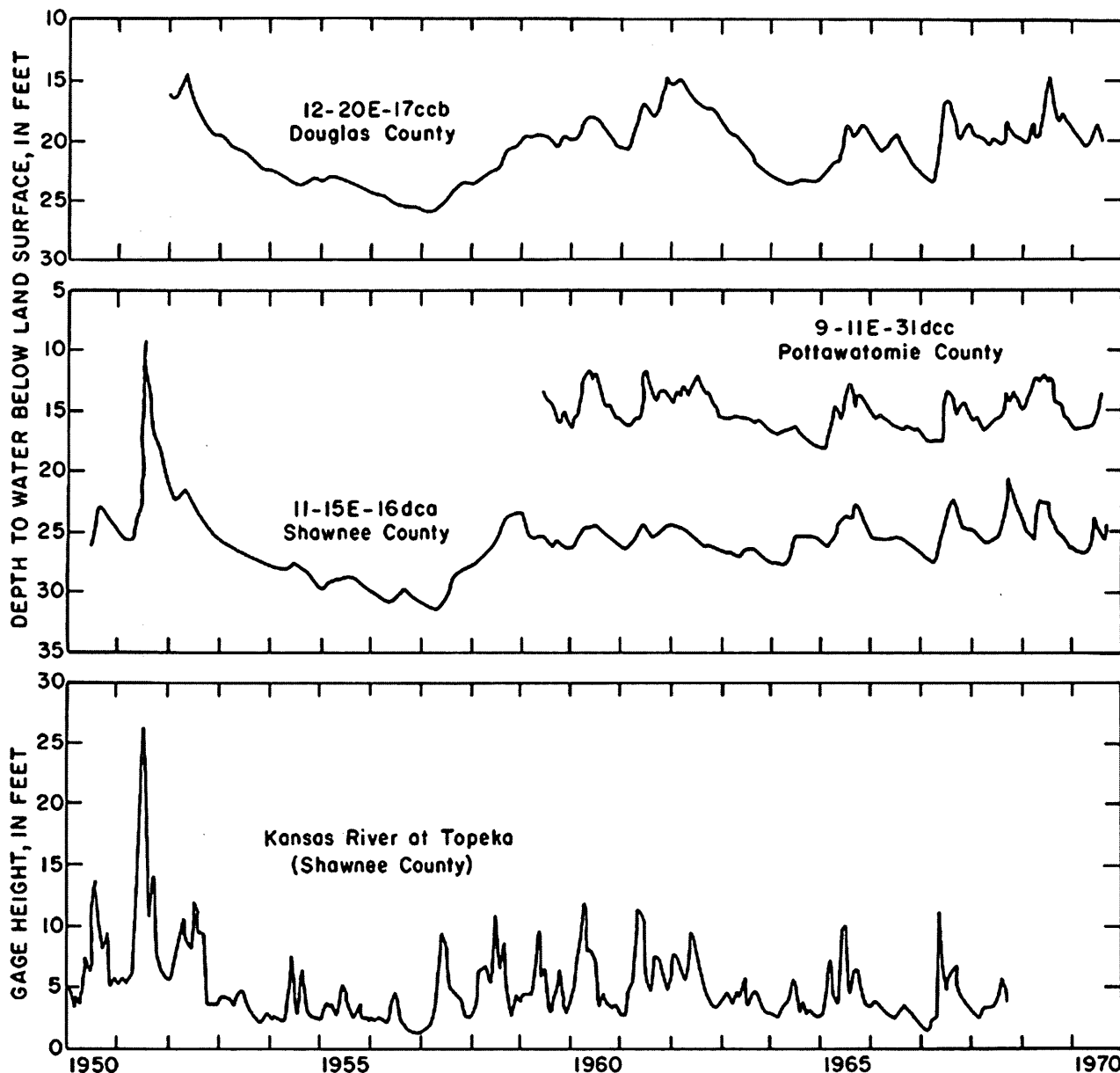
Water Year	Flow in cfs
1963	3,027
1964	2,497
1965	5,823
1966	3,016
1967	4,554
1968	3,791
1969	8,743
1970	3,560
1971	4,954
1972	2,856
1973	12,480
1974	13,500
1975	4,847
1976	3,050
1977	4,209
1978	5,842
1979	7,014
1980	5,114

Water year	Flow in cfs
1981	2,621
1982	8,479
1983	6,329
1984	9,762
1985	5,016
1986	7,944
1987	13,440
1988	2,257
1989	2,411
1990	3,950
1991	1,844
1992	4,604
1993	25,580
1994	7,488
1995	10,130
1996	4,954
1997	5,714
1998	7,204

Water year	Flow in cfs
1999	11,850
2000	2,638
2001	5,520
2002	2,203
2003	1,518
2004	3,261
2005	3,425
2006	1,482
2007	5,641
2008	6,644
2009	5,454
2010	8,375
2011	4,376
2012	2,791
2013	2,357
2014	2,364
2015	5,878
2016	6,173

As shown below in Figure 5, taken from: *Ground Water in the Kansas River Valley, Junction City to Kansas City, Kansas*, by Stuart W. Fader, Originally published in 1974 as *Kansas Geological Survey Bulletin 206, part 2*, there is a direct correlation in Kansas River flows and alluvial water table levels. As shown over this almost 20 year period, alluvial water levels declined over 10 feet from 1952 to 1956, but recovered to the same level in the next 5 year period.

**Figure 5**--Hydrographs for selected wells in valley-fill deposits and gage height corresponding to mean-monthly flow of the Kansas River at Topeka.



*"Fluctuations in water levels are generally related to local recharge from precipitation, withdrawals by wells, and stages of the Kansas River. Short-term fluctuations are probably related to local recharge, and long-term fluctuations are more related to the stages of the streams."*

In summary, this request for a safe yield waiver is distinctive for the following reasons:

- This is an existing battery of wells that have been operating since the late 1970's, and there have been no reported concerns or impairment of other water rights.
- The requested quantity of water and rate of diversion is the same as previously authorized under the senior File No. 41,505.
- The application is requesting only 2.2 million gallons of additional water when combined with the senior file.
- The facility generally pumps only one of the two wells at a time, and the wells are pumped based on water supply (cooling) demands at the facility, not on a continuous basis.
- The wells are typically operated less than two hours per day, providing extensive time for aquifer recharge and recovery.
- The alluvial aquifer still has adequate saturated thickness to support this requested quantity of water, and is readily recharged by Kansas River infiltration.

Based on the above discussion, a waiver of safe yield appears reasonable and will not impair senior water rights.

Doug Schemm  
Environmental Scientist  
Topeka Field Office



APPLICATION COMPLETE

7/31/2017

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 49881

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

WATER RESOURCES RECEIVED

**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.)

JUL 31 2017

12:31

KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): AMIR MINOOFAR  
Address: PO BOX 356  
City: BONNER SPRINGS State KS Zip Code 66012  
Telephone Number: (913) 441-3957

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in KANSAS 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 24.55 acre-feet OR 8.0 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. 1 GMD  Meets K.A.R. 5-3-1  (YES / NO) Use IND Source  S County LV By AW Date 7/31/17  
Code \_\_\_\_\_ REG Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 7/31/17 Check # 12415

SCANNED

8/1/17 DWS

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

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

(A) One in the SW quarter of the NE quarter of the SW quarter of Section 13, more particularly described as being near a point 1340 feet North and 3413 feet West of the Southeast corner of said section, in Township 12 South, Range 22 East, LEAVENWORTH County, Kansas. **(Geo-Center)**

(B) One in the SW quarter of the NE quarter of the SW quarter of Section 13, more particularly described as being near a point 1384 feet North and 3605 feet West of the Southeast corner of said section, in Township 12 South, Range 22 East, LEAVENWORTH County, Kansas. **(Batt 1 of 2)**

(C) One in the NE quarter of the SE quarter of the SW quarter of Section 13, more particularly described as being near a point 1296 feet North and 3221 feet West of the Southeast corner of said section, in Township 12 South, Range 22 East, LEAVENWORTH County, Kansas. **(Batt 1 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):

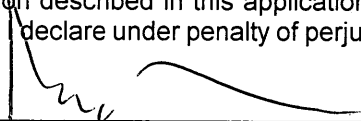
Applicant  
(name, address and telephone number)

\_\_\_\_\_  
(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 JULY 28, 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) EXISTING (File No. 41,505)  
(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 \_\_\_\_\_

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. 41,505 OVERLAPS IN POINT OF DIVERSION and PLACE OF USE. THE NEW APPLICATION IS FOR ADDITIONAL RATE AND QUANTITY.

WATER RESOURCES  
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JUL 31 2017

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	<u>5/28/82</u>	_____	_____	_____
Total depth of well	<u>52.8</u>	_____	_____	_____
Depth to water bearing formation	<u>24'</u>	_____	_____	_____
Depth to static water level	<u>19'</u>	_____	_____	_____
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

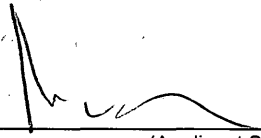
Owner  
(owner, tenant, agent or otherwise)

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 \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_ (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)

**INDUSTRIAL USE  
SUPPLEMENTAL SHEET**

File No. 49881

Name of Applicant (Please Print): AMIR MINOOFAR

1. Please describe type of industry or product produced: COLD STORAGE WAREHOUSE – WATER USED FOR EVAPORATIVE COOLING TOWERS

Standard Industrial Classification Code Number: 4222

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

**PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE**

EAST 5 YEARS	AMOUNT OF PRODUCT	WATER DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
5 years ago			
Last year		5.9 MILLION	
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		6 Million	
Year 2			
Year 3			
Year 4			
Year 5		8 Million	

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

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	
<b>13</b>	<b>12</b>	<b>22E</b>	<b>COLD STORAGE WAREHOUSE (NW SW)</b>																

WATER RESOURCES  
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JUL 31 2017

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

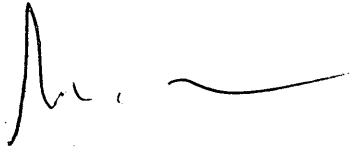
Waiver of Safe Yield Request

This application is requesting additional quantity of water from an existing battery of wells currently authorized under Water Right, File No. 41,505, which was approved with a waiver of safe yield. This new application will require a waiver of K.A.R. 5-3-11 (Safe Yield) in order to be approved. Please note that the new application is requesting the same quantity of water and rate of diversion that the senior file was initially approved for. This additional water will prevent the owner from exceeding his authorized quantity of water, and provide for future expansion of this facility.

These wells have been operating since the late 1970's, and there have been no reported concerns of impairment of other water rights. The facility typically pumps only one of the wells at a time, and the wells are pumped based on water supply (cooling) demands at the facility, not on a continuous basis. The wells are typically operated less than two hours per day.

Granting this waiver will not prejudicially or unreasonably affect the public interest and will not impair any existing water right.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized name, possibly "M. C.", followed by a horizontal line.

WATER RESOURCES  
RECEIVED

JUL 31 2017

KS DEPT OF AGRICULTURE

## Schemm, Doug

---

**From:** Tietsort, Katie  
**Sent:** Monday, October 9, 2017 10:18 AM  
**To:** Schemm, Doug  
**Subject:** RE: 49,881 - Amir Minoofar (Cold Storage Warehouse)

Doug,

While I don't normally agree to move waiver requests forward, in this case, the customer is simply requesting to get back to the previously authorize quantity, which we waived the first time around, so I agree with the waiver request. IT is a small overall request and it is unlikely any impairment would occur, therefore I agree with your recommendation for approval.

Thanks, Katie

Katie Tietsort

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

---

**From:** Schemm, Doug  
**Sent:** Monday, October 9, 2017 9:51 AM  
**To:** Tietsort, Katie <Katie.Tietsort@ks.gov>  
**Subject:** 49,881 - Amir Minoofar (Cold Storage Warehouse)

Waiver of safe yield per senior file.

City of Olathe  
well field

### Induced Infiltration

Additional yield is available to wells in the vicinity of the Olathe well field by induced infiltration from the Kansas River. Due to the available thickness of aquifer and mutual interference between wells in close proximity, pumping rates are limited to approximately one million gallons per day or 700 gpm per well. Several combination of well patterns were analyzed on the electric analog model. To utilize the available land area to its maximum capacity, the use of 12 wells including the present six wells is needed. Five of the well locations should be along the eastern boundary of the property adjacent to the levee and the Kansas River. These wells are identified as the river wells. Three wells should be located near the middle of the property which includes the present Well No. 2 and Well No. 4. These will be referred to as the middle wells. Four wells can be located along the western boundary of the property which includes Wells No. 1, No. 3 and No. 5. These well locations are referred to as the inland wells.

For the simulation of 12 million gallons per day from 12 well locations, the inflow from the western aquifer boundary increased to approximately 5.5 million gallons per day. With the increase drawdown over the project area modeled, a slight increase in precipitation from recharge is realized. Most of the additional pumpage over the previous simulation utilizing six wells comes from river infiltration. Total flow model is 13.1 million gallons per day. Outflow along the eastern boundary of the aquifer remains approximately the same. Pumpage simulated was 12 million gallons per day for a total of 13.1 million gallons outflow. A small change in water level was observed to occur in the vicinity of Piezometers No. 1-76 and 2-76. Piezometer No. 3-76 has substantial drawdown due to the location of the pumping well proposed in the immediate vicinity on the simulated model. Little change in water level would be expected at the K. G. S. piezometer and the U.S.G.S. piezometer located to the north. An additional one to two feet of drawdown occurs within the interior well field area, influencing pumping levels.



OLATHE ANALOG MODEL NOVEMBER 1976  
SIMULATION OF TWELVE WELLS FOR  
MAXIMUM PUMPAGE

INFLOW

West Aquifer Boundary (may include some river infiltration)	<u>5.50</u>	ma
Precipitation Recharge (infiltration through unsaturated soil)	<u>0.90</u>	ma
South Tributary Area (Cedar Creek Valley underflow)	<u>0.00</u>	ma
Kansas River Infiltration	<u>6.70</u>	ma
Total Inflow	<u>13.10</u>	ma

Model scale selected for millions to equal million gallons per day.

OUTFLOW

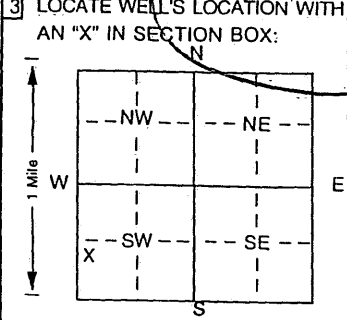
East Aquifer Boundary	<u>1.10</u>	ma
Kansas River Flow Accretion	<u>0.00</u>	ma
City Pumpage	<u>12.0</u>	ma
Well No. 1	<u>1.0</u>	ma
Well No. 2	<u>1.0</u>	ma
Well No. 3	<u>1.0</u>	ma
Well No. 4	<u>1.0</u>	ma
Well No. 5	<u>1.0</u>	ma
Well No. 6	<u>1.5</u>	ma
Future well A	<u>1.5</u>	ma
Future well B	<u>1.5</u>	ma
Future well C	<u>1.5</u>	ma
Future well D	<u>1.0</u>	ma
Future well E	<u>1.0</u>	ma
Future well F	<u>1.0</u>	ma
Total Outflow	<u>13.1</u>	ma

SIMULATED WATER ELEVATION  
( Add 700 to voltage reading to obtain equivalent water elevation)

Piezometer 1-76	<u>58.8</u>	V.	Well No. 1 Node	<u>42.7</u>	V.
Piezometer 2-76	<u>58.6</u>	V.	Well No. 2 Node	<u>41.6</u>	V.
Piezometer 3-76	<u>42.1</u>	V.	Well No. 3 Node	<u>42.0</u>	V.
KGS Piezometer	<u>51.3</u>	V.	Well No. 4 Node	<u>39.6</u>	V.
USGS Piezometer	<u>57.4</u>	V.	Well No. 5 Node	<u>40.9</u>	V.
6" Well Piezometer	<u>41.2</u>	V.	Well No. A Node	<u>41.8</u>	V.
River Level	<u>58.0</u>	V.	Well No. D Node	<u>41.5</u>	V.

49891

2 WATER WELL OWNER: City of Olathe  
RR#, St. Address, Box # : P.O. Box 768  
City, State, ZIP Code : Olathe, KS 66051  
Board of Agriculture, Division of Water Resources  
Application Number:



4 DEPTH OF COMPLETED WELL 52 ft. ELEVATION: unknown  
Depth(s) Groundwater Encountered 1 ft. 2 ft. 3 ft.  
WELL'S STATIC WATER LEVEL 33.15 ft. below land surface measured on mo/day/yr 12-11-02  
Pump test data: Well water was Not checked ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_  
Est. Yield unknown gpm: Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_  
Bore Hole Diameter 6 in. to 55 ft., and \_\_\_\_\_ in. to \_\_\_\_\_  
WELL WATER TO BE USED AS:  
5 Public water supply 8 Air conditioning 11 Injection well  
1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (specify below)  
2 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well Observation Well  
Was a chemical/bacteriological sample submitted to Department? Yes \_\_\_\_\_ No  If yes, mo/day/yr sample was mitted  
Water Well Disinfected? Yes \_\_\_\_\_ No

5 TYPE OF BLANK CASING USED:  
1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued  Clamped  
2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded \_\_\_\_\_  
7 Fiberglass Threaded \_\_\_\_\_  
Blank casing diameter 2 in. to 30 ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_  
Casing height above land surface 24 in., weight 96 lbs./ft. Wall thickness or gauge No 218  
TYPE OF SCREEN OR PERFORATION MATERIAL:  
1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 10 Asbestos-cement  
2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 11 Other (specify) \_\_\_\_\_  
12 None used (open hole)  
SCREEN OR PERFORATION OPENINGS ARE:  
1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 (open hole)  
2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes  
7 Torch cut 10 Other (specify) \_\_\_\_\_  
SCREEN-PERFORATED INTERVALS: From 30 ft. to 50 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_  
GRAVEL PACK INTERVALS: From 28 ft. to 55 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other Bentonite Holeplug  
Grout Intervals: From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From 0 ft. to 28 ft.  
What is the nearest source of possible contamination:  
1 Septic tank 4 Lateral lines 7 Pit privy 11 Fuel storage 14 Abandoned water well  
2 Sewer lines 5 Cess pool 8 Sewage lagoon 12 Fertilizer storage 15 Oil well/Gas well  
3 Watertight sewer lines 6 Seepage pit 9 Feedyard 13 Insecticide storage 16 Other (specify be  
None known  
Direction from well? \_\_\_\_\_ How many feet? \_\_\_\_\_

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	4	Topsoil			
4	21	Clay, gray			
21	30	Sand, coarse to very fine			
30	47	Gravel, coarse to fine with rock, coarse			
47	50	Large rock with gravel, coarse to fine			
50	55	Limestone, gray			

RECEIVED WATER RESOURCES RECEIVED  
FEB 05 2003 JAN 06 2003  
TOPEKA FIELD OFFICE DIVISION OF WATER RESOURCES KS DEPT OF AGRICULTURE

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed (2) reconstructed or (3) plugged under my jurisdiction and was completed on (mo/day/year) 12/11/02 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No 185 This Water Well Record was completed on (mo/day/yr) 12-18-02 under the business name of Clarke Well & Equipment, Inc. by (signature) \_\_\_\_\_

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone 785-296-5524. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well.

ck +

35W.R.C. v SPINGS

WATER WELL RECORD Form WWC-5 KSA 82a-1212

LOCATION OF WATER WELL: County: <b>LEAVEL WORTH</b>	Fraction: <b>SW 1/4</b>	Section Number: <b>13</b>	Township Number: <b>T 12 S</b>	Range Number: <b>R 22 E</b>
--	-------------------------	---------------------------	--------------------------------	-----------------------------

Distance and direction from nearest town or city street address of well if located within city?  
**4 MILES S.W. OF BONNER SPRINGS, KANSAS**

WATER WELL OWNER: **S.E. PUBLIC SERVICE - WELL #5**

Address: **800 W 47th ST. KANSAS CITY, MO. 64112**

Board of Agriculture, Division of Water Resources  
 Application Number:

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

N			
	NW	NE	
W			E
	SW	SE	
			S

DEPTH OF COMPLETED WELL: **52'-8"** # ELEVATION: **780 pm**

Depth(s) Groundwater Encountered: 1. **24'-3"** # 2. ft. 3. ft.

WELL'S STATIC WATER LEVEL: **19'-3"** # below land surface measured on mo/day/yr **12/26/80**

Pump test data: Well water was **28'-3"** # after **2** hours pumping **431** gpm

Est. Yield **500** gpm: Well water was **28'-2"** ft. after **4** hours pumping **431** gpm

Bore Hole Diameter: **34** in. to **52'-8"** #, and in. to in.

WELL WATER TO BE USED AS:

5 Public water supply	8 Air conditioning	11 Injection well
1 Domestic	3 Feedlot	6 Oil field water supply
2 Irrigation	4 Industrial	7 Lawn and garden only
		9 Dewatering
		10 Observation well

Was a chemical/bacteriological sample submitted to Department? Yes.....No.....**X**; If yes, mo/day/yr sample was submitted

Water Well Disinfected? **Yes** No

TYPE OF BLANK CASING USED:

<input checked="" type="radio"/> Steel	3 RMP (SR)	6 Asbestos-Cement	9 Other (specify below)
2 PVC	4 ABS	7 Fiberglass	

CASING JOINTS: Glued.....Clamped.....**Welded**.....Threaded.....

Blank casing diameter: **10** in. to **12'-8"** ft., Dia. in. to in. ft., Dia. in. to in. ft.

Casing height above land surface: **4'-8"** in., weight **40.48** lbs./ft. Wall thickness or gauge No. **0.365"**

TYPE OF SCREEN OR PERFORATION MATERIAL:

1 Steel	<input checked="" type="radio"/> Stainless steel	5 Fiberglass	8 RMP (SR)	11 Other (specify)
2 Brass	4 Galvanized steel	6 Concrete tile	9 ABS	12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:

1 Continuous slot	3 Mill slot	5 Gauzed wrapped	8 Saw cut	11 None (open hole)
<input checked="" type="radio"/> Louvered shutter	4 Key punched	6 Wire wrapped	9 Drilled holes	
		7 Torch cut	10 Other (specify)	

SCREEN-PERFORATED INTERVALS: From **42'-8"** # to **52'-8"** #, From ft. to ft.

GRAVEL PACK INTERVALS: From **20'-0"** # to **52'-8"** #, From ft. to ft.

GROUT MATERIAL:  Neat cement 2 Cement grout 3 Bentonite 4 Other

Grout Intervals: From **0** ft. to **20** 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	<input checked="" type="radio"/> 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?

FROM	TO	LITHOLOGIC LOG WELL #5	FROM	TO	LITHOLOGIC LOG
0'	20.5'	BROWN SILTY CLAY			
20.5'	23.0'	BROWN FINE SAND			
23.0'	29.5'	GRAY & BWN MED. SAND			
29.5'	31.5'	GRAY CLAY			
31.5'	48.0'	GRAY & BROWN COARSE TO MED. SAND			
48'	52.8'	REFUSE			
52.8'		TOTAL DEPTH			

CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was  constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) **DEC. 16, 1980** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **1021** This Water Well Record was completed on (mo/day/yr) **5/28/82**

Under the business name of **LAYNE-WESTERN Co.** by (signature) **Bo Russell**

INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY T 12 R 22 13 1/4 SE 1/4 SW 1/4

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 41505 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 41505 00 IND

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

1384 Feet North and 3605 Feet West of the Southeast Corner of Section 13 T 12S R 22E

GROUNDWATER ONLY

*49,881*  
*All wells > 1/2 mile*  
*meets spacing of*  
*1,320 feet.*

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 10042	00	MUN	NK	G	5916	--	NE	SW	SW	760	4385	24	12	22E	3	6094.56	6094.56	AF
Same					5576	--	NW	SW	SW	1150	4670	24	12	22E	5			
Same					6725	--	SW	SW	SW	21	4880	24	12	22E	6			
Same					6516	--	SW	SW	SW	309	5215	24	12	22E	13			
Same					6302	--	SW	SW	SW	417	4705	24	12	22E	14			
Same					7058	--	NW	NW	NW	5020	5180	25	12	22E	3			
Same					6808	--	NE	NW	NW	5140	4415	25	12	22E	4			
Same					7325	NC	E2	NW	NW	4610	4325	25	12	22E	5			
A__ 40989	00	IND	LO	G	6569	--	NE	SW	SE	1000	1800	23	12	22E	6	26.70	26.70	AF
A__ 40990	00	IND	LO	G	4710	--	NC	NW	SW	2000	4500	24	12	22E	11	23.32	23.32	AF
A__ 40991	00	IND	LO	G	6569	--	NE	SW	SE	1000	1800	23	12	22E	6	16.57	16.57	AF
A__ 41505	00	IND	NK	G	197	--	SW	NE	SW	1340	3413	13	12	22E	1 G 2	17.80	17.80	AF
Same					394	--	NE	SE	SW	1296	3221	13	12	22E	2 B 2			
Same					0	--	SW	NE	SW	1384	3605	13	12	22E	3 B 2			
A__ 42541	00	MUN	NK	G	10432	--	SE	NE	NE	4090	67	27	12	22E	2	674.85	674.85	AF
A__ 43952	00	MUN	LO	G	5872	--	NE	NW	NW	5190	4299	18	12	23E	2	319.99	280.01	AF
A__ 44031	00	IRR	NK	G	6603	--	SE	NE	NW	4504	2930	18	12	23E	3 G 2	111.00	111.00	AF
Same					6511	--	SE	NE	NW	4515	3041	18	12	23E	4 B 2			
Same					6695	--	SE	NE	NW	4493	2819	18	12	23E	5 B 2			
A__ 44032	00	IRR	NK	G	9245	--	--	--	--	2850	2487	7	12	23E	2 G 2	94.00	94.00	AF
Same					9385	--	--	--	--	2990	2433	7	12	23E	4 B 2			
Same					9105	--	--	--	--	2710	2541	7	12	23E	5 B 2			
A__ 44613	00	MUN	LO	G	6800	--	NE	NW	NW	5140	4345	25	12	22E	6	525.00	525.00	AF
A__ 44638	00	IRR	MM	G	8227	--	SW	NE	SE	1530	2610	7	12	23E	6	96.00	96.00	AF
A__ 45649	00	MUN	LO	G	9347	--	NW	NW	NW	4950	4666	26	12	22E	11	525.00	.00	AF
T__ 889058	00	HYD	HK	G	4710	--	NC	NW	SW	2000	4500	24	12	22E	11	3127.50	3127.50	AF
T__ 939041	00	HYD	GY	G	6569	--	NE	SW	SE	1000	1800	23	12	22E	6	1720.00	1720.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	4847.50	.00
Total Inspected Amount (AF) =	871.60	.00
Total Pro_Cert Amount (AF) =	96.00	.00
Total Certified Amount (AF) =	6992.21	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	12807.31	.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:

1384 Feet North and 3605 Feet West of the Southeast Corner of Section 13 T 12S R 22E

GROUNDWATER ONLY

**Analysis Results**

The selected PD is in an area to new appropriations.

The safe yield, based on the variables listed below is 2,120.03 AF.

Total prior appropriation in the circle is 7,984.36 AF.  $-24.55 = 7,959.8$  AF

Total quantity of water available for appropriation is 0.00 AF.

File # 49,881

Fail Safe Yield

(Due to Olathe well field)

**Safe Yield Variables**

The area used for the analysis is set at 3687 acres.

Potential annual recharge of the area is estimated to be 9.2 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 09-OCT-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.

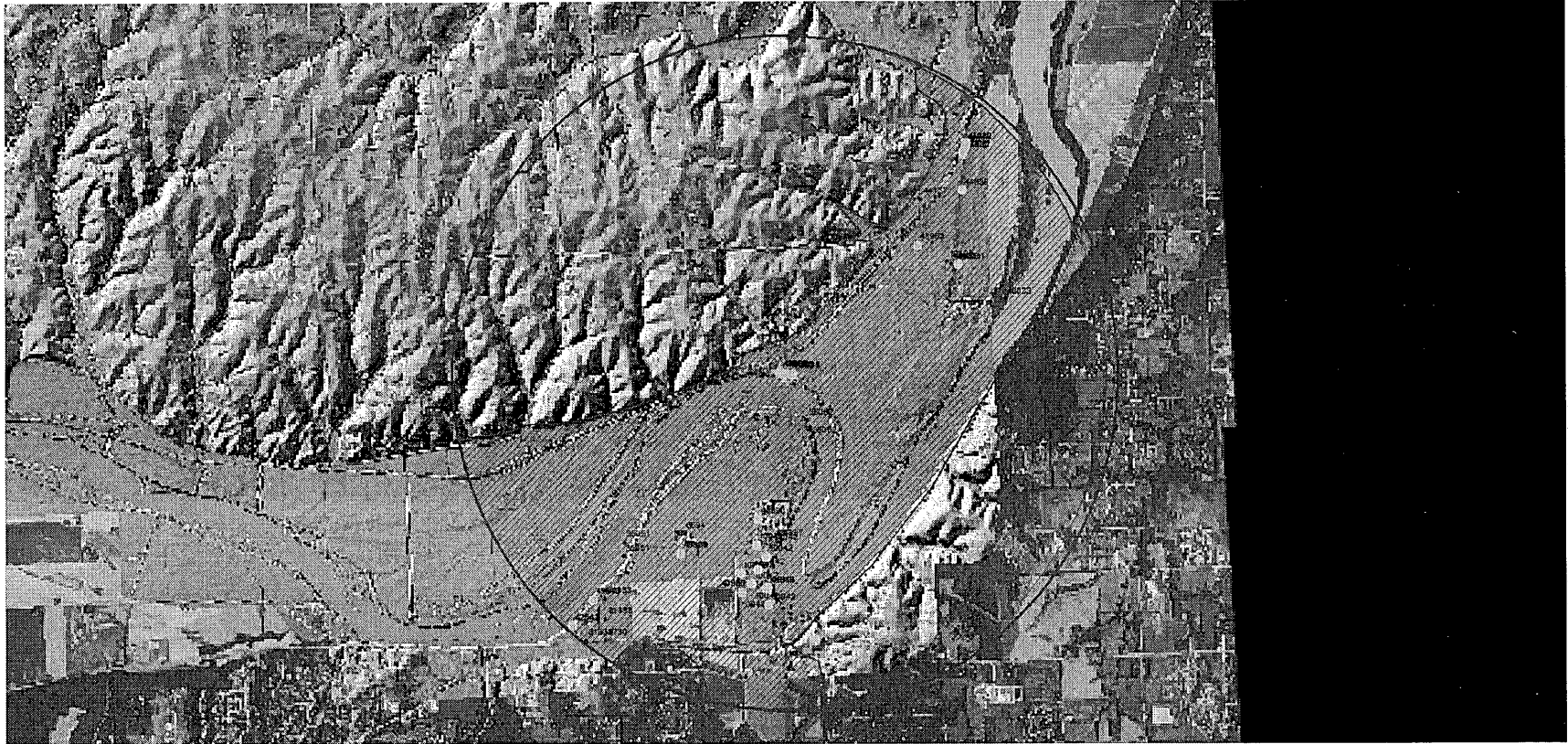
There are 13 water right(s) and 22 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres	
A 10042	00	MUN	NK	G		NE	NW	NW	5140	4415	25	12	22E	4	WR	6,094.56	6,094.56		
Same		MUN	NK	G		NW	SW	SW	1150	4670	24	12	22E	5	WR				
Same		MUN	NK	G		NW	NW	NW	5020	5180	25	12	22E	3	WR				
Same		MUN	NK	G		SW	SW	SW	309	5215	24	12	22E	13	WR				
Same		MUN	NK	G		NE	SW	SW	760	4385	24	12	22E	3	WR				
Same		MUN	NK	G		SW	SW	SW	21	4880	24	12	22E	6	WR				
Same		MUN	NK	G		SW	SW	SW	417	4705	24	12	22E	14	WR				
Same		MUN	NK	G	NC	E2	NW	NW	4610	4325	25	12	22E	5	WR				
A 40989	00	IND	LO	G		NE	SW	SE	1000	1800	23	12	22E	6	WR	26.70	26.70		
A 40990	00	IND	LO	G		NC	NW	SW	2000	4500	24	12	22E	11	WR	23.32	23.32		
A 40991	00	IND	LO	G		NE	SW	SE	1000	1800	23	12	22E	6	WR	16.57	16.57		
A 41505	00	IND	NK	G		SW	NE	SW	1384	3605	13	12	22E	3	WR	17.80	17.80		
Same		IND	NK	G		NE	SE	SW	1296	3221	13	12	22E	2	WR				
Same		IND	NK	G		SW	NE	SW	1340	3413	13	12	22E	1	WR				
A 42541	00	MUN	NK	G		SE	NE	NE	4090	67	27	12	22E	2	WR	674.85	674.85		
A 43952	00	MUN	LO	G		NE	NW	NW	5190	4299	18	12	23E	2	WR	319.99	280.01		
A 44031	00	IRR	NK	G		SE	NE	NW	4493	2819	18	12	23E	5	WR	111.00	111.00	388.00	388.00
A 44032	00	IRR	NK	G					2850	2487	07	12	23E	2	WR	94.00	94.00	388.00	0.00
Same		IRR	NK	G					2990	2433	07	12	23E	4	WR				
Same		IRR	NK	G					2710	2541	07	12	23E	5	WR				
A 44613	00	MUN	LO	G		NE	NW	NW	5140	4345	25	12	22E	6	WR	525.00	525.00		
A 44638	00	IRR	MM	G		SW	NE	SE	1530	2610	07	12	23E	6	WR	96.00	96.00	109.00	109.00
A 45649	00	MUN	LO	G		NW	NW	NW	4950	4666	26	12	22E	11	WR	525.00	0.00		
A 49881	00	IND	AY	G		SW	NE	SW	1384	3605	13	12	22E	3	WR	<del>24.55</del>	<del>24.55</del>		
Same		IND	AY	G		NE	SE	SW	1296	3221	13	12	22E	2	WR				
Same		IND	AY	G		SW	NE	SW	1340	3413	13	12	22E	1	WR				

Safe Yield Report Sheet  
Water Right- A4988100  
Point of Diversion in SWNESW 13-12S-22E

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

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

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

October 9, 2017

KANSAS RIVER WATER ASSURANCE DISTRICT NO 1  
% GALEN BIERY  
212 SW 7<sup>TH</sup> STREET  
TOPEKA KS 66603-3717

Re: Application, File No. 49,881

Dear Mr. Biery:

This is to advise you that Amir Minoofar (National Cold Storage) has filed the application referred to above for a permit to appropriate groundwater from an existing battery of wells, currently authorized under Water Right, File No. 41,505. The application is requesting 8 million gallons per calendar year to be diverted at 400 gallons per minute for industrial use (evaporative cooling towers). The battery of wells is located in the Southwest Quarter of Section 13, Township 12 South, Range 22 East, in Leavenworth County, Kansas. Please note that the pending application is requesting the same quantity of water and rate of diversion that the senior file was initially approved for.

As you know, the Kansas River Water Assurance Program Operations Agreement states, in part, that "the District reserves the right to review all applications to appropriate water and change applications, including term permits, filed with the Division of Water Resources that propose the diversion of water from the Kansas River or its alluvium". Therefore, 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.

You may contact me at (785) 296-3495 with any questions or comments.

Sincerely,

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

## Schemm, Doug

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**From:** Schemm, Doug  
**Sent:** Monday, October 9, 2017 9:32 AM  
**To:** 'krwad@att.net'  
**Subject:** Application, File No. 49,881 - Amir Minoofar  
**Attachments:** Notification of KS River Assurance District.docx; Scan - Inbox \_119.pdf

Good Morning Galen,

This pending application overlaps the applicant's senior file, 41,505 and is simply designed to increase the rate and quantity to what the senior file was originally authorized.

8 million gallons at 400 gpm.

Have a great day,

Doug



ck +

BONNER

SPRINGS

# 41,505

WATER WELL RECORD Form WWC-5 KSA 82a-1212

LOCATION OF WATER WELL: County: <b>LEAVEL WORTH</b>	Fraction: <b>SW 1/4 NE 1/4 SW 1/4</b>	Section Number: <b>13</b>	Township Number: <b>T 12 S</b>	Range Number: <b>R 22 E</b>
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Distance and direction from nearest town or city street address of well if located within city?

**4 MILES S.W. OF BONNER SPRINGS, KANSAS**

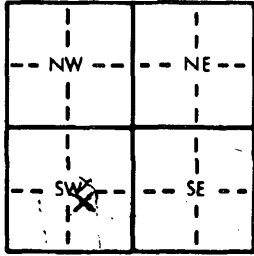
WATER WELL OWNER: **S.E. PUBLIC SERVICE - WELL #5**

Address: **800 W 4TH ST. KANSAS CITY, MO. 64112**

Board of Agriculture, Division of Water Resources  
Application Number:

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

DEPTH OF COMPLETED WELL: **52'-8"** ELEVATION: **780 ft.**



Depth(s) Groundwater Encountered: 1. **24'-3"** 2. \_\_\_\_\_ ft. 3. \_\_\_\_\_ ft.

WELL'S STATIC WATER LEVEL: **19'-3"** below land surface measured on **12/26/80**

Pump test data: Well water was **28'-3"** after **2** hours pumping **431** gpm

Est. Yield: **500** gpm: Well water was **28'-2"** ft. after **4** hours pumping **431** gpm

Bore Hole Diameter: **34** in. to **52'-8"** #, and \_\_\_\_\_ in. to \_\_\_\_\_ ft.

WELL WATER TO BE USED AS:

5 Public water supply	8 Air conditioning	11 Injection well
1 Domestic	3 Feedlot	6 Oil field water supply
2 Irrigation	4 Industrial	9 Dewatering
	7 Lawn and garden only	10 Observation well
		12 Other (Specify below)

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

Water Well Disinfected?  Yes  No

TYPE OF BLANK CASING USED:

1 Steel	3 RMP (SR)	5 Wrought iron	8 Concrete tile	CASING JOINTS: <input type="checkbox"/> Glued <input type="checkbox"/> Clamped
2 PVC	4 ABS	6 Asbestos-Cement	9 Other (specify below)	<input checked="" type="checkbox"/> Welded
		7 Fiberglass		<input type="checkbox"/> Threaded

Blank casing diameter: **10** in. to **42'-8"** ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft.

Casing height above land surface: **4'-8"** in, weight **40.48** lbs./ft. Wall thickness or gauge No. **0.365"**

TYPE OF SCREEN OR PERFORATION MATERIAL:

1 Steel	3 Stainless steel	5 Fiberglass	8 RMP (SR)	11 Other (specify)
2 Brass	4 Galvanized steel	6 Concrete tile	9 ABS	12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:

1 Continuous slot	3 Mill slot	5 Gauzed wrapped	8 Saw cut	11 None (open hole)
2 Louvered shutter	4 Key punched	6 Wire wrapped	9 Drilled holes	
		7 Torch cut	10 Other (specify)	

SCREEN-PERFORATED INTERVALS: From **42'-8"** # to **52'-8"** #, From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

GRAVEL PACK INTERVALS: From **20'-0"** # to **52'-8"** #, From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

GRAVEL PACK INTERVALS: 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? \_\_\_\_\_ How many feet? \_\_\_\_\_

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0'	20.5'	BROWN SILTY CLAY			
20.5'	23.0'	BROWN FINE SAND			
23.0'	29.5'	GRAY & BWN MED. SAND			
29.5'	31.5'	GRAY CLAY			
31.5'	48.0'	GRAY & BROWN COARSE TO MED. SAND	less gravel		Spec. Co. 48
48.0'	52.8'	REFUSAL			
52.8'		TOTAL DEPTH			

CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was  constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) **DEC. 16, 1980** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **102** This Water Well Record was completed on (mo/day/yr) **5/28/82** under the business name of **LAYNE-WESTERN Co.** by (signature) **Bo Russell**

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, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY  
T  
R  
22  
EN  
SEC  
13  
NW 1/4 SE 1/4 SW 1/4

CF

Orrick

Domestic

WATER WELL RECORD

Form WWC-5

Division of Water Resources; App. No.

1 LOCATION OF WATER WELL: County: Leavenworth Fraction SW 1/4 NE 1/4 SE 1/4 Section Number 13 Township Number T 12 S Range Number R 22 W

Distance and direction from nearest town or city street address of well if located within city? 6 1/2 miles East of Linwood Global Positioning Systems (decimal degrees, min. of 4 digits) Latitude: N 39.003664 Longitude: W 94.91395 Elevation: 656 Datum: Data Collection Method: Handheld

2 WATER WELL OWNER: R. Orrick RR#, St. Address, Box #: 5441 W. 145th Terr, City, State, ZIP Code: Leawood, KS 66224

3 LOCATE WELL'S LOCATION WITH AN 'X' IN SECTION BOX: [Diagram] 4 DEPTH OF COMPLETED WELL: 60 ft. Depth(s) Groundwater Encountered (1) 31 ft. WELL'S STATIC WATER LEVEL: 31 ft. below land surface measured on mo/day/yr. 2-19-09 Pump test data: Well water was... Est. Yield: 75 gpm: Well water was... WELL WATER TO BE USED AS: 2 Domestic, 3 Feedlot, 6 Oil field water supply, 7 Domestic (lawn & garden), 10 Monitoring well

5 TYPE OF CASING USED: 1 Steel, 2 PVC, 3 RMP (SR), 4 ABS, 5 Wrought Iron, 6 Asbestos-Cement, 7 Fiberglass, 8 Concrete tile, 9 Other (specify below) CASING JOINTS: Glued, Clamped, Welded, Threaded

Blank casing diameter: 5 in. to 5.5 ft. Diameter: in. to ft. Diameter: in. to ft. Casing height above land surface: 30 in., Weight: 2.82 lbs./ft. Wall thickness or gauge No.: 258

TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel, 2 Brass, 3 Stainless Steel, 4 Galvanized Steel, 5 Fiberglass, 6 Concrete tile, 7 Torch cut, 8 Saw Cut, 9 ABS, 10 Asbestos-Cement, 11 Other (Specify), 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous slot, 2 Louvered shutter, 3 Mill slot, 4 Key punched, 5 Gauzed wrapped, 6 Wire wrapped, 7 Torch cut, 8 Saw Cut, 9 Drilled holes, 10 Other (specify), 11 None (open hole)

SCREEN-PERFORATED INTERVALS: From 5.5 ft. to 6.0 ft. GRAVEL PACK INTERVALS: From 2.5 ft. to 6.0 ft.

6 GROUT MATERIAL: 1 Neat cement, 2 Cement grout, 3 Bentonite, 4 Other Grout Intervals: From 4 ft. to 25 ft.

What is the nearest source of possible contamination: 1 Septic tank, 2 Sewer lines, 3 Watertight sewer lines, 4 Lateral line, 5 Cess pool, 6 Seepage pit, 7 Pit privy, 8 Sewage lagoon, 9 Feedyard, 10 Livestock pens, 11 Fuel storage, 12 Fertilizer Storage, 13 Insecticide Storage, 14 Abandoned water well, 15 Oil well/gas well, 16 Other (specify below) Direction from well? W. 182 How many feet? 110 ft.

Table with columns: FROM, TO, LITHOLOGIC LOG, FROM, TO, PLUGGING INTERVALS. Rows include: 0-2 Topsoil, 2-17 Silty brown clay, 17-29 Fine brown sand, 29-38 Fine to coarse brown sand, 38-52 Fine to coarse grey sand, 52-58 Fine to coarse to med P brown sand, 58-59 Tan shale, 59-60 Gray limestone

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 2-19-09 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 182 This Water Well Record was completed on (mo/day/year) 2-20-09 under the business name of Strader Drilling Co Inc by (signature) [Signature]

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

49881

(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. 49,881

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 KS River Water Assurance District.

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.

Signature of Applicant

Amir Minoofar

Print Applicant Name

State of Kansas )  
County of Wyandotte ) SS

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

Notary Public  
NOTARY PUBLIC - State of Kansas  
STACY J FORD  
My Appt. Exp. April 1, 2018

My Commission Expires:  
April 1, 2018

WATER RESOURCES  
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**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

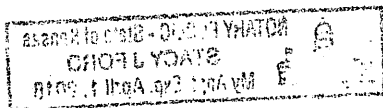
Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River

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	Melvorn
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

August 1, 2017

**FILE COPY**

AMIR MINOOFAR  
PO BOX 356  
BONNER SPRINGS KS 66012

RE: Application  
File No. 49881

Dear Sir or Madam:

Your application for permit to appropriate water in 13-12S-22E in Leavenworth 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 black ink that reads "Kristen A. Baum". The signature is written in a cursive style.

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: TOPEKA Field Office  
GMD

SCANNED

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE  
Alice A. Devine, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David L. Pope, 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. 41,505 of the applicant  
National Cold Storage, Inc.  
14801 Loring Drive  
P.O. Box 356  
Bonner Springs, Kansas 66012

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 September 1, 1994.
2. That the water sought to be appropriated shall be used for industrial use for a cold storage warehouse located in the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of Section 13, Township 12 South, Range 22 East, Leavenworth County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater from the alluvial aquifer, in the drainage basin of the Kansas River to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW¼ SE¼ SW¼) of Section 13, more particularly described as being near a point 1,200 feet North and 3,550 feet West of the Southeast corner of said section, in Township 12 South, Range 22 East, Leavenworth 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 8.0 million gallons (24.5 acre-feet) for any calendar year.
5. That installation of works for diversion of water shall be completed on or before December 31, 1998 or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$200.00 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 \$50.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before December 31, 2002 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 \$50.00.

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(OVER) FILMED

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 to 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 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 on the diversion works authorized by this permit in accordance with specifications adopted by the Chief Engineer on February 27, 1985, shall be maintained in an operating condition satisfactory to the Chief Engineer, and shall be used to provide information required on the annual water use report (including the meter reading at the beginning and ending 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.

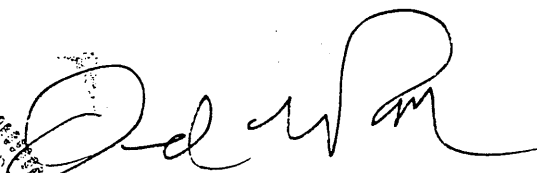
17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

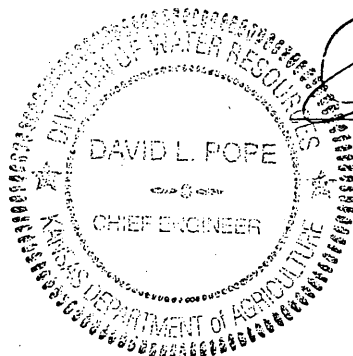
~~18. That the proposed conservation plan submitted by the applicant shall be adopted and implemented on or before the date water is used under the authority of this permit, or in accordance with the time schedule set forth in the approved conservation plan, whichever comes later. Once implemented, the applicant shall continue to maintain the conservation plan in a manner satisfactory to the Chief Engineer. The Chief Engineer reserves the right to review the conservation plan at ten (10) year intervals to determine if it is consistent with current Kansas Water Office conservation guidelines. If it is materially different from current Kansas Water Office guidelines, the Chief Engineer may order the permit owner to amend the conservation plan to make it consistent with current Kansas Water Office guidelines.~~

19. That the Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized to be perfected, and such changes in other terms, conditions, and limitations set forth in this approval and permit to proceed as may be deemed to be in the public interest.

20. That this permit is further limited such that both wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply.

Dated this 21<sup>st</sup> day of April, 1997

  
David L. Pope, Chief Engineer, P.E.  
Division of Water Resources  
Kansas Department of Agriculture



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

**MEMORANDUM**

**TO:** David L. Pope, P.E.  
Chief Engineer

**DATE:** January 9, 1997

**FROM:** Brett L. Bungler

**RE:** Application  
File No. 41,505

On September 1, 1994, National Cold Storage filed an application for term permit and a regular application for permit to appropriate water. The purpose of the term permit was to basically get them legal while the new application was being processed. On February 16, 1995, the term permit was approved for the purpose of getting them legal and so that we could look at the amount of water that they use in a calendar year. Since that time we have obtained two (2) years of documented water use from them. The purpose of the water use information was to see if they diverted less than 15 acre-feet so that they could obtain an exemption from safe yield. K.A.R. 5-3-11 of the Rules and Regulations states that applications proposing to appropriate water from the Kansas River Drainage Basin should be processed based on safe yield procedures outlined in Administrative Policy No. 93-1. A safe yield analysis was prepared, but results revealed that water was not available due to the large appropriation under the City of Olathe's well field that is located a little over a mile and on the other side of the river from the existing wells proposed under this application. The purpose of this memorandum is to get your feelings on this situation.

National Cold Storage has a battery of two (2) wells, which has been in existence since at least 1979. The water that they pump is used for evaporative cooling towers located at the facility. In 1995 they diverted 5.3 million gallons (16.3 acre-feet) and in 1996 they diverted 5.9 million gallons (18.1 acre-feet). In the application they have requested a quantity of 24.5 acre-feet and a rate not to exceed 400 gallons per minute. Their request is based on past water usage, which was estimated to be around 6.4 million gallons (19.6 acre-feet) and an additional 1.6 million gallons for any future expansion which may occur.

On today's date, Dale Mahan and I discussed the referenced application. We both agreed that a safe yield waiver appears to be in order for this case for the following reasons.

- 1) The two (2) existing wells have been in existence since at least 1979 with no documented cases of impairment.

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MAY 23 1997

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FIELD OFFICE  
DIVISION OF WATER RESOURCES



MEMORANDUM  
RE: FILE NO. 41,505  
JANUARY 9, 1997  
PAGE 2

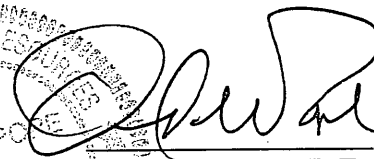
- 2) The nearest city well is over a mile away, up-gradient, and on the other side of the river from National Cold Storage's battery of two (2) wells, which makes the chances of impairment very unlikely.
- 3) There is only one (1) domestic well located within one-half (½) mile of the proposed battery of two (2) wells and it is approximately 2,000 feet away.

For your review, I have included a topographic map showing the area of consideration, and a review of the number of appropriations in this area. Additionally, it should be noted that David Penny has three (3) pending new applications for evaporative loss for three groundwater pits in this area, but due to the circumstances involved with groundwater pits, they should not stand in the way of processing the referenced new application.

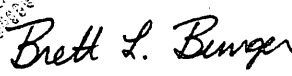
Based on the above discussion, it is recommended that Administrative Policy No. 93-1

1) be waived under the special circumstances involved with this application.

2) not be waived.

  
3-21-97  
Date

David L. Pope, P.E.  
Chief Engineer

  
Brett L. Bunger  
Environmental Scientist  
Water Rights Section

BLB:blb

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MAY 23 1997

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FIELD OFFICE  
DIVISION OF WATER RESOURCE

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

**MEMORANDUM**

**TO:** Files

**DATE:** April 10, 1997

**FROM:** Brett L. Bunger

**RE:** Appropriation of Water  
File No. 41,505

Southeastern Public Service Company, now known as National Cold Storage Inc., has filed the above referenced application proposing to appropriate 24.5 acre-feet (8.0 million gallons) of groundwater at a rate of diversion not to exceed 400 gallons per minute (0.89 c.f.s.) for industrial use. The proposed appropriation is located within the Kansas River Drainage Basin. There are currently 6,153 acre-feet of groundwater appropriated within a two (2) mile radius of the existing battery of two (2) wells.

The requested quantity of 24.5 acre-feet is based on past usage and the potential for future expansion. At the time the application was submitted, National Cold Storage did not have a water flow meter, and relied on an hour meter to determine their water usage. From February of 1994 thru July of 1994 they calculated that they used around 3.2 million gallons for that six (6) month period. By doubling this amount, they estimated that they use around 6.4 million gallons in one (1) calendar year. In January of 1995, a water flow meter was installed and from that point water use records were developed from this flow meter and reported under Term Permit, File No. 949139. Water use records from 1995 and 1996 indicated that their estimates of water usage were very close, because in 1996 they used a little short of 6.0 million gallons. They have also requested an additional 1.6 million gallons beyond their normal usage, which appears to be reasonable to provide a buffer in the event that an extended hot dry period occurs and above normal water usage is needed for their cooling towers and to allow for any expansion that may occur in the future.

The requested rate of 400 gallons per minute also appears reasonable to deliver the requested quantity in a reasonable period of time.

Although no well logs were submitted with the application, the source of supply can be determined by the location of the two (2) wells in reference to the Kansas River and the well depths indicated in paragraph no. 14 of the application. Since the wells are less than 500 feet from the Kansas River, it can be reasonably assumed that the source is alluvium (113).

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FIELD OFFICE  
DIVISION OF WATER RESOURCE

MEMORANDUM  
RE: FILE NO. 41,505  
APRIL 10, 1997  
PAGE 2

A safe yield analysis was prepared for this application. Based on the results of the analysis, it would appear that the area is appropriated in excess of recharge. However, the largest contributor to the safe yield problem is the City of Olathe's well field that is located across the river about one (1) mile. Through a discussion with Dale Mahan, Water Commissioner, Topeka Field Office, a decision memorandum dated January 9, 1997, was prepared and presented to the Chief Engineer. This memorandum presented evidence for waiving safe yield in this area. David L. Pope, Chief Engineer, responded favorably to waiving safe yield for this particular application on March 21, 1997.

The applicant has signed a minimum desirable streamflow statement which informs the applicant that there could be times when the diversion of water may not be allowed under this permit.

There is one (1) domestic well located within one-half (1/2) mile of the battery of two (2) wells. The owner of this well was notified by letter of the applicants intentions to appropriate water. A response was received, but they did not provide any information that would jeopardize the approval of this application.

In a telephone conversation on March 27, 1997, with Kent Askren, Assistant Water Commissioner, Topeka Field Office, Mr. Askren indicated that he had no objections to approving the referenced application.

In accordance with Administrative Policy No. 87-3, an approved water flow meter shall be installed on the diversion works. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will be required.

Based on the above discussion, and that the impairment of nearby senior water rights appears unlikely, it is recommended that the referenced application be approved.

*Brett L. Bunger*  
Brett L. Bunger  
Environmental Scientist  
Water Rights Section

BLB:blb

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FIELD OFFICE  
DIVISION OF WATER RESOURCE

MICROFILMED

DATE: 2-9-95

Meeting with David Pope (Chief Engineer)

RE: File nos. 41505 + 949139

To begin the meeting, I gave Mr. Pope a briefing on the situation. I explained that currently, safe-yield cannot be met in this area, due to the large water right held by the City of Durate (10042). The company, identified now as Nahavak Coco Storage Co., has been at this location for around 20 yrs. and is requesting 24.5 acre-feet per creampore year. The actual use at this facility is not known, but 24.5 acre-feet seemed like a reasonable estimate.

After some consideration Mr. Pope felt that we should go ahead and issue the team permit, for at least 2 yrs. With this, we can get a better information on what they actually use in a creampore year, and possibly consider them under the "small use" exception from safe yield.

Other ideas considered were:

1) Team Permit will allow them to operate legally while new application is being processed, which will have to wait on the Pennys Sano Applications to be acted upon. (Peny Applications: 40989, 40990, + 40991)

2) Mr. Pope indicated that it did not appear that this would negatively ~~have~~ effect any other water rights in the area because:

a) wells under 41505 + 949139 have been in existence for 20 yrs and have not caused any documented problems yet.

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DIVISION OF WATER RESOURCES

b). The wells under the referenced appurtenances are across the river and down-gradient from the City of Death well field.

c). To what extent is Death using their water right.

d). Possible Tiers analysis

e). Have the applicant hire a qualified consultant to show that they will not negatively influence other water rights in the AREA.

Burt L. Bunker  
Burt L. Bunker

MICROFILMED

Spoke to Larry Schif on 1-27-95

He called to tell the Division that the name of the company had changed to National Cold Storage, Inc.

I told him that currently the application does not meet safe yield

I asked him if there was a possibility to get on rural water.

Mr. Schif indicated that it would be cost prohibitive because the nearest rural water is  $\frac{1}{2}$  mile away, and has only 3 or 4 inch line. They were afraid that if they hooked on, they would either pump the system dry or crush the line. He said they are currently running a six inch line to the plant, and a meter was installed about 2 weeks ago by Layne Western Co.

BLB/dwr

1-27-95

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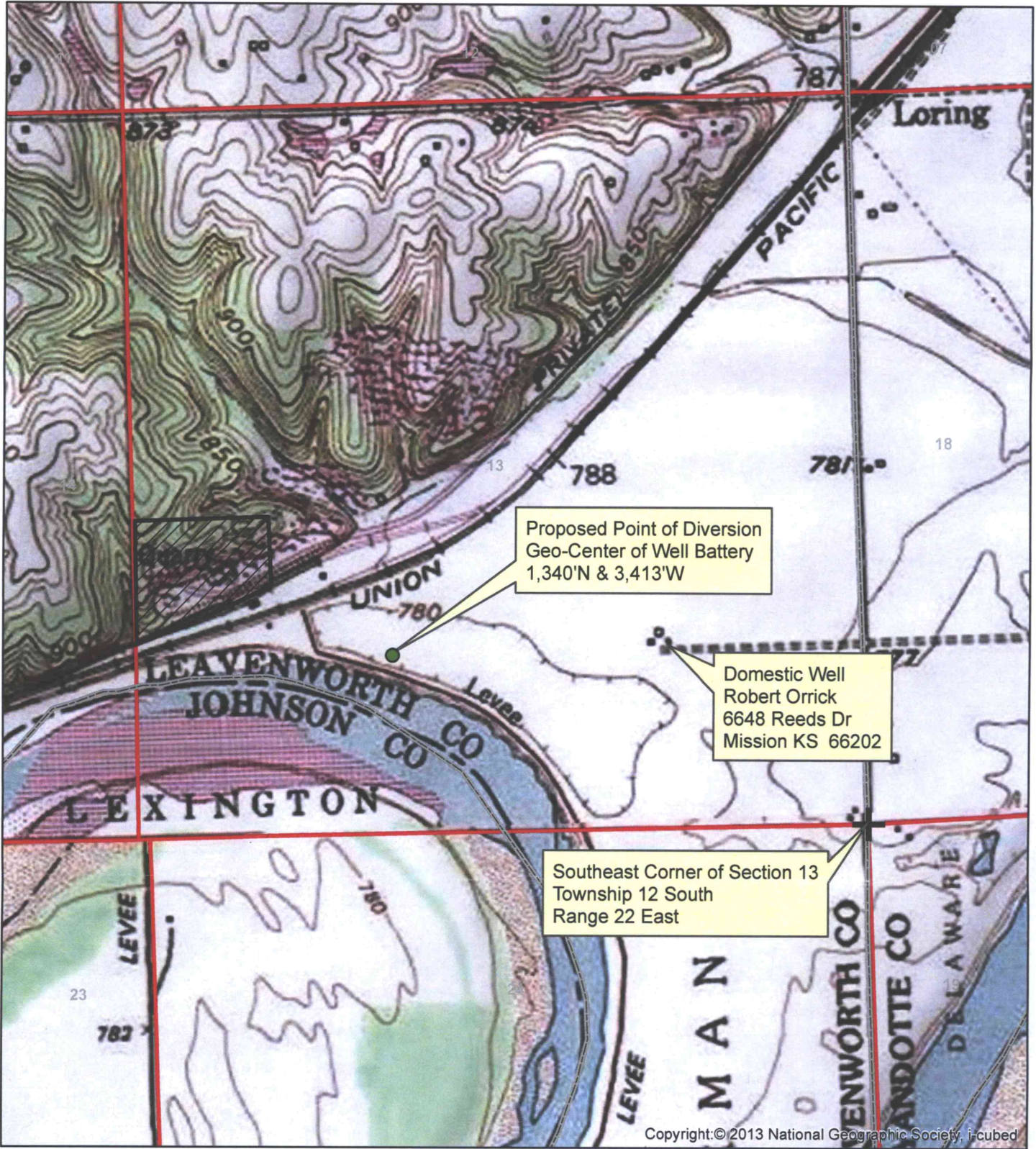
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# AMIR MINOOFAR - NEW APPLICATION SEC. 13, T12S, R22E

49881



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1:12,000

- Proposed Point of Diversion
  - ▨ Proposed Place of Use
- All known wells within one-half mile of the proposed point of diversion are shown on this map.

JUL 31 2017

KS DEPT OF AGRICULTURE

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