

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D WORKSHEET

1. File Number: 27485	2. Status Change Date: 3/1/2018	3. Change Num: C1	4. Field Office: 01	5. GMD:	
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 11/29/17	
8a. Applicant(s) New to system <input type="checkbox"/> NUNEMAKER-ROSS INC 1687 E 1600 RD LAWRENCE KS 66044		Person ID 21754 Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		
8b. Landowner(s) New to system <input type="checkbox"/> 8A		Person ID 21754 Add Seq# _____	8d. WUC New to system <input type="checkbox"/> 8A		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/18 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/18					
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter					
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____					
10. Use Made of Water From: _____ To: _____					
Date Prepared: 2/14/18 By: LI Date Entered: 3/17/2018 By: UM					

File No. **27485** 11. County: DG Basin: KANSAS RIVER Stream: NA Formation Code: 113 Special Use: NA

12. Points of Diversion											Rate and Quantity					
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
DEL			34957	SW NE SW	20	13	20E	2	1800	3650	PLUG	575	59	575	59	NONE
ENT			86620	SW NE SW	20	13 12	20E		1792	3671	GEO CTR BATT 2 WELLS	575	59	575	59	NONE BATT ID #
ENT			86621	SW NE SW	20	13 12	20E		1792	3656	BATT WELL 1 OF 2 BATT ID #					NONE
ENT			86622	SW NE SW	20	13 12	20E		1792	3686	BATT WELL 1 OF 2 BATT ID #					NONE
<i>per order + map</i>																

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

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) **NONE NO CHANGE**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use	CHK	MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	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				
NO CHANGE																													

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files
FROM: Leslie Ireland

DATE: February 15, 2018
RE: Water Right
File No. 27,485

Patrick D. and Mary P Ross along with Kent E. & Debra A. Nunemaker and including Pauline M. Newmaker all on behalf of Nunemaker-Ross Inc., owners of the referenced right filed an application for approval to change the point of diversion authorized for irrigation use. The application was received in the office of the chief engineer on November 29, 2017. The applicant was assisted by Brett Bunger, Assistant Water Commissioner, Topeka Field Office.

A review of the reported water use finds that the water right is in good standing as per K.S.A. 82a-718 and in compliance with K.S.A. 82a-732. A 2014 Compliance Investigation found the well to be out of compliance due to a missing measurement chamber and straightening vanes.

The applicant is requesting to create a battery of two wells by drilling new wells that are needed to sustain the certified rate. The right is located just South of I-70 and North and East of the Kansas River, North of downtown Lawrence. The application complies with K.A.R. 5-5-2a, *Complete change application*.

The authorized point of diversion is located in the 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 20, approximately 1,800 feet North and 3,650 feet West of the Southeast corner of the section, in Township 12, Range 20 East, Douglas County. The 2014 investigation determined the actual location to be in the same area, just fifteen feet off, actuals to be 1,792 feet North and 3,671 feet West of the Southeast corner. The currently authorized point of diversion was drilled in 1977 to a depth of 50 feet with a static water level of 22 feet, and has been designated as alluvium of the Kansas River Basin. The referenced file is authorized one well at a maximum rate of 575 gallons per minute for the diversion of 59 acre-feet for the irrigation of 82 acres in Douglas County.

The well driller has recommended the redrill of this right be completed as a battery of two wells. The original well was drilled with a 30 inch boar and had a static water level of 22 feet and was completed to 50 feet with approximately 27 feet of clays. It appears the application is requesting to drill two new wells to create the battery to maintain a constant rate. The application states the old well will be plugged. The geographic center will be at the actual location of the old well. The two wells proposed to be drilled for the battery are located approximately 15 feet from the existing well. The geographic center was determined to be in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), approximately 1,792 feet North and 3,671 feet West of the Southeast corner of 20-12-20E. No well log was supplied with the application, but the proximity of the proposed wells and the hydrology of the Kansas River should assure the change will not alter the local source of supply and the same clay morphologies will be encountered.

The regulation K.A.R. 5-2-3, *Battery of wells*, specifically part (b)(1) requires that to create a battery of wells, and the time to complete the diversion works has expired, the proposed geographical center meet the safe yield, allowable appropriation of similar type of regulation for a well that would be filed at that location. The review of the safe yield for a new appropriation found the area to be over appropriated by several hundred acre-feet. The owners have requested a **waiver of K.A.R. 5-2-3**.

The application states the requested waiver is not to make up for a decrease pumping rate due to a declining aquifer as there is data in the Kansas River valley alluvial aquifer indicating the area is stable. The second well is needed as the driller has recommended it will take two wells to achieve the authorized rate of 575 gallons per minute.

The second part of the regulation is the requirement that the wells meet the definition of a battery of wells. K.A.R. 5-1-1, *Definitions, (n) Battery of wells*. The proposed wells will be constructed approximately 30 feet apart and the 575 gallons per minute authorized is less than 800 gallons per minute as required for a battery of wells. The wells will supply irrigation water to a common distribution system.

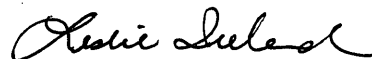
The WRIS database indicates that are two (2) irrigation wells located within one-half (½) mile of the proposed battery of two (2) wells. They are both located approximately 2,400 and 2,600 feet away. A review of the right found there are approximately 21 domestic wells located to the West along East 1500 or North Seventh Street. This review found the notification for the original permitting in the late seventies resulted in several negative comments, but none indicating impairment. All of the domestic wells appear to be The spacing of the proposed battery, to nearby non-domestic wells, appears to meet the requirement of 1,320 feet as per K.A.R. 5-4-4 *Well spacing*, and 660 feet for domestic wells.

No letters were sent to notify or solicit comments on the proposed change as K.S.A. 82a-1906 exempts change applications requesting a point of diversion move of 300 feet or less. The point of diversion is located outside the Kansas River Water Assurance District No. 1 so they were not notified.

Katie Tietsort, Water Commissioner, Topeka Field Office, supported with requested waiver and recommended approval of the referenced application in her e-mail dated February 15, 2018.

A condition of the approval will be the requirement of a water flowmeter pursuant to K.S.A. 82a-706c. A check valve will be required if chemigation occurs. A water level measurement tube, a well log or WWC-5 will be conditions of the approval. The well that had been originally authorized will be required to be plugged.

Based on the above discussion, should the waiver is granted to create a battery of two(2) wells that no change in the local source of supply will occur, that im the application can be approved. As requested.



Leslie Ireland
Environmental Scientist
Water Appropriation Program



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

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

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

March 8, 2018

NUNEMAKER-ROSS INC
1687 E 1600 RD
LAWRENCE KS 66044

FILE COPY

RE: Water Right, File No. 27,485

Dear Sir or Madam:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the referenced file.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced files. Please return the required and the enclosed form, Notification of the Completion of the Diversion Works upon completion.


Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

Any abandoned wells must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

It is a condition of the approval, that the owner of this submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment. The copy of the well log, currently form WWC-5, may be submitted with the Kansas Department of Agriculture's *Notice of Completion and Instillation of the Water Flowmeter*.

If you have any questions, please contract Leslie Ireland, Environmental Scientist, at (785) 564-6633, or our Topeka Field Office at (785) 296-5733. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Brent A. Turney, P.G.
Change Application Unit Supervisor

BAT:LI:li:
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
FOR
CHANGE IN POINT OF DIVERSION
WATER RIGHT
FILE NO. 27,485**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Patrick D. and Mary P. Ross along with Kent E. and Debra A. Nunemaker, and including Pauline M. Nunemaker on behalf of Nunemaker-Ross Inc., 1687 E. 1600 Road, Lawrence, Kansas 66044 received in this office on November 29, 2018, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated February 5, 1999, approving the application to change the authorized place of use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the point of diversion authorized for irrigation use shall be:

a battery of two (2) wells with a geographic center located in Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 20, approximately 1,792 feet North and 3,671 feet West of the Southeast corner of the section, in Township 12, Range 20 East, Douglas County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2018 or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

The water right owner shall submit to the Chief Engineer a copy of the well log for the new point of diversion authorized for irrigation use required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, following the drilling of the well at the authorized location.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order 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.

That the battery of wells authorized herein shall be located within a three hundred (300) foot radius circle and be in the same local source of supply.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 27,485, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated May 12, 1987, as modified and amended by the aforementioned order.

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.

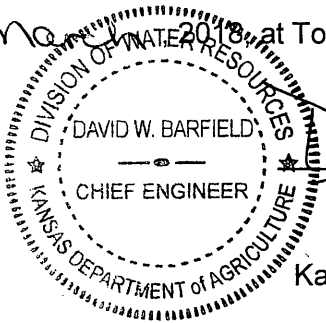
Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

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, KS 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, KS 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 1st day of March, 2018, at 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 1st day of March, 2018, 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 March, 2018, I hereby certify that the attached Approval of Application for Change, Water Right, File No. 27,485, dated March 1st, 2018, was mailed postage prepaid, first class, US mail to the following:

NUNEMAKER-ROSS INC
1687 E 1600 RD
LAWRENCE KS 66044

With a Photocopy to:

Topeka Field Office


Division of Water Resources

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

File Number: 27485

FO: 3

GMD: 4

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	11/12/17	50	Statewide	Battery of Wells	Conversion to a Battery
Rule Number	Date Granted	Date Denied	Justification:	The well under File No. 27,485 has been recommend by the driller to be converted to a battery of two(2) wells. The time to complete has expired and the area is fully appropriated and a new application could not be approved. This area of the Kansas Alluvium is considered to be stable and not be a declining aquifer. Project will meet KAR 5-1-1(n). The wells will be placed only 30 feet apart and will annually divert only 59 acre-feet at a maximum rate of 575 gallons per minute.	
K.A.R. 5-2-3	3/1/2018				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 2/12/18 By LI

Date Entered 3/7/2018 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. 5-2-3 Battery of Wells

Date: 3/1/2018

RE: Water Right, File No. 27,485

1. That K.A.R. 5-2-3 states that once the time to complete the diversion works has expired, a change in point of diversion to create a battery of wells must meet the criteria for a new application to appropriate water, such as safe yield, allowable appropriation, or similar regulation, for a new well at that location or a specific regulation applicable to batteries of wells.
2. That the application to change the point of diversion has been requested under the referenced file, to construct a battery of two(2) wells from one(1)well meeting the physical definition of a battery, to divert 59 acre-feet at 575 gallons per minute for irrigation use.
4. The battery was recommended by the area driller to obtain the certified rate.
5. The rights are located in the Kansas River Alluvium which is not considered a declining aquifer, but the area is very high in clay.
5. The original well was drilled with a 30 inch boar and had a static water level of 22 feet and was completed to 50 feet with approximately 27 feet of clays.
6. The local source of supply will remain unchanged to divert a small quantity of water.
7. There will be no increase in the quantity of water diverted, and the change to a battery of two (2) wells will not impair existing water rights nor adversely affect the public interest.

Comments:

David W. Barfield, P.E.

Chief Engineer

Division of Water Resources
Kansas Department of Agriculture

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

WATER RESOURCES
RECEIVED

NOV 29 2017
11:42

KS DEPT OF AGRICULTURE

File No. 27485

2. Name of applicant: NUNEMAKER-ROSS INC

Address: 1687 E 1600 RD

City, State and Zip: LAWRENCE KS 66044

Phone Number: (785) 423-2746 (PAT ROSS) E-mail address: mnunross@aol.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: SAME AS APPLICANT

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

THE ONE AUTHORIZED WELL NEEDS TO BE RE-DRILLED BECAUSE OF A DECREASE IN PUMPING CAPACITY. DRILLING RESULTS REVEALED LESS THAN ADEQUATE YIELD RESULTS WHICH HAS PROVIDED THE NEED FOR A BATTERY OF 2 WELLS TO ACHIEVE THE ORIGINAL PUMPING RATE OF 575 GPM

The change(s) (was) (will be) completed by _____ (Date)

For Office Use Only	
F.O. <u>L</u>	<u>GMD</u> Meets K.A.R. 5-5-1 <u>(YES/NO)</u> Use <u>FRR</u> Source <u>(G) S</u> County <u>DG</u> By <u>AW</u> Date <u>11/29/17</u>
Code <u>01</u>	Fee \$ <u>100</u> TR # _____ Receipt Date <u>11/29/17</u> Check # <u>2003</u>

APPLICATION COMPLETE
2/15/18
Reviewer LE

12/4/17 DWJ

6. The presently authorized point(s) of diversion **IS ONE WELL**
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) **A BATTERY OF 2 WELLS**
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the SW Quarter of the NE Quarter of the SW Quarter of Section 20, Township 12 South, Range 20E (E/W), in DOUGLAS County, Kansas, 1800 feet North 3650 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS 1792 feet North 3671 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested) (GEO CENTER)
 One in the SW Quarter of the NE Quarter of the SW Quarter of Section 20, Township 12 South, Range 20E (E/W), in DOUGLAS County, Kansas, 1792 feet North 3671 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested) ONE WELL OF BATTERY OF 2
 One in the SW Quarter of the NE Quarter of the SW Quarter of Section 20, Township 12 South, Range 20E (E/W), in DOUGLAS County, Kansas, 1792 feet North 3656 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested) ONE WELL OF BATTERY OF 2
 One in the SW Quarter of the NE Quarter of the SW Quarter of Section 20, Township 12 South, Range 20E (E/W), in DOUGLAS County, Kansas, 1792 feet North 3686 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____
THE OLD WELL WILL BE PLUGGED IN ACCORDANCE WITH KDHE SPECIFICATIONS

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

4. The presently authorized place of use is:

Owner of Land — NAME: NUNEMAKER-ROSS INC

ADDRESS: 1687 E 1600 RD LAWRENCE KS 66044

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>20</u>	<u>12</u>	<u>20E</u>									<u>37</u>	<u>18</u>	<u>8</u>	<u>19</u>					<u>82</u>

List any other water rights that cover this place of use. NONE

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

WATER RESOURCES RECEIVED

NOV 29 2017

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: NO CHANGES

KS DEPT OF AGRICULTURE

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

12. The presently authorized use of water is for IRRIGATION purposes.
It is proposed that the use be changed to NO CHANGE purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
N/A
14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (____ c.f.s.).
16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
- If a change in the location of the point(s) of diversion is proposed, show:
 - The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
 - If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
 - If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

IMPAIRMENT SHOULD NOT BE AN ISSUE BECAUSE THE NET CHANGE IN DISTANCE BETWEEN THE AUTHORIZED POINT OF DIVERSION AND THE PROPOSED POINT OF DIVERSION IS ZERO. THE ONLY CHANGE IS THE FACT THAT A SECOND WELL IS BEING ADDED TO CREATE A BATTERY OF 2 WELLS

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

TO CREAT A BATTERY OF WELLS, K.A.R. 5-2-3 REQUIRES THAT SAFE YIELD BE MET AT THE GEOCENTER OF THE PROPOSED BATTERY. IN THIS CASE, SAFE YIELD CANNOT BE MET. IT IS REQUESTED THAT THIS REGULATION BE WAIVED BECAUSE THE NET CHANGE IN THE POINT OF DIVERSION IS ZERO AND BECAUSE THIS IS NOT AN ATTEMPT TO ADD A SECOND WELL TO MAKE UP FOR A DECREASE IN PUMPING RATE DUE TO A DECLINING AQUIFER SITUATION. THERE ARE MONITORING WELLS WITHIN THE KANSAS RIVER VALLEY THAT HAVE DATA TO SUPPORT THE FACT THAT THE KANSAS RIVER VALLEY ALLUVIAL AQUIFER IS RELATIVELY STABLE. DRILLING RESULTS HAVE REVEALED THAT IT WILL TAKE TWO WELLS TO ACHIEVE THE AUTHORIZED RATE OF 575 GPM.

WATER RESOURCES
RECEIVED

NOV 29 2017

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY.

DEPT. OF AGRICULTURE

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at _____, Kansas, this _____ day of _____, 20_____.

PATRICK D. ROSS
(Owner)

Patrick D. Ross
(Please Print)

[Signature]
(Owner)

KENTE E. Nunemaker
(Please Print)

[Signature]
(Owner)

PAULINE M. Nunemaker
(Please Print)

Mary P. Ross
(Spouse)

MARY P. ROSS
(Please Print)

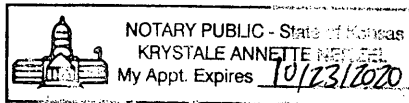
[Signature]
(Spouse)

Debra A. Nunemaker
(Please Print)

[Signature]
(Spouse)

[Signature]
(Please Print)

State of Kansas }
County of Douglas } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23rd day of November, 2017.

[Signature]
Notary Public

My Commission Expires 10/23/2020

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

Ireland, Leslie [KDA]

From: Tietsort, Katie [KDA]
Sent: Thursday, February 15, 2018 2:06 PM
To: Ireland, Leslie [KDA]
Cc: Bunger, Brett [KDA]
Subject: RE: Recommendation for Change in PD File No. 27485 Nunemaker-Ross Inc

Hi Leslie,

Appreciate your work in getting to this request. First of all, yes, I support the waiver request in order for the file to essentially cover the exact same point of diversion authorized, but from a battery of two wells with a geocenter at that point as opposed to a single well that was originally located at that point. With the waiver, it is an approvable change. To address the KRWAD No. 1 issue, it appears that the well location is outside of the boundary of the District, which is within ½ mile from the edge of the stream (Kansas River main stem) so District notice doesn't appear to be necessary.

Thanks, Katie

Katie Tietsort

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

Achiever~Responsibility~Input~Relator~Arranger

From: Ireland, Leslie [KDA]
Sent: Tuesday, February 13, 2018 8:07 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: FW: Recommendation for Change in PD File No. 27485 Nunemaker-Ross Inc
Importance: High

Katie,

I was working on the documents and realized the KS Assurance district wasn't notified. Then if you won't support the proposed waiver it is a moot point. Please let me know on the waiver. We have not done a waiver like that proposed. They have all been for existing wells or some scenario, but none like this one.

Leslie

From: Ireland, Leslie [KDA]
Sent: Monday, February 12, 2018 2:56 PM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett [KDA] <Brett.Bunger@ks.gov>
Subject: Recommendation for Change in PD File No. 27485 Nunemaker-Ross Inc

Katie,

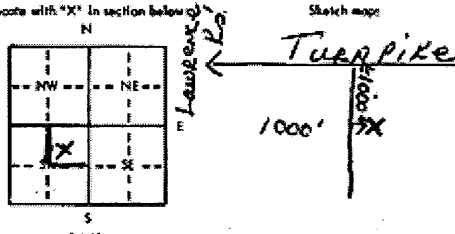
Please let me know if you could recommend this change in PD with a requested waiver.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

WATER WELL RECORD
KSA 82a-1201-1215

Kansas Department of Health and
Environment-Division of Environment
(Water well Contractors)
Topeka, Kansas 66620

1. Location of well:		County Douglas	Fraction CR 1/4 NE 1/4 SW 1/4	Section number 20	Township number T 12	Range number S R 20	(U)
2. Distance and direction from nearest town or city: 1/2 mi. East & 1/2 mi. So. of Lawrence, Ka. ? Sheet address of well location if in city			3. Owner of well: Marl Nehrbass R.R. or street: R. R. #4 City, state, zip code: Lawrence, Ka. 66044				
4. Locate with "X" in section below: 		6. Bore hole dia. 30 in. Completion date 3-10-77 Well depth 50 ft.					
5. Type and color of material		From	To	7. Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input checked="" type="checkbox"/> Reverse rotary			
Top soil		0	2	8. Uses: Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other			
Gray clay		2	10	9. Casings: Material TRANS Height (above) or below Threaded <input type="checkbox"/> Welded <input type="checkbox"/> Surface 12 in. RMP <input type="checkbox"/> PVC <input type="checkbox"/> Weight _____ lbs./ft. Dia. 16 in. to 24 in. depth? Well thickness inches or Dia. _____ in. to _____ ft. depth? Pipe No. 278			
Gray clay & fine sand		10	12	10. Screens: Manufacturer's name Johnson Well Type Transite Dia. 16" Gross/inside 1/8x8 Length 26" Set between 24 ft. and 50 ft. _____ ft. and _____ ft. Gravel pack? yes Size range of material 5/8			
Fine sand		12	17	11. Static water level: _____ no./day/yr. 22 ft. below land surface Date 3-15-77			
Medium sand		17	21	12. Pumping level below land surface: 35 ft. after 1 hrs. pumping 950 g.p.m. 37 ft. after 3 hrs. pumping 900 g.p.m. Estimated maximum yield 1000 g.p.m.			
Fine sand		21	31	13. Water sample submitted: _____ no./day/yr. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date _____			
Gray, green, medium sand		31	35	14. Well head completion: Pitless adapter _____ inches above grade			
Gray, green gravel with gray clay		35	36	15. Well grouted? YES With: Neat cement <input type="checkbox"/> Bentonite <input checked="" type="checkbox"/> Concrete Depth from 0 ft. to 10 ft.			
Gray clay with little sand		36	40	16. Nearest source of possible contamination: ft. 500 Direction West Type City/Ed Well disinfected upon completion? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
Gray, green gravel with gray clay		40	46	17. Pump: <input checked="" type="checkbox"/> Not installed Manufacturer's name _____ Model number _____ HP _____ Volts _____ Length of drop pipe _____ ft. capacity _____ g.p.m. Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other _____			
Gray, green gravel		46	50	20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Hoehler Drilling Co. 323 Business name License No. Address St. Marys, Ka. 66536 Signed Wm. Hoehler Date 3-14- Authorized representative			
Stopped		50		18. Pump: _____ 19. Remarks: We do not install pumps.			
18. Elevation: 820'				19. Remarks: _____			
Topography: <input type="checkbox"/> Hill <input type="checkbox"/> Slope <input type="checkbox"/> Upland <input checked="" type="checkbox"/> Valley				20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Hoehler Drilling Co. 323 Business name License No. Address St. Marys, Ka. 66536 Signed Wm. Hoehler Date 3-14- Authorized representative			

L 2 20' 20' 20' C NE SW

Forward the white, blue and pink copies to the Department of Health and Environment

Form WWC-5

ACTUAL
ALSO PROPOSED
GEO CTR

Water Rights and Points of Diversion Within 1.00 miles of point defined as:

1792 ft N and 3671 ft W of the SE Corner of Section 20, T 12S, R 20E
Located at: 95.217810 West Longitude and 38.990989 North Latitude
GROUNDWATER ONLY

CHANGE IN PD -
27485

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 717 00	IND	NK	G	3898	--	NE	SW	NE	3789	1609	29	12	20E	2		806.50	449.50	AF
Same				4156	--	SW	NE	NE	4010	892	29	12	20E	14		806.50	449.50	AF
Same				4472	--	SE	NE	NE	4313	178	29	12	20E	21		806.50	449.50	AF
A_ 27485 00	IRR	NK	G*	21	--	SW	NE	SW	1800	3650	20	12	20E	2		59.00	59.00	AF
A_ 28681 00	IRR	NK	G	2419	--	NW	SW	NW	3552	5331	20	12	20E	4		90.00	90.00	AF
A_ 35561 00	IRR	NK	G	5082	--	SE	SW	SW	100	4180	21	12	20E	3		13.00	13.00	AF
A_ 39855 00	IRR	NK	G	2590	--	NW	NW	NE	5093	2033	29	12	20E	5		32.00	32.00	AF
A_ 40680 00	IND	NK	G	4034	--	SE	NE	NE	4474	612	29	12	20E	8		3.82	3.82	AF
A_ 44589 00	IRR	NK	G	2590	--	NW	NW	NE	5093	2033	29	12	20E	5		56.00	24.00	AF
A_ 46354 00	IRR	MM	G	5082	--	SE	SW	SW	100	4180	21	12	20E	3		153.00	140.00	AF

NO NOTIFY - 3000+

APPLICANTS -

APPLICANTS -

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	140.00	.00
Total Certified Amount (AF) =	1570.32	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1710.32	.00

An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for 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 1.00 miles of point defined as:

95.217810 West Longitude and 38.990989 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR
 A_ 717 00 IND NK G
 > ICL SPECIALTY PRODUCTS INC
 >
 > 440 N 9TH ST
 > LAWRENCE KS 66044

1792 3671 ACTUAL / AUTHORIZED
 1792 - 3686 PROPOSED
 15'

A_ 27485 00 IRR NK G
 > NUNEMAKER-ROSS INC
 >
 > 1687 E 1600 RD
 > LAWRENCE KS 66044

A_ 28681 00 IRR NK G
 > ROGER C & SUE ANN PINE
 >
 > 1783 E 1500 RD

> LAWRENCE KS 66044

A_ 35561 00 IRR NK G

> NUNEMAKER-ROSS INC

>

> 1687 E 1600 RD

> LAWRENCE KS 66044

A_ 39855 00 IRR NK G

> NUNEMAKER-ROSS INC

>

> 1687 E 1600 RD

> LAWRENCE KS 66044

A_ 40680 00 IND NK G

> PEARL INVESTMENT GROUP LLC

> LAURA PEARL

> PO BOX 128

> SAINT MARYS KS 66536

A_ 44589 00 IRR NK G

APPLICANT

> NUNEMAKER-ROSS INC

>

> 1687 E 1600 RD

> LAWRENCE KS 66044

A_ 46354 00 IRR MM G

> NUNEMAKER-ROSS INC

>

> 1687 E 1600 RD

> LAWRENCE KS 66044

=====

Safe Yield Report Sheet
Water Right- A2748500
Point of Diversion in SWNESW 20-12S-20E 2 (34957)

Analysis Results

The selected PD is in an area to new appropriations.
The safe yield, based on the variables listed below is 3,462.38 AF.
Total prior appropriation in the circle is 3,607.74 AF.
Total quantity of water available for appropriation is 0.00 AF.

Safe Yield Variables

The area used for the analysis is set at 6015 acres.
Potential annual recharge of the area is estimated to be 9.21 inches.
The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 26-JAN-2018 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 25 water right(s) and 20 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 717 00	IND NK G				NE SW NE			3789	1609	29	12	20E	2	PD	806.50	449.50		
Same	IND NK G				SW NE NE			4010	892	29	12	20E	14	PD	806.50	449.50		
Same	IND NK G				SE NE NE			4313	178	29	12	20E	21	PD	806.50	449.50		
A 1992 00	IRR NK G				SW NE SE			1573	1096	28	12	20E	1	WR	160.00	160.00	594.00	594.00
A 4953 00	IRR NK G				NW SE SE			0	0	29	12	20E	4	WR	15.00	15.00	70.00	70.00
A 24331 00	MUN NK G				NE NW NE			5100	1837	17	12	20E	2	WR	201.63	201.63		
Same	MUN NK G				NW NE NE			5000	1137	17	12	20E	6	WR				
A 25587 00	IRR NK G			NC	W2 NE NW			4620	3600	21	12	20E	1	WR	82.00	82.00	130.00	130.00
A 26460 00	IND NK G				SE SE SE			101	90	08	12	20E	3	WR	12.90	12.90		
A 27485 00	IRR NK G				SW NE SW			1800	3650	20	12	20E	2	WR	59.00	59.00	82.00	82.00
A 28538 00	IRR NK G				NE SE NE			3573	632	21	12	20E	2	PD	147.00	147.00	461.50	461.50
Same	IRR NK G				SE NE NE			4163	72	28	12	20E	4	PD	138.00	138.00		
A 28681 00	IRR NK G				NW SW NW			3552	5331	20	12	20E	4	WR	90.00	90.00	170.00	170.00
A 32727 00	IRR NK G							3606	4608	18	12	20E	3	WR	59.00	59.00	123.00	123.00
A 35561 00	IRR NK G				SE SW SW			100	4180	21	12	20E	3	WR	13.00	13.00	153.00	153.00

A	38830	00	IRR	NK	G	NC W2 NE NW	4620	3600	21	12	20E	1	WR	22.00	8.00	130.00	0.00
A	38969	00	IRR	NK	G	SE NE NE	4163	72	28	12	20E	4	WR	9.30	8.90	418.50	0.00
A	39855	00	IRR	NK	G	NW NW NE	5093	2033	29	12	20E	5	WR	32.00	32.00	56.00	56.00
A	40000	00	IND	NK	G	SE SE SE	101	90	08	12	20E	3	WR	86.49	73.59		
A	40680	00	IND	NK	G	SE NE NE	4474	612	29	12	20E	8	WR	3.82	3.82		
A	42157	00	IRR	NK	G	NW NW SE	2328	2590	18	12	20E	4	WR	11.00	11.00	20.00	20.00
A	42722	00	MUN	LR	G	NE NW NE	5100	1837	17	12	20E	2	WR	306.89	306.89		
A	42725	00	MUN	LR	G	NW NE NE	5000	1137	17	12	20E	6	WR	306.89	0.00		
A	43336	00	IRR	NK	G	NE NE NE	4970	73	18	12	20E	5	WR	102.00	102.00	80.00	80.00
A	44067	00	IRR	NK	G	SE NE NE	4163	72	28	12	20E	4	WR	154.00	4.00	418.50	0.00
A	44589	00	IRR	NK	G	NW NW NE	5093	2033	29	12	20E	5	WR	56.00	24.00	56.00	0.00
A	46354	00	IRR	MM	G	SE SW SW	100	4180	21	12	20E	3	WR	153.00	140.00	153.00	0.00
A	46709	00	IRR	LR	G	NE NW SE	2620	1920	28	12	20E	5	WR	474.00	474.00	594.00	0.00
A	49739	00	IND	GY	G	SE SE SE	101	90	08	12	20E	3	WR	100.00	93.51		

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

NUNEMAKER-ROSS, INC 12/4/17
1687 E 1600 RD
LAWRENCE, KS 66044

RE: File No 27485

FILE COPY

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PD
- point of diversion
- use made of water

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. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

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

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

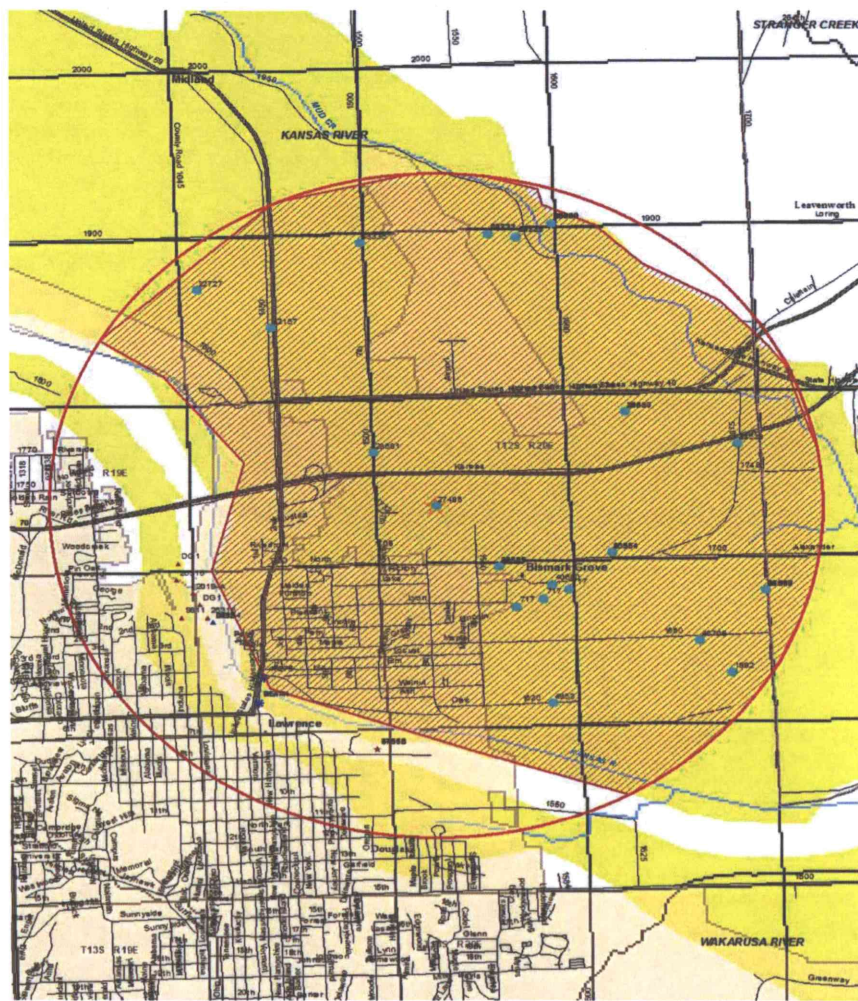
A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

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

Sincerely,

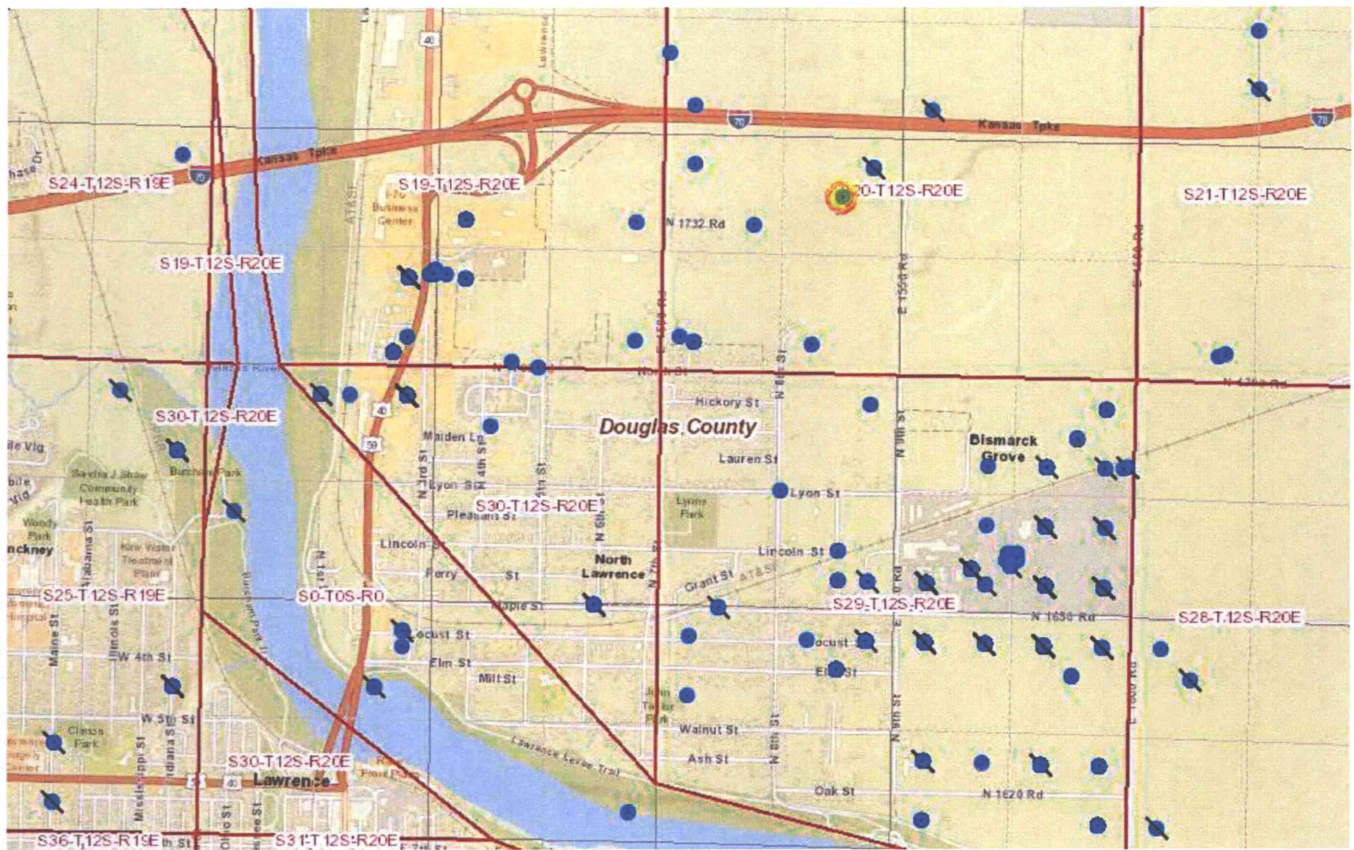
Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: TOPEKA Field Office GMD



Safe Yield Report Sheet
Water Right- A2748500
Point of Diversion in SWNESW 20-12S-20E 2 (34957)

P.L.U.S. NO. 27,485



KGS
Hydrology

**Water Well
Database
Query**

Township: 12S, Range: 20E, Section: 20

Select location of well to view details.

Click on column heading to sort.

Save Data
to File

18 records returned.

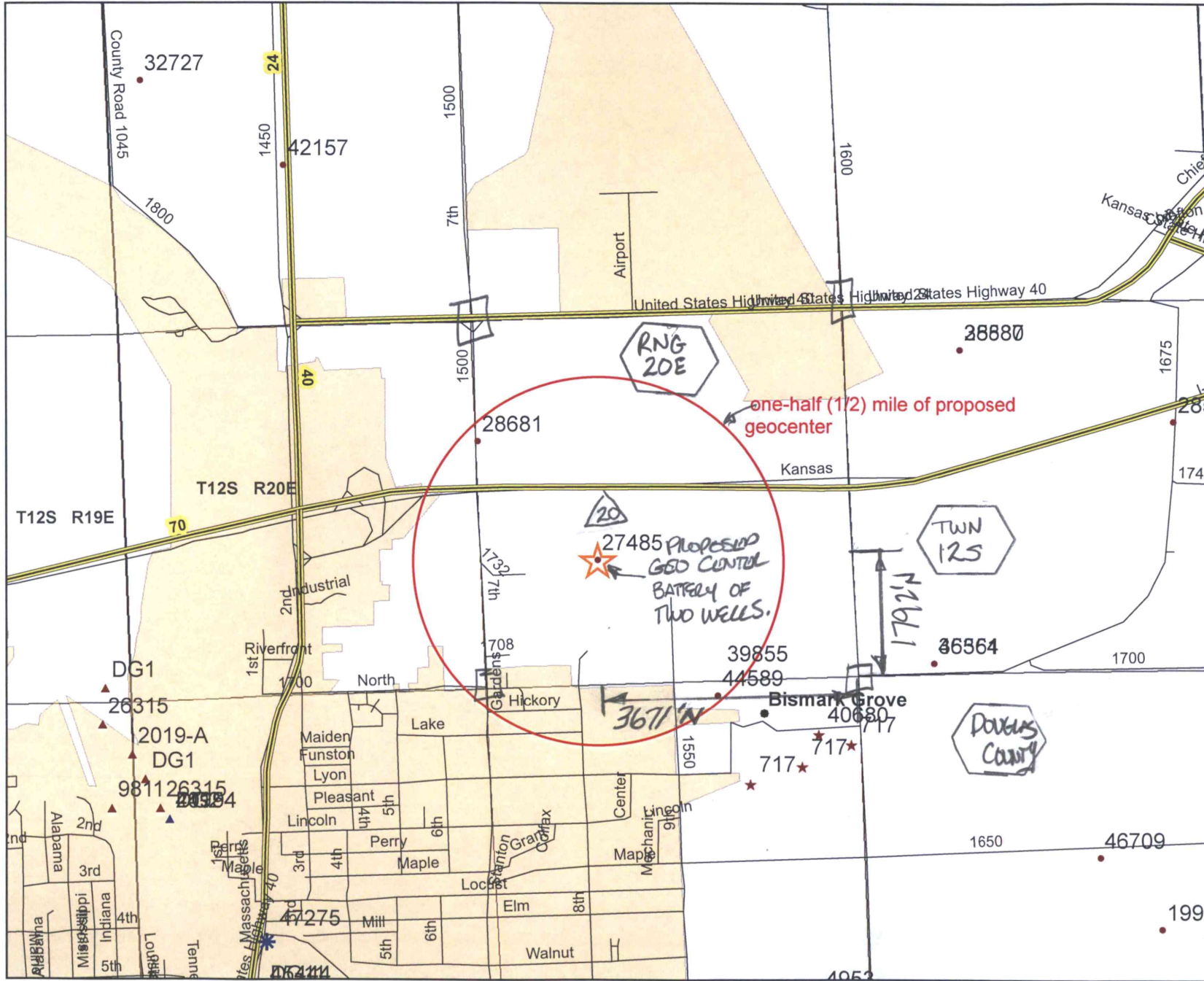
<u>T-R-S</u>	<u>Owner</u>	<u>Well Depth</u> <u>Ascend.</u> <u>Desc.</u>	<u>Static Water Level</u> <u>Ascend.</u> <u>Desc.</u>	<u>Est. Yield</u> <u>Ascend.</u> <u>Desc.</u>	<u>Well Use</u>	<u>Other ID</u>	<u>Action Taken</u>	<u>Completion Date</u> <u>Ascend.</u> <u>Desc.</u>	<u>Scan?</u>
Sec. 20 SE NE NE	Pine, Raymond	35 ft.	25 ft.	15 gpm.	Domestic		Constructed	14-Nov- 1977	Scan
Sec. 20 NE NE NW	Leary, Dorthy	39 ft.	19.5 ft.	10 gpm.	Domestic		Constructed	17-Feb- 1982	Scan
Sec. 20 NE NE SW	Webb, Guy	37 ft.	17 ft.	30 gpm.	Domestic		Constructed	25-Aug- 1988	Scan
Sec. 20 NW NW NW	Steines, Perry	43 ft.	15 ft.	25 gpm.	Domestic		Constructed	01-Aug- 1991	Scan
Sec. 20 NW NW NE		50 ft.	15 ft.	50 gpm.	Domestic		Constructed	18-Jun- 1981	
Sec. 20 SW SW NE	FMC	30 ft.	15 ft.		Domestic		Plugged	06-Dec- 1996	Scan
Sec. 20 NW NW SW	Reynolds, Mike	41 ft.	19 ft.	50 gpm.	Domestic		Constructed	13-Aug- 2003	Scan
Sec. 20	Taylor, Hugh	50 ft.	21 ft.	50 gpm.	Domestic		Constructed	21-May- 1981	Scan

<u>SW</u>									
<u>SE</u>									
<u>SW</u>									
<u>Sec.</u> <u>20</u> <u>SW</u> <u>SW</u> <u>SW</u>	Wright, Thelma	50 ft.	20 ft.	30 gpm.	Domestic		Constructed	12-Jan-1998	Scan
<u>Sec.</u> <u>20</u> <u>SE</u> <u>NW</u> <u>SW</u>	Dalsing, Ethel	49 ft.	21 ft.	100 gpm.	Domestic		Constructed	30-Jun-2004	PDF
<u>Sec.</u> <u>20</u> <u>NW</u> <u>NW</u> <u>NW</u>	Cheek, Margret	39 ft.	18 ft.	25 gpm.	Domestic		Constructed	29-Jun-1991	Scan
<u>Sec.</u> <u>20</u> <u>SW</u> <u>SW</u> <u>SW</u>	Clark, Richard	42 ft.	19 ft.	20 gpm.	Domestic		Constructed	13-Jul-1987	Scan
<u>Sec.</u> <u>20</u> <u>SW</u> <u>SW</u> <u>SW</u>	McClelland, Melvin	39 ft.	24 ft.	30 gpm.	Domestic		Constructed	15-Feb-1991	Scan
<u>Sec.</u> <u>20</u> <u>C NE</u> <u>SW</u>	Nehrbass, Marl	50 ft.	22 ft.	1000 gpm.	Irrigation		Constructed	10-Mar-1977	Scan
<u>Sec.</u> <u>20</u> <u>SW</u> <u>SW</u> <u>NW</u>	Pine, Raymond C.	56 ft.	23.5 ft.	1400 gpm.	Irrigation		Constructed	10-Mar-1977	Scan
<u>Sec.</u> <u>20</u> <u>NW</u> <u>SW</u> <u>SW</u> <u>SW</u>	Price, Billy	49 ft.	23 ft.	100 gpm.	Domestic		Constructed	15-Oct-2014	KOLAR PDF
<u>Sec.</u> <u>20</u> <u>SW</u> <u>NW</u>	Pine Family Farms	61 ft.	16 ft.	500 gpm.	Irrigation		Constructed	24-May-2017	KOLAR PDF

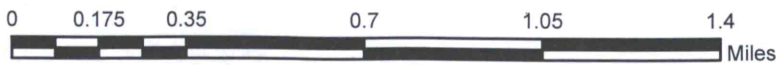
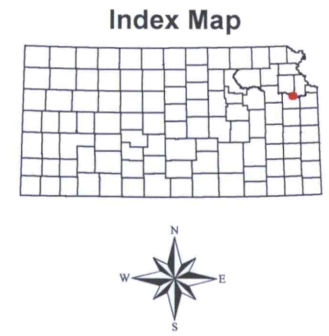
SW									
NW									
Sec. 20									
NE	Ross, Pat and Mary	57 ft.	12 ft.		Domestic		Plugged	25-Jul-2017	PDF
NE									
SW									

Kansas Geological Survey
 Comments to webadmin@kgs.ku.edu
 URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html
 Display Programs Updated July 2, 2014
 Data added continuously.

Water Right File No. 27485 Change in Point of Diversion



- Legend**
- WIMAS_PD**
- S_UMW**
- ★ G_IND
 - G_IRR
 - ▲ G_MUN
 - ▲ S_MUN
 - * S_WTR



This map was created by I. Ireland in WIMAS on 1/26/2018 12:04:15 PM

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Application to Change the Point of Diversion File No. 27485

WATER RESOURCES
RECEIVED
NOV 29 2017
KS DEPT OF AGRICULTURE



12 South

20

20 East

Authorized & Proposed Point of Diversion
Geocenter of Battery of 2 Wells

SCANNED