

File No. **49,903** 15. Formation Code: 113 Drainage Basin: KANSAS River County: JF Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Rate gpm	Quantity AF	Rate gpm	Quantity AF	Overlap PD Files
√	84244	LOT 4	21	11	17E	4	3680	4200		1200	103	1200	103	49,363**

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

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

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

21. Place of Use T MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? YES	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
ENT 68610 MOD 66055		21	11	17E	3																46	7c & e	YES	49,363 **	
MOD 66825		21	11	17E	4					Lot 3 35	Lot 4 39										64	7f	YES	49,363**	
MOD 68552		21	11	17E	5																38	7b & d	NO	NONE	
DEL 66055																									

Comments: ***LAND IN KAW HALF BREED SURVEY NO. 12**
****File No. 49,363 to be Voluntarily Dismissed.**

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. 49,903 and
Appropriation of Water, File No. 49,363

James F. Lindley Rev. Trust-CBT has filed the referenced new application for permit to appropriate 103 acre-feet of groundwater at a rate of diversion of 1,200 gallons per minute from a proposed well. The well is currently authorized under Appropriation of Water, File No. 49,363, which partially overlaps in place of use. File No. 49,363 will be voluntarily dismissed in conjunction with the approval of the pending application. The well is located in Lot 4, Section 21, in Township 11 South, Range 17 East, in Jefferson County. The proposed appropriation is located in the drainage basin of the Kansas River. The place of use (148 acres) is owned by multiple owners, and one of the owners (Rod Bigham) has signed the application form stating that they have access to the point of diversion.

The maximum allowable to irrigate the proposed 148 acres in Jefferson County is 1.0 acre-feet per acre, or a total of 148 acre-feet. The quantity requested on the new application of 103 acre-feet is less than the maximum allowable quantity, but still provides 0.7 acre-feet per acre, which is reasonable for this part of the state. The requested quantity of water was based on the available water per safe yield evaluation (see below).

A well log provided with the application shows a fine to medium sand extending from 16 feet to 49 feet below ground where bedrock was encountered. Static water level was 21 feet below ground level. Based on this log and other area well logs, and the physical location of the well, the source will be the Kansas River alluvium. K.A.R. 5-3-11 states that calculated recharge in the Kansas River alluvium shall be determined by taking 25% of the average annual rainfall in the area of consideration. For this application, there would be 8.6 inches of recharge. The extent of the alluvium (per LIDAR data) for the area of consideration provided a total of 5,848 acres. Based on a potential recharge of 8.6 inches, with 75% available for appropriation, safe yield was determined to be 3,143.3 acre-feet. Prior appropriations are 5,470.68 acre-feet, exceeding this safe yield quantity. However, a review of the extensive documentation included in several nearby files (Appropriation of Water, File Nos. 45,989 and 46,657), indicates that two of the water rights within the area of consideration (Water Right, File Nos. 7,113 and 32,635 – Total authorized quantity = 2,896.73 AF), were previously investigated to determine how much of the water use under these rights could be determined to be non-consumptive (see November 15, 1993 memo from Bob Lytle - File No. 45,989). The investigation determined that only 20% of the water diverted under Water Right, File Nos. 7,113 and 32,635 (plastics plant previously owned by Flexel, now Surface Specialties Inc.) is actually consumed, with the remainder being returned to the river, which ultimately recharges the local alluvial aquifer.

It is a consistent procedure that safe yield for previous applications in this area was determined by subtracting the non-consumptive use percentage from the total authorized quantity under Water Right, File Nos. 7,113 and 32,635, (e.g. 2,896.73 AF x 80%) from the total prior appropriations. Appropriation of Water, File Nos. 45,989 and 46,657 were both evaluated using this approach and approved with a waiver of safe yield regulation K.A.R. 5-3-10. More recently File Nos. 48,868 and 49,252 were also approved using this evaluation.

This same safe yield evaluation process was followed in order to be consistent with previous files in the immediate area, as follows:

Prior Appropriations:	5,470.68 AF
Minus Percentage of Water Considered to be Non-consumptive under Water Right, File Nos. 7,113 and 32,635	- 2,317.38 AF (2,896.73 AF x 80%)
File No. 49,363 to be dismissed	- 64 AF
Pending Application, File No. 49,903	- <u>103 AF</u>

File No. 45,989 limitation was adjusted to ADD 53 AF to prior appropriations: + 53 AF

Adjusted Total Appropriations: 3,039.3 AF

Quantity of Water available for Appropriation = 3,143.3 AF – 3,039.3 AF = 104 acre-feet

Therefore based on the revised safe yield analysis, there is a sufficient quantity of water available for this appropriation that is requesting 103 acre-feet. The application will be processed with a waiver of K.A.R. 5-3-10, which, as noted above, is consistent with previous files in this area.

The applicant has submitted a signed Kansas River Assurance District form, which has been properly notarized. By completing this statement, the applicant affirms his/her knowledge that there could be times when the diversion of water may not be allowed under this permit. The well is not located within ¼ mile from the Kansas River, so notification of the KRWAD is not required.

The applicant provided the names and addresses of two non-domestic well owners. Nearby well owner letters were sent out on April 6, 2016 during processing of the senior file to both permitted well owners. No responses of any kind were received. Additional notification for this pending application would be superfluous. The proposed point of diversion meets minimum well spacing of 660 feet to any existing domestic well, while the nearest non-domestic well (File Nos. 39,927 and 43,078) is located over 1,700 feet away. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be 660 feet to domestic wells and one-quarter mile to non-domestic wells.

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.

In an October 11, 2017 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved, with a waiver of K.A.R. 5-3-10, and the dismissal of File No. 49,363.

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

JAMES F LINDLEY REV TRUST
% CBT TRUSTEE – RODNEY BIGHAM
PO BOX 5049
TOPEKA KS 66605-0049

November 8, 2017

Re: Appropriation of Water, File No. 49,903

FILE COPY

Dear Mr. Bigham:

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 a 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
Johnston Rev Living Trust
HQ 5 Enterprises LLC
Harriet L Garrison
Ward Family Limited Partnership
Rodney Bigham Life Estate

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,903** of the applicant

**JAMES F LINDLEY REV TRUST
% CBT TRUSTEE
PO BOX 5049
TOPEKA KS 66605-0049**

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 7, 2017**.
2. That the water sought to be appropriated shall be used for irrigation use on land, a portion of which is located in Kaw Half Breed Indian Land Survey No. 12, described in the application, as follows:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21 11S 17E		Lot 2 7			Lot 3 35	Lot 4 29	38*	39*									148

*Land in Kaw Half Breed Survey No. 12

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in Lot 4, of Section 21; more particularly described as being near a point 3,680 feet North and 4,200 feet West of the Southeast corner of said section, in Township 11 South, Range 17 East, Jefferson County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **1,200 gallons per minute (2.67 c.f.s.)** and to a quantity not to exceed **103 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, which is currently \$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 accompanied by the required statutory fee, which is currently \$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, which is currently \$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 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.

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.

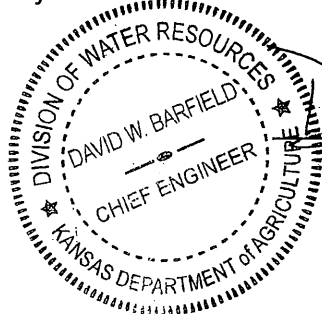
Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

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 7th 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 7th 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 8th day of November, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,903, dated November 7, 2017 was mailed postage prepaid, first class, US mail to the following:

JAMES F LINDLEY REV TRUST
% CBT TRUSTEE
PO BOX 5049
TOPEKA KS 66605-0049

With photocopies to:

ELDON JOHNSTON REV. LIVING TRUST
210 S WIMBROW DR
SEBASTIAN FL 32958-4538

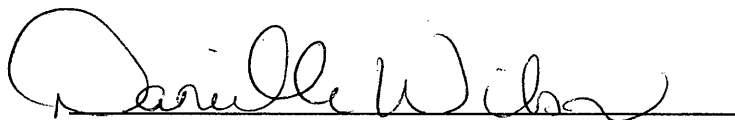
HQ 5 ENTERPRISES LLC
2193 BARTON RD
TOPEKA KS 66617

HARRIET L GARRISON
101 INWOOD CT
FLAT ROCK NC 28731

WARD FAMILY LIMITED PARTNERSHIP
200 LAUREL LAKE DR APT E194
HUDSON OH 44236

RODNEY BIGHAM LIFE ESTATE
% CBT
PO BOX 5049
TOPEKA KS 66605-0049

Topeka Field Office



Division of Water Resources

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

File Number: 49,903

FO: 1 GMD: 0

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	10/11/2017	52	Statewide	Safe Yield	Yield of The Source Area Exceeded
Rule Number	Date Granted	Date Denied	Justification:	Proposed quantity fails to meet safe yield requirements within area of consideration. Approval was based on calculations removing non-consumptive quantity of water (File Nos. 7,113 and 32,635) from the appropriated total, consistent with previous files in this immediate area.	
K.A.R. 5-3-10	11/7/2017				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 10/11/2017 By dws

Date Entered 11/7/2017 By UM

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WAIVER OF REGULATION
K.A.R. 5-3-10 - Safe Yield

Date: 7th November, 2017

Re: Application, File No. 49,903

1. That K.A.R. 5-3-10 states in part, that the approval of any new application to appropriate groundwater for beneficial use, shall not cause the safe yield of the source of water supply to be exceeded. Based on the safe yield evaluation in K.A.R. 5-3-11, the area of consideration is fully appropriated and no additional water is available for this application.
2. That included within this area of consideration are two industrial water rights (File Nos. 7,113 and 32,635), which authorize a total quantity of 2,896.73 acre-feet of groundwater.
3. That an extensive review of Water Right, File Nos. 7,113 and 32,635, documented in memorandums to file (File No. 45,898), dated January 12, 2005 and March 21, 2005 has determined that approximately 80% of the water diverted under these water rights is returned to the Kansas River. It was also determined that the water is discharged in the same local area where it is withdrawn from the aquifer.
4. That by considering 80% of the water usage under these water rights to be non-consumptive (i.e. returned to the source in the local area), the impact of these water rights on the local aquifer is significantly less than what the authorized quantity would indicate.
5. That a re-evaluation of safe yield for Application, File No. 49,903 by subtracting 80% of the 2,896.73 acre-feet ($2,896.73 \text{ acre-feet} \times 0.8 = 2,317.38 \text{ acre-feet}$) authorized under Water Right, File Nos. 7,113 and 32,635, decreased the quantity of water already appropriated, resulting in an increased quantity of water available for appropriation within the area of consideration. The quantity of water available for appropriation increased from zero to 104 acre-feet.
6. That water would be available for pending Application, File No. 49,903, which is requesting 103 acre-feet of ground water.
7. That this evaluation and calculation of safe yield is consistent with previously approved files in the immediate area.
8. That a waiver of safe yield will not prejudicially or unreasonably affect the public interest and should not impair any existing water rights because of the substantial quantity of water being returned to the local aquifer under Water Right, File Nos. 7,113 and 32,635.

Comments:

A handwritten signature in black ink that reads "David W. Barfield".

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

APPLICATION COMPLETE

9/7/17

Reviewer DWS

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES
RECEIVED

File Number 49,903

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

SEP 07 2017

10:08

KS DEPT OF AGRICULTURE

**APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE**

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

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

1. Name of Applicant (Please Print): JAMES F. LINDLEY REV. TRUST - CBT TRUSTEE
Address: 3842 27TH ST P.O. Box 5049
City: GRANTVILLE Topeka State KS Zip Code 66429 66605-0049
Telephone Number: (785) 246-3560

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 103 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 1,200 gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only:
F.O. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source (G) S County JF By ASW Date 9/7/17
Code REG 222 Fee \$ 300 TR # _____ Receipt Date 9/7/17 Check # 5209

SCANNED
9/14/2017 LLM

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 _____ quarter of the _____ quarter of the LOT 4 quarter of Section 21, more particularly described as being near a point 3,680 feet North and 4,200 feet West of the Southeast corner of said section, in Township 11 South, Range 17 East, JEFFERSON County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

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

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

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

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 _____, 2017. Paul Byrnes
 Applicant's Signature

7. The proposed project for diversion of water will consist of One Well
 (number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) Spring 2017
 (Month/Day/Year - each was or will be completed)

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

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

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

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

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

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

Groundwater well

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

FILE NO. 49,363 OVERLAPS IN POINT OF DIVERSION AND PLACE OF USE, BUT WILL BE VOLUNTARILY DISMISSED UPON APPROVAL OF THIS NEW APPLICATION.

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>2/8/17</u>	_____	_____	_____
Total depth of well	<u>55</u>	_____	_____	_____
Depth to water bearing formation	<u>22 ft</u>	_____	_____	_____
Depth to static water level	<u>21 ft</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>50 ft</u>	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of

Owner/Agent
(owner, tenant, agent or otherwise)

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

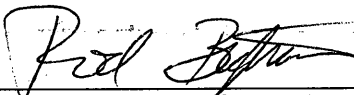
HQ5 Enterprises LLC, 2193 Barton Rd. Topeka KS 66617 / Ward Family Limited Partnership, 200 Laurel Lake Dr Apt E194, Hudson, OH 44236

Harriet L. Garrison, 101 Inwood Ct, Flat Rock, NC 28731 / Eldon Johnston Rev. Living Trust, 210 S Wimbrow

Dr Sebastian FL 32958-4538
(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 Menden, Kansas, this 5th day of August, 2017.
(month) (year)


(Applicant Signature)


APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

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

(Agent or Officer - Please Print)

Assisted by DWS TOPEKA HQ
(office/title)

Date: 3/7/2017
WATER RESOURCES RECEIVED

SEP 07 2017

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49,903

Name of Applicant (Please Print): JAMES LINDLEY TRUST

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: ~~JAMES F. LINDLEY REV TRUST~~

Rodney Bigham Life Estate
2 CBR P.O. Box 5049

ADDRESS: ~~3842 27TH ST, GRANTVILLE, KS 66429~~

Topeka, KS 66605-0049

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21	11	17E					Lot 3 35	Lot 4 29											64

Landowner of Record NAME: HQ 5 ENTERPRISES LLC / WARD FAMILY LIMITED PARTNERSHIP

ADDRESS: 2193 BARTON RD, /

200 LAUREL LAKE DR APT E194
HUDSON OH 44236

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21	11	17E		Lot 2 7															46

Landowner of Record NAME: HARRIET L GARRISON / ELDON JOHNSTON REV LIVING TRUST

ADDRESS: 101 INWOOD CT /

210 S WIMBROW DR
SEBASTIAN FL 32958-4538

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21	11	17E																	38

WATER RESOURCES
RECEIVED

*Land in Kaw Half-Breed Survey No. 12

SEP 07 2017 *Total = 148*

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____%

Estimate the maximum land slope in the field(s): _____%

c. Type of irrigation system you propose to use (check one):

- Center pivot _____ Center pivot - LEPA _____ "Big gun" sprinkler
 Gravity system (furrows) _____ Gravity system (borders) _____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater: NONE

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? 700 gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

CORN BEANS

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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

File# 49,903

Back out 80% of Flexel (7113 & 32,635)
 (2896.73 x .8) = 2317.38

Analysis Results

The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 3,143.30 AF.
 Total prior appropriation in the circle is 5,470.68 AF.
 Total quantity of water available for appropriation is 0.00 AF.

To be dismissed
 Pending

104 AF
 $64(49,363) - 103AF(49,903) = 2,986.3AF$
 $+ 53AF(45,989)$
3039.3 AF

Safe Yield Variables

The area used for the analysis is set at 5848 acres.
 Potential annual recharge of the area is estimated to be 8.6 inches.
 The percent of recharge available for appropriation is 75%.

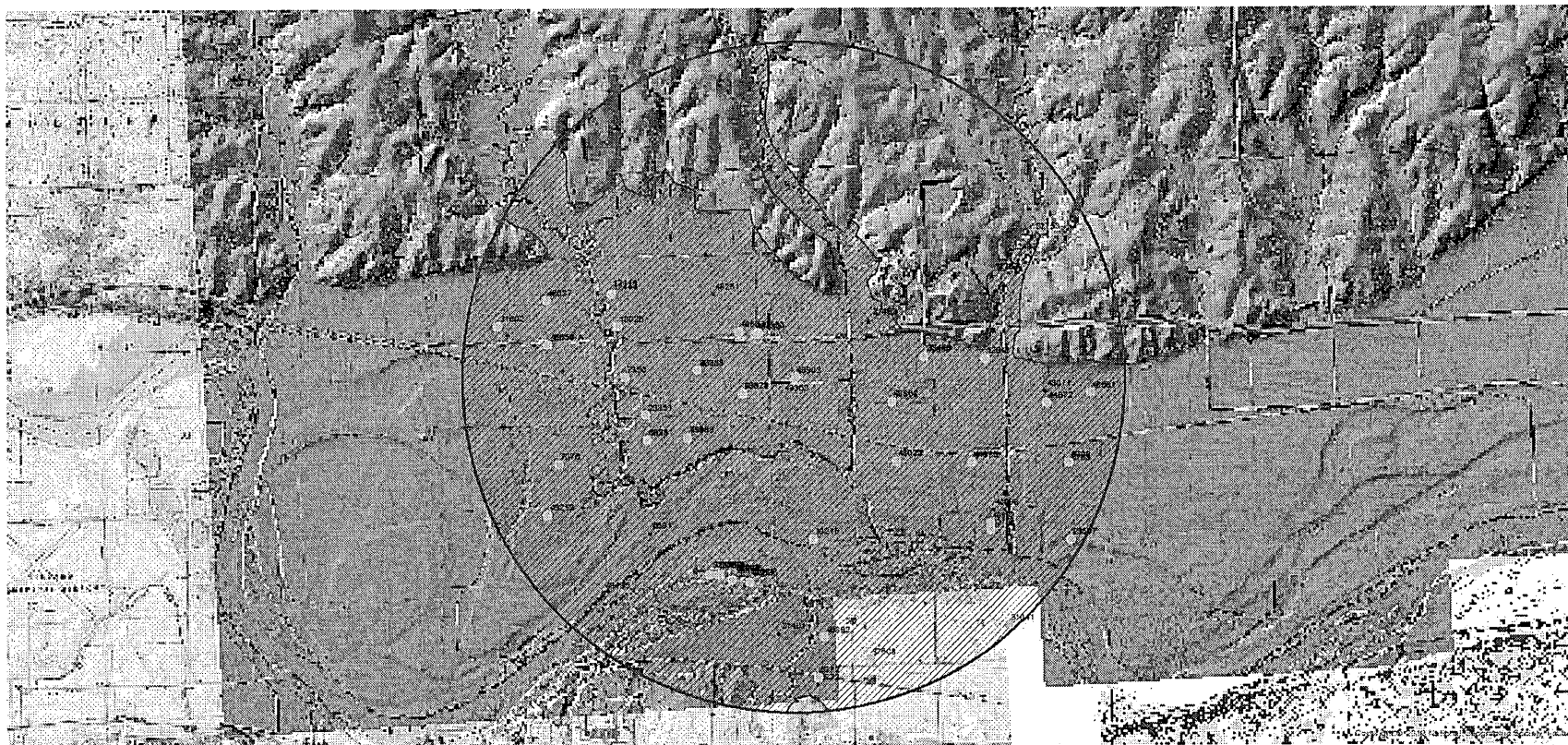
Application Requesting 103AF
 meets safe yield

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 39 water right(s) and 37 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	5372	00	IRR	NK	G		NW NE NW	4882	3798	33	11	17E	2	WR		45.00	45.00	73.00	73.00	
A	6691	00	IRR	NK	G		SW NE SW	1888	3703	20	11	17E	4	WR		8.30	8.30	184.00	184.00	
A	6708	00	IRR	NK	G		NW SE SE	768	663	22	11	17E	1	WR		180.00	180.00	91.00	91.00	
A	7076	00	IRR	NK	G		SE NW SE	0	0	19	11	17E	1	WR		210.00	210.00	140.00	140.00	
A	7113	00	IND	NK	G			2975	1548	29	11	17E	5	WR		2,755.95	2,755.95			
Same			IND	NK	G		SE SE NE	2699	562	29	11	17E	7	WR						
Same			IND	NK	G			2975	1833	29	11	17E	8	WR						
Same			IND	NK	G		SW SE NE	2780	1126	29	11	17E	10	WR						
A	7349	00	IRR	NK	G		SW NW SE	1939	2397	20	11	17E	1	WR		53.00	53.00	184.00	0.00	
A	7350	00	IRR	NK	G		SE NW NW	0	0	20	11	17E	2	WR		115.00	115.00	71.50	71.50	
A	10215	00	IRR	NK	G			4350	3750	28	11	17E	1	WR		145.00	145.00	160.00	160.00	
A	12281	00	IRR	NK	G		SW NE SW	1888	3703	20	11	17E	4	WR		57.00	57.00	184.00	0.00	
A	12444	00	IRR	NK	G		SE NW SW	1562	4618	17	11	17E	6	WR		59.00	59.00	74.00	74.00	
A	12943	00	IRR	NK	G	NC	S2 NE NW	0	0	22	11	17E	2	WR		76.00	76.00	68.00	68.00	
A	13026	00	IRR	NK	G		SE SW SW	0	0	17	11	17E	2	WR		99.00	99.00	70.00	70.00	
A	29351	00	IRR	NK	G			2685	3718	20	11	17E	3	WR		34.00	34.00	184.00	0.00	
A	29597	00	IRR	NK	G		N2 SE SE	3700	650	27	11	17E	1	WR		142.00	142.00	143.00	143.00	
A	31041	00	IRR	NK	G			1076	2874	27	11	17E	2	WR		89.00	89.00	93.00	93.00	
A	31602	00	MUN	NK	G		SE SE SW	460	2910	18	11	17E	4	WR		15.77	15.77			

Safe Yield Report Sheet
Water Right- A4990300
Point of Diversion in 21-11S-17E 4 (84244)



A	32635	00	IND	NK	G		2975	1548	29	11	17E	5	WR	140.78	140.78		
Same			IND	NK	G	SE SE NE	2699	562	29	11	17E	7	WR				
Same			IND	NK	G		2975	1833	29	11	17E	8	WR				
Same			IND	NK	G	SW SE NE	2780	1126	29	11	17E	10	WR				
A	33469	00	IND	NK	G	SE NE NE	4230	35	21	11	17E	1	WR	6.38	6.38		
A	37508	00	IRR	NK	G	CS SW SE	65	2045	28	11	17E	3	WR	38.00	38.00	47.00	47.00
A	37928	00	IRR	NK	G		4270	1960	20	11	17E	5	WR	45.00	45.00	64.00	64.00
A	39927	00	IRR	NK	G		3272	606	20	11	17E	6	WR	53.00	53.00	59.40	59.40
A	40898	00	IRR	NK	G		4500	3400	27	11	17E	5	WR	18.00	18.00	33.00	33.00
A	43078	00	IRR	NK	G		3272	606	20	11	17E	6	WR	53.00	0.00	59.40	0.00
A	43731	00	IRR	NK	G	SW NE NW	4073	3313	27	11	17E	6	WR	33.00	15.00	33.00	0.00
A	44872	00	IRR	NK	G		2669	1331	22	11	17E	5	WR	49.00	49.00	66.00	66.00
A	44873	00	IRR	NK	G	NW SE SW	873	3829	22	11	17E	6	WR	30.00	30.00	57.00	57.00
A	45989	00	IRR	MM	G	SW NW SE	1939	2397	20	11	17E	1	WR	184.00	31.70	184.00	0.00
A	46657	00	IRR	NK	G	NE NW NE	5102	1365	19	11	17E	3	WR	48.00	48.00	48.50	48.50
A	46892	00	IRR	MM	G	NW SE SW	1000	3510	28	11	17E	4	WR	55.00	55.00	55.00	55.00
A	48022	00	IRR	LO	G	SW NE SE	1405	1035	21	11	17E	2	WR	94.00	94.00	94.00	94.00
A	48037	00	IRR	LO	G	NC SE	1320	1320	18	11	17E	7	WR	160.00	160.00	160.00	160.00
A	48581	00	IRR	KE	G	SW SW NW	3220	5185	23	11	17E	5	WR	44.00	44.00	44.00	44.00
A	48583	00	IRR	KE	G	SW SW SW	110	5240	16	11	17E	3	WR	113.00	113.00	113.00	113.00
Same			IRR	KE	G	SE SE SE	110	550	17	11	17E	4	WR				
Same			IRR	KE	G	SE SE SE	110	255	17	11	17E	5	WR				
A	48868	00	IRR	LO	G	SW SE NE	2840	1020	21	11	17E	3	WR	165.00	165.00	184.00	184.00
A	49252	00	IRR	HK	G	NE NW NE	4990	1720	30	11	17E	3	WR	70.00	70.00	70.00	70.00
A	49363	00	IRR	GY	G		3680	4200	21	11	17E	4	WR	64.00	64.00	64.00	64.00
A	49558	A	IRR	JM	G	NE NW NE	5102	1365	19	11	17E	3	WR	72.80	24.80	48.50	0.00
A	49751	00	IRR	GY	G		4270	1960	20	11	17E	5	WR	64.00	19.00	64.00	0.00
A	49903	00	IRR	AY	G		3680	4200	21	11	17E	4	WR	103.00	103.00	148.00	77.00

OK pd o/l
 OK 40898 pu o/l
 Should be 84.7 Add'l add 53AF

To be dismissed
 OK
 OK
 Pending

* Limited to 184 AF with 6691 = 8.3 AF
 12,281 = 57 AF
 29,351 = 34 AF
 99.3 AF

184 AF - 99.3 AF = 84.7 AF add'l

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49903 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49903 00 IRR

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

3680 Feet North and 4200 Feet West of the Southeast Corner of Section 21 T 11S R 17E

GROUNDWATER ONLY

*All wells
> 1,320'-
meets well
spacing*

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__	5372	00	IRR	NK	G	9539	--	NW	NE	NW	4882	3798	33	11	17E	2		45.00	45.00	AF
A__	6691	00	IRR	NK	G	5124	--	SW	NE	SW	1888	3703	20	11	17E	4		8.30	8.30	AF
A__	6708	00	IRR	NK	G	9221	--	NW	SE	SE	768	663	22	11	17E	1		180.00	180.00	AF
A__	7076	00	IRR	NK	G	8414	--	SE	NW	SE	-----	-----	19	11	17E	1		210.00	210.00	AF
A__	7113	00	IND	NK	G	6674	--	--	--	--	2975	1548	29	11	17E	5		2755.95	2755.95	AF
Same						6618	--	SE	SE	NE	2699	562	29	11	17E	7				
Same						6791	--	--	--	--	2975	1833	29	11	17E	8				
Same						6703	--	SW	SE	NE	2780	1126	29	11	17E	10				
A__	7349	00	IRR	NK	G	3908	--	SW	NW	SE	1939	2397	20	11	17E	1		53.00	53.00	AF
A__	7350	00	IRR	NK	G	5540	--	SE	NW	NW	-----	-----	20	11	17E	2		115.00	115.00	AF
A__	10215	00	IRR	NK	G	4818	--	--	--	--	4350	3750	28	11	17E	1		145.00	145.00	AF
A__	12281	00	IRR	NK	G	5124	--	SW	NE	SW	1888	3703	20	11	17E	4		57.00	57.00	AF
A__	12444	00	IRR	NK	G	6525	--	SE	NW	SW	1562	4618	17	11	17E	6		59.00	59.00	AF
A__	12943	00	IRR	NK	G	6120	NC	S2	NE	NW	-----	-----	22	11	17E	2		76.00	76.00	AF
A__	13026	00	IRR	NK	G	5812	--	SE	SW	SW	-----	-----	17	11	17E	2		99.00	99.00	AF
A__	29351	00	IRR	NK	G	4912	--	--	--	--	2685	3718	20	11	17E	3		34.00	34.00	AF
A__	29597	00	IRR	NK	G	10290	--	N2	SE	SE	3700	650	27	11	17E	1		142.00	142.00	AF
A__	31041	00	IRR	NK	G	10326	--	--	--	--	1076	2874	27	11	17E	2		89.00	89.00	AF
A__	31602	00	MUN	NK	G	9633	--	SE	SE	SW	460	2910	18	11	17E	4		15.77	15.77	AF
A__	32635	00	IND	NK	G	6674	--	--	--	--	2975	1548	29	11	17E	5		140.78	140.78	AF
Same						6618	--	SE	SE	NE	2699	562	29	11	17E	7				
Same						6791	--	--	--	--	2975	1833	29	11	17E	8				
Same						6703	--	SW	SE	NE	2780	1126	29	11	17E	10				
A__	33469	00	IND	NK	G	4197	--	SE	NE	NE	4230	35	21	11	17E	1		6.38	6.38	AF
A__	37508	00	IRR	NK	G	9323	--	CS	SW	SE	65	2045	28	11	17E	3		38.00	38.00	AF
A__	37928	00	IRR	NK	G	3095	--	--	--	--	4270	1960	20	11	17E	5		45.00	45.00	AF
A__	39927	00	IRR	NK	G	<u>1747</u>	--	--	--	--	3272	606	20	11	17E	6		53.00	53.00	AF
A__	40898	00	IRR	NK	G	7552	--	--	--	--	4500	3400	27	11	17E	5		18.00	18.00	AF
A__	43078	00	IRR	NK	G	<u>1747</u>	--	--	--	--	3272	606	20	11	17E	6		53.00	.00	AF
A__	43731	00	IRR	NK	G	7885	--	SW	NE	NW	4073	3313	27	11	17E	6		33.00	15.00	AF
A__	44872	00	IRR	NK	G	8138	--	--	--	--	2669	1331	22	11	17E	5		49.00	49.00	AF
A__	44873	00	IRR	NK	G	6253	--	NW	SE	SW	873	3829	22	11	17E	6		30.00	30.00	AF
A__	45989	00	IRR	MM	G	3908	--	SW	NW	SE	1939	2397	20	11	17E	1		184.00	31.70	AF
A__	46657	00	IRR	NK	G	7941	--	NE	NW	NE	5102	1365	19	11	17E	3		48.00	48.00	AF
A__	46892	00	IRR	MM	G	8166	--	NW	SE	SW	1000	3510	28	11	17E	4		55.00	55.00	AF
A__	48022	00	IRR	LO	G	3898	--	SW	NE	SE	1405	1035	21	11	17E	2		94.00	94.00	AF
A__	48037	00	IRR	LO	G	8332	--	--	NC	SE	1320	1320	18	11	17E	7		160.00	160.00	AF
A__	48581	00	IRR	KE	G	9455	--	SW	SW	NW	3220	5185	23	11	17E	5		44.00	44.00	AF
A__	48583	00	IRR	KE	G	2096	--	SE	SE	SE	110	255	17	11	17E	5 G 2		113.00	113.00	AF
Same						1860	--	SW	SW	SW	110	5240	16	11	17E	3 B 2				
Same						2310	--	SE	SE	SE	110	550	17	11	17E	4 B 2				
A__	48868	00	IRR	LO	G	3289	--	SW	SE	NE	2840	1020	21	11	17E	3		165.00	165.00	AF
A__	49252	00	IRR	HK	G	9003	--	NE	NW	NE	4990	1720	30	11	17E	3		70.00	70.00	AF
A__	49363	00	IRR	GY	G	0	--	--	--	--	3680	4200	21	11	17E	4		64.00	64.00	AF

A__	49558	A	IRR	JM	G	7941	--	NE	NW	NE	5102	1365	19	11	17E	3	72.80	24.80	AF
A__	49751	00	IRR	GY	G	3095	--	--	--	--	4270	1960	20	11	17E	5	64.00	19.00	AF
A__	49903	00	IRR	AY	G	0	--	--	--	--	3680	4200	21	11	17E	4	103.00	103.00	AF
T__	20139007	00	IND	GY	G	2934	--	SW	NW	SW	1410	5058	16	11	17E	2	15.34	15.34	AF

```

=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =    103.00      .00
Total Permitted Amount (AF) =    350.14      .00
Total Inspected Amount (AF) =    419.00      .00
Total Pro_Cert Amount (AF) =     86.70      .00
Total Certified Amount (AF) =   4527.18      .00
Total Vested Amount (AF) =         .00      .00
TOTAL AMOUNT (AF) =    5486.03      .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:

3680 Feet North and 4200 Feet West of the Southeast Corner of Section 21 T 11S R 17E

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number      Use ST SR
    
```

A__ 5372 00 IRR NK G

> JAMES L RICHARDS

>

> 6621 SE 2ND ST

> TECUMSEH KS 66542

>-----

A__ 6691 00 IRR NK G

> ROBERT W & SALLY D SHIRLEY

>

> 3703 SOUTH ST

> GRANTVILLE KS 66429

>-----

A__ 6708 00 IRR NK G

> DON HURD

>

> 2926 LINN RD

> PERRY KS 66073

>-----

A__ 7076 00 IRR NK G

> LEE I TUCKER

>

> 15950 CALEY RD

> LEONARDVILLE KS 66449

>-----

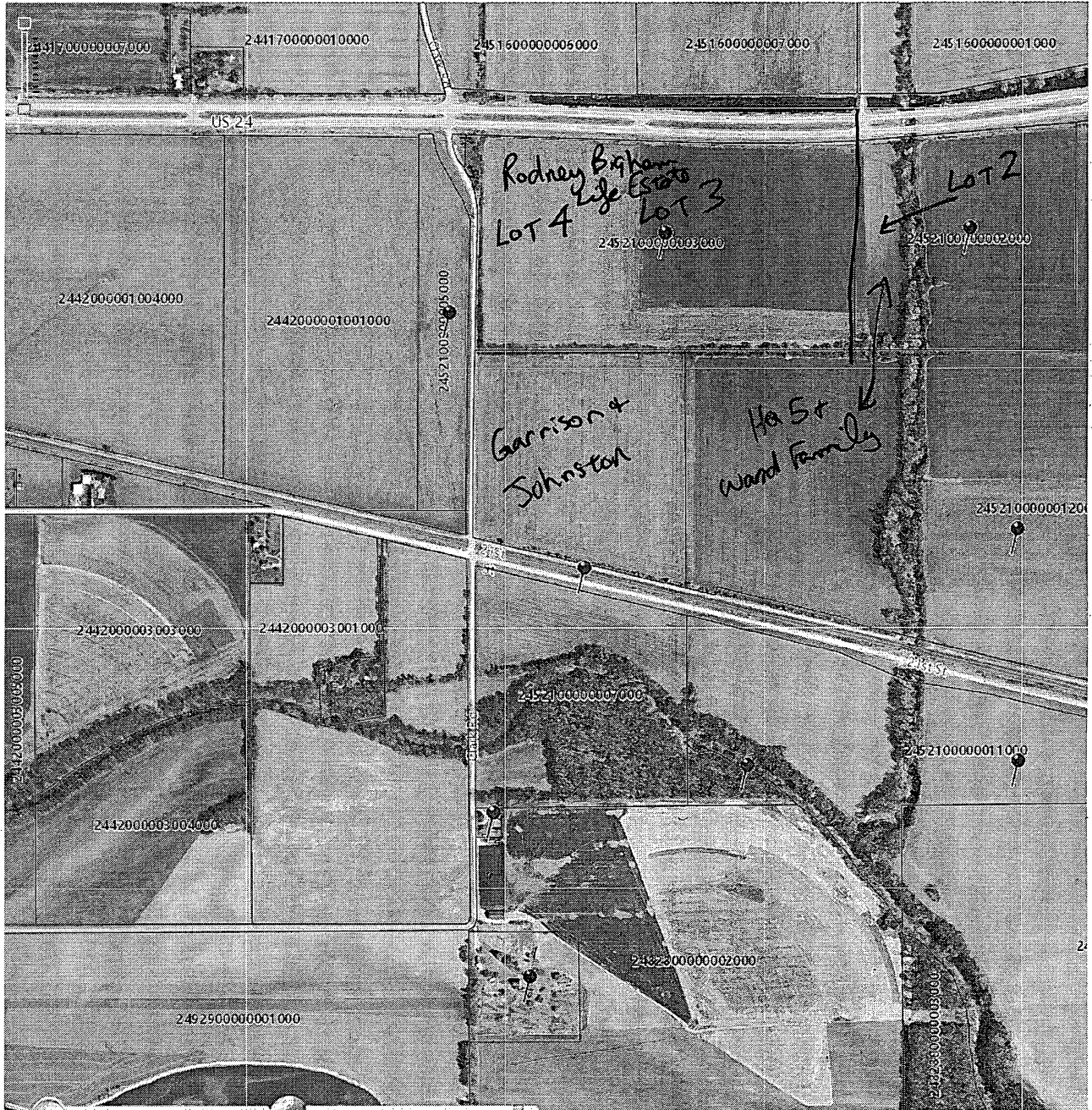
A__ 7113 00 IND NK G

> FUTAMURA USA INC

>

> 6000 SE 2ND ST

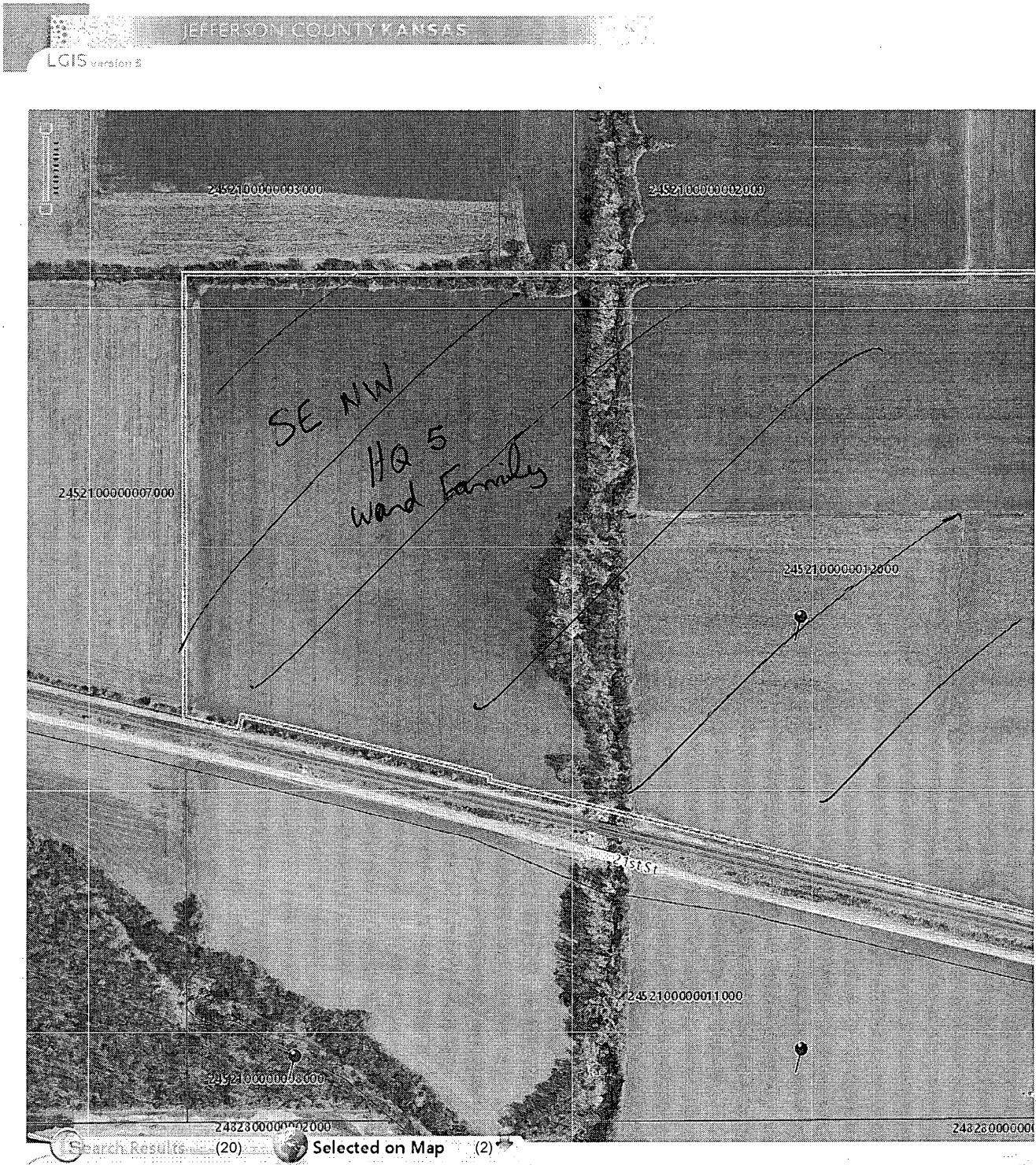
JEFFERSON COUNTY KANSAS
 LGIS version 5



Owner Information	Property Address / Legal	Appraisal
044-242-09-0-00-00-003-0-0	S09, T11, R017, ACRES 269.55, Beg SW Cor, TH	\$ 38,810 A
QuickrefID = R14121	N3956', E2647', [More Details]	\$ 72,510 C
Taxyear = 2017	Acres = 269.55	\$ 111,320 Total
Dewilde Revocable Trust, Wilma M	NeighborhoodCode = 043	

PDF Real Estate





Owner Information	Property Address / Legal	Appraisal	
044-245-21-0-00-00-012.00-0 QuickrefID = R14488 Taxyear = 2017 HQ5 Enterprises, LLC.	Survey 12 KHBIL, S21, T11, R017, ACRES 169.62, Lots 1-2 Surv [More Details] Acres = 169.62 NeighborhoodCode = 043	\$ 112,100 A \$ 112,100 Total	  
044-245-21-0-00-00-012.00-0 QuickrefID = R14488 Taxyear = 2017 Ward Family Limited Partnership	Survey 12 KHBIL, S21, T11, R017, ACRES 169.62, Lots 1-2 Surv [More Details] Acres = 169.62 NeighborhoodCode = 043	\$ 112,100 A \$ 112,100 Total	  

JEFFERSON COUNTY KANSAS
LGIS version 5



Search Results (20) Selected on Map (1)

PDF Real Estate

Owner Information	Property Address / Legal	Appraisal
044-245-21-0-00-00-003.00-0 QuickrefID = R14481 Taxyear = 2017 Bigham Life Estate, Rodney	S21, T11, R017, ACRES 66.16, Lot 3 & E1020' Lot 4 NW1/4; les [More Details] Acres = 66.16 NeighborhoodCode = 043	\$ 54,860 A \$ 54,860 Total

JEFFERSON COUNTY KANSAS
 LGIS version 5



Owner Information	Property Address / Legal	Appraisal
044-245-21-0-00-00-007.00-0 QuickrefID = R14483 Taxyear = 2017 Garrison, Harriet L	Survey 12 KHBIL, S21, T11, R017, Lot 3, ACRES 75.03, less RR [More Details] Acres = 75.03 NeighborhoodCode = 043	\$ 49,870 A \$ 49,870 Total
044-245-21-0-00-00-007.00-0 QuickrefID = R14483 Taxyear = 2017 Johnston Revocable Living Trust, Eldon T Jr	Survey 12 KHBIL, S21, T11, R017, Lot 3, ACRES 75.03, less RR [More Details] Acres = 75.03 NeighborhoodCode = 043	\$ 49,870 A \$ 49,870 Total

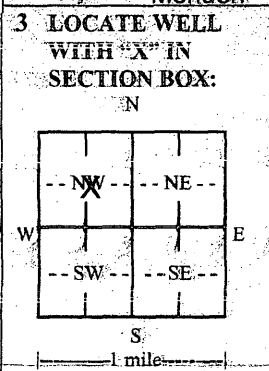
WATER WELL RECORD Form WWC-5

Division of Water Resources App. No. 49363 Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: Jefferson Fraction: NW 1/4 NW 1/4 SE 1/4 NW 1/4 Section Number: 21 Township Number: T 11 S Range Number: R 17 E W

2 WELL OWNER: Last Name: Bigham First: Rod Street or Rural Address where well is located: 1/4 mile E of Clark Rd and Hwy 24 then 1/4 mile S in field



3 LOCATE WELL WITH 'X' IN SECTION BOX: 4 DEPTH OF COMPLETED WELL: 55 ft. Depth(s) Groundwater Encountered: 1) 32 ft. 2) ft. 3) ft. or 4) Dry Well WELL'S STATIC WATER LEVEL: 21 ft. below land surface, measured on (mo-day-yr) 02/08/2017

5 Latitude: 39.083536 (decimal degrees) Longitude: 95.533793 (decimal degrees) Datum: WGS 84 NAD 83 NAD 27 Source for Latitude/Longitude: GPS (unit make/model) (WAAS enabled? Yes No) Land Survey Topographic Map Online Mapper

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

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

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded Casing diameter: 16 in. to 55 ft., Diameter: in. to ft., Diameter: in. to ft. Casing height above land surface: 24 in. Weight: lbs./ft. Wall thickness or gauge No. SDR26

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

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

SCREEN-PERFORATED INTERVALS: From 29 ft. to 49 ft., From ft. to ft., From ft. to ft. GRAVEL PACK INTERVALS: From 20 ft. to 55 ft., From ft. to ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other Grout Intervals: From 0 ft. to 20 ft., From ft. to ft., From ft. to ft.

Nearest source of possible contamination: Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage Sewer Lines Cess-Pool Sewage Lagoon Fuel Storage Abandoned Water Well Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well Other (Specify) Waterway

Direction from well? S Distance from well? 15 ft.

Table with columns: 10 FROM, TO, LITHOLOGIC LOG, FROM, TO, LITHO. LOG (cont.) or PLUGGING INTERVALS. Rows include Topsoil, Brown clay, Fine Sand, Medium sand, Limestone, Gray Shale.

Notes: KS DEPT OF AGRICULTURE

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 02/08/2017 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 760 This Water Well Record was completed on (mo-day-year) 02/08/2017 under the business name of Associated Drilling, Inc.

Send one copy to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. KS Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-3565. Visit us at http://www.kdheks.gov/waterwell/index.html KSA 82a-1212

(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. 49,903

Minimum Desirable Streamflow
Kansas River Assurance District

Dear Sir:

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

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met, Assurance District or Water Marketing releases are being made from storage in Federal Reservoirs or when a Reservation Right upstream of a Federal Reservoir is being administered.

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

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

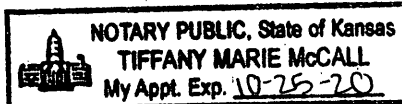
Red Blythen
Signature of Applicant
ROD Blythen
Print Applicant Name

State of Kansas)
County of JEFFERSON) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 8th day of AUGUST, 2017

Tiffany Marie McCall
Notary Public

My Commission Expires:
October 25, 2020



WATER RESOURCES
RECEIVED

SEP 07 2017

KS DEPT OF AGRICULTURE

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

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

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

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

Assurance Districts have been formed on the following rivers:

Kansas River Marias des Cygnes River Neosho River

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

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



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

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

September 12, 2017

FILE COPY

JAMES F LINDLEY REV TRUST
3842 27TH ST
GRANTVILLE KS 66429

RE: Application
File No. 49903

Dear Sir or Madam:

Your application for permit to appropriate water in 21-11S-17E in Jefferson 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.

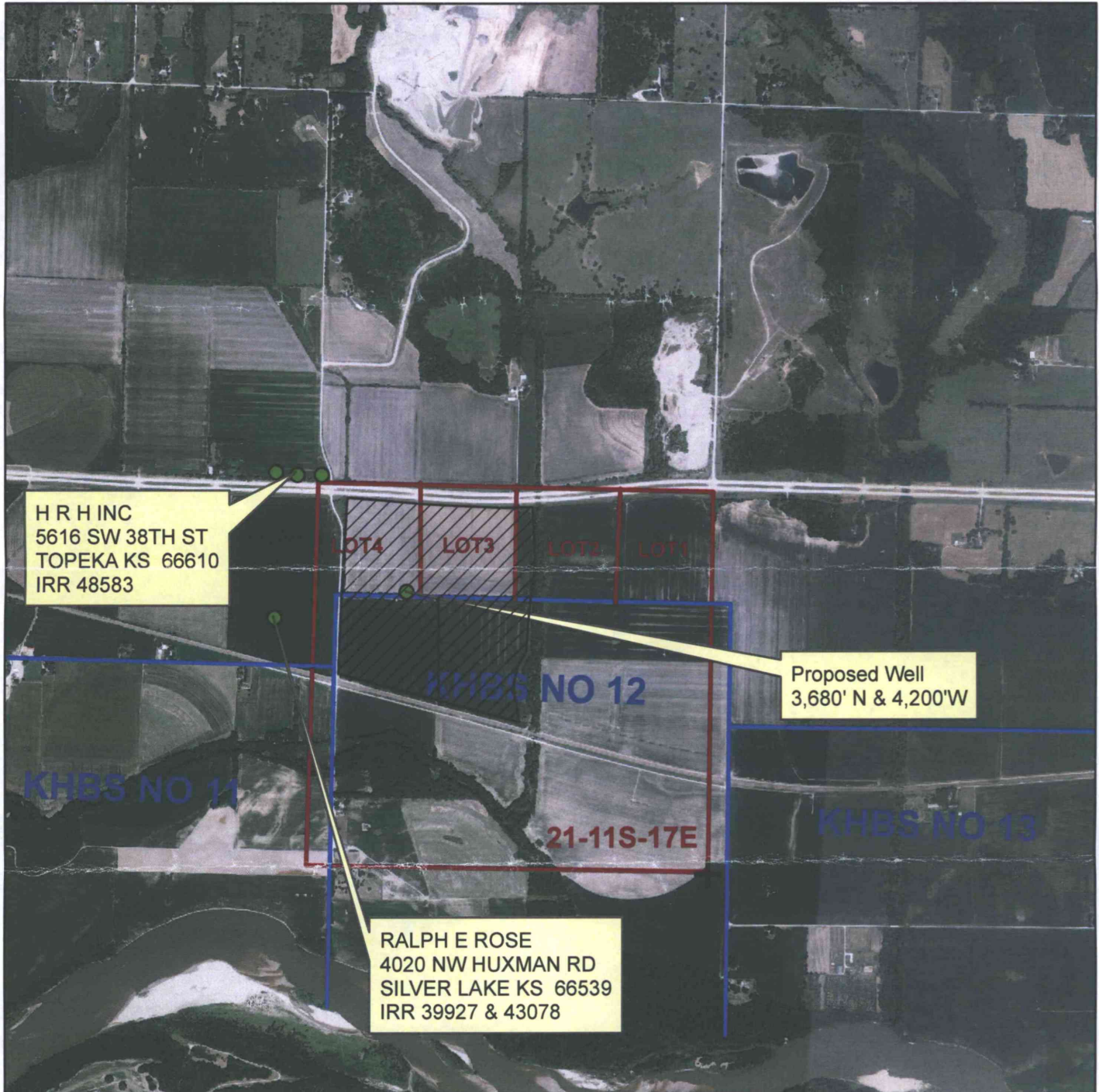
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

APPLICATION TO APPROPRIATE WATER FOR IRRIGATION USE JAMES F. LINDLEY



H R H INC
5616 SW 38TH ST
TOPEKA KS 66610
IRR 48583

Proposed Well
3,680' N & 4,200'W

RALPH E ROSE
4020 NW HUXMAN RD
SILVER LAKE KS 66539
IRR 39927 & 43078

All wells of every kind within
1/2 mile of the proposed well
have been identified and plotted.

Rod Dyke



Proposed Place
Of Use



Well Location

1:24,000
WATER RESOURCES
RECEIVED

SEP 07 2017

