

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49956

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.)

DEC 20 2017

11:10

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): JOST FARMS LLC %CLYDE JOST
Address: 913 220TH
City: HILLSBORO State: KS Zip Code 67063
Telephone Number: (620) 382-4751

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in COTTONWOOD RIVER (drainage basin)

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

3. The maximum quantity of water desired is 316.8 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 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) [x] 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 DRE Source @ S County MN By APJ Date 12/20/17
Code REG Fee \$ TR # Receipt Date Check #
REG 300 12/20/17 1897

12/20/2017 LCM

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

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

- (A) One in the SW quarter of the SE quarter of the NE quarter of Section 20, more particularly described as being near a point 3,000 feet North and 923 feet West of the Southeast corner of said section, in Township 18 South, Range 2 East, MARION County, Kansas. **GEO-CENTER**
- (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.

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

(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 Dec 15, 2017 .


Applicant's Signature

7. The proposed project for diversion of water will consist of **Battery of 4 Wells**
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) Spring 2018

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 _____

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

File No. 35,973 overlaps in Place of Use.

Quantity limited to 316.8 AF with senior file on Place of Use.

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

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

Well location as shown in paragraph

No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of Owner
(owner, tenant, agent or otherwise)

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

Keith Jost 670-382-4752
 (name, address and telephone number)
2168 K15
Hillboro KS 67063
 (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 Dec 15 2017, Kansas, this 15 day of Dec (month) 2017 (year)

Clyde Jost
(Applicant Signature)

515-68-8719
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 FO
(office/title)

Date: 12/12/2017

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(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. 49956

Minimum Desirable Streamflow
Cottonwood River Basin

Dear Sir:

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

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

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

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

Clyde Jost
Signature of Applicant

Clyde Jost
(Print Applicant's Name)

State of Kansas)
County of Marion) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this day of December 18, 2017.



Adrienne Bechtold
Notary Public

My Commission Expires: 2/2/2021

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

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

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

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

• 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: _____

• System design features:

• Describe how you will control tailwater:
plot moves fast No tailwater

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• For sprinkler systems:

- Estimate the operating pressure at the distribution system: 35 psi
- What is the sprinkler package design rate? 750 gpm
- What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet
- Please include a copy of the sprinkler package design information.

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

corn and soybeans

• 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).
By probing soil to determine if water needed to be applied.

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49956

Name of Applicant (Please Print): JUST FARMS LLC

- 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: JUST FARMS LLC %CLYDE JUST

ADDRESS: 913 220TH HILLSBORO KS 67063

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20	18	2E									33	33	33	33	33	33	33	33	264

Landowner of Record NAME: _____

ADDRESS: _____

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

Landowner of Record NAME: _____

ADDRESS: _____

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

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

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

49956

IRRIGATION TEST WELL

Driller & Assistant: Logan AND Jim

Date: 12/7/17

CUSTOMER: CLYDE JOST 910 220th Hillsboro, KS 67063

LOCATION:

- Screen 2-1/2"
- Casing 2-1/2"
- Couplings, 2-1/2"
- End Caps, 2-1/2"
- Gravel Pack
- Holeplug
- Quarters
- Water
- Lime
- Drilling Mud
- Gas & Oil - W.T.
- 3/4" Polyethylene
- 2-1/2" PVC Tee
- 5" & 6" Bits
- Packing
- 6" or 5" Liner if needed
- Solvent & Glue
- Water Sample Bottle
- Inspection Sheet

Depth:	Formation:	Well Information:
0-3'	top soil	Static Water Level: 17'
3-8'	clay	Est. Production: 100-300 gpm
8-12'	clay sandy	Casing Size/Depth: X
12-29'	shale grey	
29'	Fracture water	Screen Size/Depth:
29-31'	shale	
31'	Fracture water	Slot Size:
31-60'	shale w/ possible fractures	Grouting Depth:
		Number of Bags: 2
		Nearest Contamination:
		Notes: MADE good water At 29'-31' unable of distinguishing deeper water

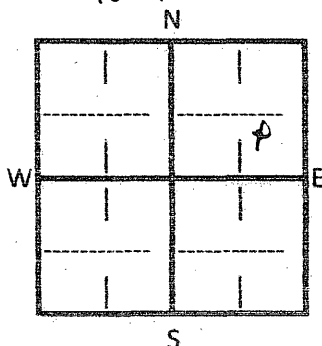
Directions:

Latitude: 38.473542 N decimal degrees (ex. 38.881796)
 Longitude -97.227518 W decimal degrees (ex. 95.373889)

Datum: NAD27 NAD83 WGS84

Elevation: 1361 ft.

SE 1/4	NW 1/4	SE 1/4	NE 1/4
Sec. 20	T 18	R 2	E 2
County Marion			



- \$ 8⁰⁰ x (60) /ft. Well
- \$ 50⁰⁰ /Grout
- \$ _____ /Test Pumping
- \$ _____ /Water Sample
- \$ _____ /Mobilization/Travel
- \$ _____ /Discount

Contract Received:

Invoice #: 1002

Date Mailed:

Well Data: Access:

Materials: Incent: N/A

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49956

Whitesell, Alex [KDA]

From: Schemm, Doug [KDA]
Sent: Monday, December 18, 2017 1:31 PM
To: Whitesell, Alex [KDA]
Cc: Baum, Kristen [KDA]
Subject: Clyde Jost New app
Attachments: Jost Farms 20 18 2E.PDF

Hello,

Clyde is mailing this new application in for a well battery in Sec. 20, 18, 2E. He's having trouble printing the map, so I'm sending this one you can use.

Obviously, since he can't print it, he can't sign the bottom, but we talked about nearbys and he verified only the one identified on this map is correct.

This also agrees with the dismissed senior file.

Thanks, Doug



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

December 20, 2017

JOST FARMS, LLC
CLYDE JOST
913 220TH
HILSSBORO KS 67063

FILE COPY

RE: Application
File No. 49956

Dear Sir or Madam:

Your application for permit to appropriate water in 20-18S-2E in Marion 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) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

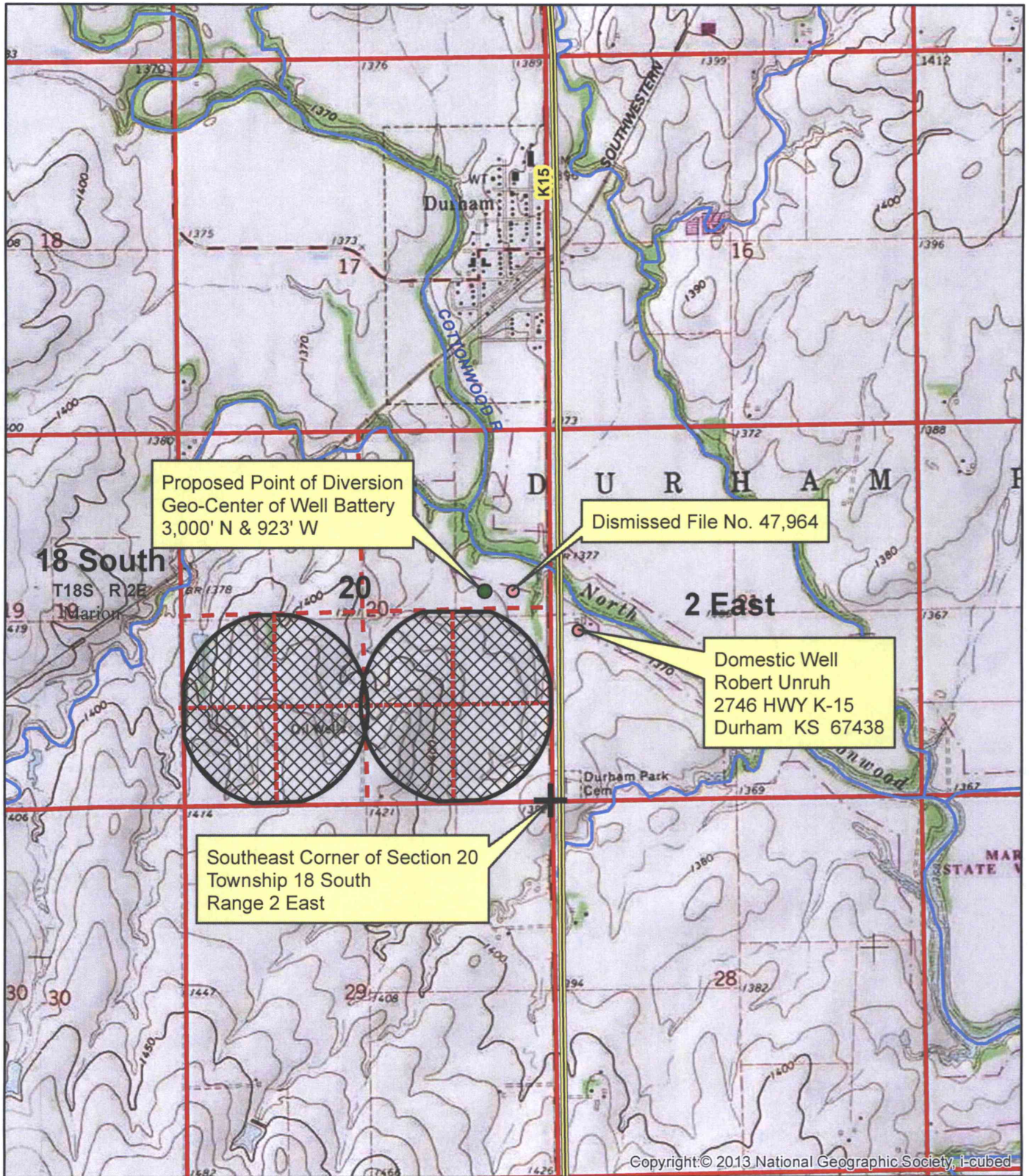
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

JOST FARMS LLC - SITE MAP
 NEW APPLICATION
 SEC. 20, T18S, R2E

49954



Proposed Point of Diversion
 Geo-Center of Well Battery
 3,000' N & 923' W

Dismissed File No. 47,964

Domestic Well
 Robert Unruh
 2746 HWY K-15
 Durham KS 67438

Southeast Corner of Section 20
 Township 18 South
 Range 2 East

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1:24,000

- Proposed Point of Diversion
- ▨ Proposed Place of Use

All known wells within 1/2 mile of the proposed point of diversion are shown on this map.