

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

1. File Number: <p style="text-align: center;">49,988</p>	2. Status Change Date: <p style="text-align: center;"><i>8/10/2018</i></p>	3. Field Office: <p style="text-align: center;">01</p>	4. GMD: <p style="text-align: center;">0</p>
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

<p>7a. Applicant(s) Person ID <u>16</u> New to system <input type="checkbox"/> Add Seq# _____</p> <p>CITY OF ABILENE PO BOX 519 ABILENE KS 67410</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>
<p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>

<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC. Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input checked="" type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: **12/31/2019** 11. Perfection Date: **12/31/2038** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **7/3/2018** By: **DWS**
Date Entered: *8/13/2018* By: *UM*

File No. 49,988	15. Formation Code: 113	Drainage Basin: SMOKY HILL RIVER	County: DK	Special Use:	Stream:																
16. Points of Diversion T MOD DEL PDIV ENT Qualifier S T R ID 'N 'W			17. Rate and Quantity Authorized Additional Rate gpm Quantity mgy Rate gpm Quantity mgy Overlap PD Files																		
MOD 60769 SW-NE-NW- 29 13 2E 3 4435 4900			600 31.5 600 31.5 41,500																		
SE NW NW																					
18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																					
19. Limitation: _____ at _____ gpm (_____ cfs) when combined with file number(s) _____ Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																					
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by <u>12/31/2019</u> Date Acceptable Meter Installed _____																					
21. Place of Use T MOD DEL ENT PUSE S T R ID		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	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				
√ 7382 14 13 1E 1		SEE IMAGE FOR AREAS SERVED																	7a.	No	See below
√ 29338 23 13 1E 4		BOUNDARIES OF DICKINSON RWD 02 & IMMEDIATE VICINITY																	7a.	No	See below
√ 25494 16 13 2E 2		CITY OF ABILENE & IMMEDIATE VICINITY																	7a.	No	See below
Comments: File Nos. 2,123; 4,902; 8,087; 19,793; 38,952; 39,200; 39,724; 41,499; 41,500; 47,327; 49,988; and 49,989 all overlap in PU.																					

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

MEMORANDUM

TO: Files

DATE: July 3, 2018

FROM: Doug Schemm

RE: Application, File Nos. 49,988 and 49,989;
Appropriation of Water, File Nos. 40,420 and 41,499

The City of Abilene has filed the referenced applications to appropriate additional groundwater from existing wells for municipal use. The application forms were signed by a representative of the applicant stating that they have access to the points of diversion. Both of the wells are located in the Northwest Quarter of Section 29, Township 13 South, Range 2 East, Dickinson County, Kansas, within the Smoky Hill River basin. The City has multiple overlapping files in place of use, as follows: File Nos. 2,123; 4,902; 8,087; 19,793; 38,952; 39,200; 39,724; 40,420; 41,499; 41,500; and 47,327.

Application File No. 49,988 overlaps in point of diversion with File No. 41,500 (Well #16), and is requesting 31.5 million gallons per calendar year at a diversion rate not to exceed 600 gallons per minute. Application File No. 49,989 overlaps in point of diversion with File No. 39,724 (Well #14), and is requesting 50 million gallons per calendar year at a diversion rate not to exceed 600 gallons per minute.

Water Right, File No. 2,123 is authorized 289.03 million gallons, Water Right, File No. 4,902 is authorized 30 million gallons, Water Right, File No. 8,087 is authorized 41 million gallons, Water Right, File No. 19,793 is authorized 63.9 million gallons for combined total of 423.93 million gallons. Please note that File No. 10,143 was authorized 1 million gallons, but was dismissed on May 4, 2017. Water Right, File No. 38,952 is authorized 100.688 million gallons, but limited to these senior files to a total not to exceed 424.93 million gallons. With the dismissal of File No. 10,143, this file provides for 1 million additional gallons, and this will be corrected with a worksheet. Appropriation of Water, File No. 39,200 is authorized 64.64 million gallons, Appropriation of Water, File No. 39,724 is authorized 50 million gallons, limited to the senior files to a total not to exceed of 595.34 million gallons; however this limitation is no longer valid and it will be eliminated to show all additional quantity of water under File No. 39,724, bringing the authorized total quantity of water to 539.57 million gallons. Appropriation of Water, File No. 40,420 is authorized 32.5851 million gallons (This file is being voluntarily dismissed and an F&O will be processed with the new application approvals). Appropriation of Water, File No. 41,499 is authorized 68.6 million gallons (This file is being voluntarily reduced in quantity from 68.6 million gallons to 54.39 million gallons and an F&O will be processed with the new application approvals). This brings the authorized quantity of water to 593.96 million gallons.

Appropriation of Water, File No. 41,500 is authorized 68.6 million gallons, limited to the senior files to a total not to exceed 716.03 million gallons; however this limitation is no longer valid and it will be eliminated to show all additional quantity of water under File No. 41,500 bringing the authorized total quantity of water to 662.56 million gallons. Finally, Appropriation of Water, File No. 47,327 is authorized 70 million gallons, limited to the senior files to a total not to exceed 709.355 million gallons (0 additional); however this limitation was incorrect based on the senior file limitation, and it will be corrected to show limited to all senior files to a total not to exceed 716.03 million gallons. This will provide additional water of 53.47 million gallons.

A review of the the Kansas Municipal Water Use report indicates an average of 102 gpcd, for medium public water suppliers in Region 7, however the City has an average of 142 gpcd. An estimated quantity of water can be determined as follows: Population of 14,000 (by 2040) x 142 gpcd x 365 days = 746 million gallons. Based on File No. 47,327 data, it can be projected that the applicant will be providing an additional 50 million gallons to bulk customers, for a total of 796 million gallons.

Therefore, both Application, File Nos. 49,988 and 49,989, requesting a total of 81.5 million gallons, will be all additional quantity of water. This brings the total authorized quantity of water to 797.53 million gallons (716.03 mg + 81.5 mg).

The applicant identified six nearby well owners, and nearby well owner letters were sent out on April 5, 2018. No responses of any kind were received. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be 1,320 feet to non-domestic wells and 660 feet to domestic wells. The nearest domestic well is over 1,200 feet away, and the applications comply with spacing to domestic wells.

However, the applications do not meet well spacing criteria to each other because these existing municipal wells are only 1,188 feet apart. K.A.R. 5-4-4 provides that the spacing guidelines are not applicable if the required minimum well spacing criteria are not necessary to prevent direct impairment. There are several unique circumstances that should be considered in this specific instance regarding minimum well spacing.

- The wells for the municipal supply are operated as a system supplying water to the same water treatment facility, and are not likely to be separated or divided in any way in the future.
- The wells have been in place for many years with no known concerns. The wells are not typically pumped at the same time, and they are pumped based on water supply demands at the treatment facility, not on a continuous basis. This operational flexibility in pumping sources will provide for more efficient management of the source of supply.
- The wells are producing from a prolific alluvial aquifer, located within in the Smoky Hill River alluvium.

Therefore, per K.A.R. 5-4-4, the required minimum well spacing criteria is not necessary to prevent direct impairment in this specific instance, and the proposed well spacing is sufficient to prevent direct impairment and to protect the public interest. The wells comply with minimum well spacing criteria to all other wells.

As noted above, based on the geographical location of the wells near the Smoky Hill River, and area well logs, the source of water is the alluvial aquifer. Per K.A.R. 5-3-11, the area of consideration was based on the extent of this alluvial aquifer for each file. For File No. 49,988 the extent was determined to be 6,712 acres. Thus 6,712 acres x 3.0 inches of recharge x 100% recharge available / 12 provides a safe yield of 1,677.91 acre-feet. Existing water rights have appropriated 1,538.3 acre-feet (with quantity limitations added back in), leaving 139.61 acre-feet available, and this application requesting 96.67 acre-feet complies with safe yield. For File No. 49,989 the area of consideration was determined to be 6,915 acres. Thus 6,915 acres x 3.0 inches of recharge x 100% recharge available / 12 provides a safe yield of 1,728.84 acre-feet. Existing water rights have appropriated 1,718.97 acre-feet (with quantity limitations added back in), leaving only 9.87 acre-feet available. However, as noted above, the applicant has agreed to dismiss File No. 40,420, which adds 99.98 acre-feet back into the area of consideration, and has agreed to reduce File No. 41,499 from 210.53 acre-feet to 166.92 acre-feet (a difference of 43.61 acre-feet). In summary, 9.87 AF + 99.98 AF + 43.61 AF = 153.46 AF, and the application requesting 153.44 AF, now complies with safe yield.

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 chemical or foreign substance is injected into the water pumped under these permits, check valves will also need to be installed.

City of Abilene
File Nos. 40,420; 41,499; 49,988 and 49,989
Page 3

Katie Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced applications in a June 27, 2018 e-mail. Based on the above discussion, the applications comply with rules and regulations, and approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced applications be approved, in conjunction with the voluntary dismissal of File No. 40,420 and the reduction in quantity of water under File No. 41,499.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 14, 2018

FILE COPY

CITY OF ABILENE
PO BOX 519
ABILENE KS 67410

Re: Appropriation of Water, File Nos. 40,420; 41,499; 49,988 and 49,989

Dear Sir or Madam:

There are enclosed permits to appropriate water (File Nos. 49,988 and 49,989) 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 sources and at the location specified in these permits, and to use it for the purpose and at the location described in these permits.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits. Water meters are required on the proposed diversion works and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters 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 these permits. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed for each file.

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 these permits 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 these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number. There is also enclosed an information sheet setting forth the procedure to obtain Certificates of Appropriation which will establish the extent of your water rights.

In addition, enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Appropriation of Water, File No. 40,420 as you requested in your "Voluntary Waiver of Hearing & Dismissal of Water Right" form received in our office on April 18, 2018.

(over)

City of Abilene
File Nos. 40,420; 41,499; 49,988 and 49,989
Page 2

Finally, enclosed is the Findings and Order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, which sets forth the authorized quantity of water under Appropriation of Water, File No. 41,499. This Order reduces the authorized quantity of water under Appropriation of Water, File No. 41,499, to 54.39 million gallons (166.92 acre-feet) per calendar year.

These orders shall become final agency action without further notice to the parties, if a request for hearing or a petition for administrative review is not filed in a manner set forth in the enclosed orders.

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



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. 49,988** of the applicant

**CITY OF ABILENE
PO BOX 519
ABILENE KS 67410**

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 **February 5, 2018**.
2. That the water sought to be appropriated shall be used for municipal use within the City of Abilene, Kansas, and its immediate vicinity; within the boundaries of Rural Water District No. 2, Dickinson County, Kansas, and its immediate vicinity; within the area served by the Redbud Lake Association in the Southeast Quarter (SE $\frac{1}{4}$) of Section 14; and in the Northeast Quarter (NE $\frac{1}{4}$) of Section 23, all in Township 13 South, Range 1 East, Dickinson County, Kansas; and the area in the immediate vicinity of the water supply pipelines serving as a connection between the wells authorized under File Nos. 2,123; 4,902; 8,087; 10,143; 38,952; and 39,200.
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 the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 29, more particularly described as being near a point 4,435 feet North and 4,000 feet West of the Southeast corner of said section, in Township 13 South, Range 2 East, Dickinson 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 **600 gallons per minute** (1.34 c.f.s.) and to a quantity not to exceed **31.5 million gallons** (96.67 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, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2038** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the 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).

13. 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.

14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

15. 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.

16. 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.

17. That the permit holder shall submit a progress report to the office of the Chief Engineer by March 1, following the tenth full calendar year after the permit was issued. The progress report must be submitted on a form prescribed by the Chief Engineer, and shall compare annual water use projected in the original application with the actual annual water use for the prior 10 years. The progress report must document compliance with the approved conservation plan, contain sufficient details to determine the extent of perfection of the water right during the previous ten years, and demonstrate how the water right, in association with other water rights, meets the municipal use need.

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 10th day of August, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.
Program Manager
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 10th day of August, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture



Danielle Wilson

Notary Public

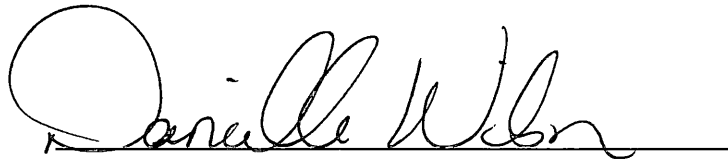
CERTIFICATE OF SERVICE

On this 14th day of August, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,988, dated August 10th 2018 was mailed postage prepaid, first class, US mail to the following:

CITY OF ABILENE
PO BOX 519
ABILENE KS 67410

With photocopies to:

Topeka Field Office

A handwritten signature in black ink, appearing to read "Danielle Wilson", written over a horizontal line.

Division of Water Resources

THE STATE OF KANSAS



Water Resources Received

FEB 05 2018

12:38

KS Dept Of Agriculture

KANSAS DEPARTMENT OF AGRICULTURE Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES David W. Barfield, Chief Engineer

File Number 49988 This item to be completed by the Division of Water Resources.

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.)

APPLICATION COMPLETE 6/27/18 Reviewer: KAB for DWS

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

1. Name of Applicant (Please Print): CITY OF ABILENE Address: PO BOX 519 City: ABILENE State KS Zip Code 67410 Telephone Number: (785) 263-7478

2. The source of water is: [] surface water in (stream) OR [x] groundwater in SMOKY HILL 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. 39 MGY + UP TO 32.58 MGY FROM 40420 + 34.3 mgy FROM 41499 (HALF)

3. The maximum quantity of water desired is _____ acre-feet OR extra 31.5 mgy gallons per calendar year, to be diverted at a maximum rate of 600 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) [x] 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

For Office Use Only: F.O. Code 1 GMD RFG Meets K.A.R. 5-3-1 (YES) NO Use MUN Source GYS County DIC Fee \$ 200 TR # Receipt Date By AMW Date 2/5/18 Check # 22209810

18013757

SCANNED 2/20/2018 UM

49988

TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

Water Resources
Received

FEB 05 2018

KS Dept Of Agriculture

SCANNED

* Per compliance Investigation
on Senior File # 41,500 - DWS/DWR
7/31/18

File No. 49988

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~~^{SE} quarter of the ~~NE~~^{NW} quarter of the NW quarter of Section 29, more particularly described as being near a point ~~4300~~⁴⁴³⁵ feet North and ~~3920~~⁴⁰⁰⁰ feet West of the Southeast corner of said section, in Township 13S South, Range 2E East/West (circle one), Dickinson 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.

Water Resources

Received
FEB 05 2018

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

KS Dept Of Agriculture

(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 Feb - 2, 2018.

Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 1 well, pump
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) completed
(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 upon approval.
(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 _____

No structure involved

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.

Overlap on well #16 PD with File No. 41500 well #16

PU overlap- 2123, 4902, 8087, 19793, 38952, 39200, 39724, 40420, 41499, 41500, 47327

Water Resources
Received

FEB 05 2018

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

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

- (A) One in the SW quarter of the NE quarter of the NW quarter of Section 29, more particularly described as being near a point 4390 feet North and 3920 feet West of the Southeast corner of said section, in Township 13S South, Range 2E East/West (circle one), Dickinson 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.

Water Resources
KS Dept Of Agriculture
Received
FEB 05 2018

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

KS Dept Of Agriculture

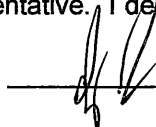
(name, address and telephone number)

(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 Feb - 2, 2013.


Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 1 well, pump
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) completed
(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 upon approval
(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 _____

No structure involved

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Overlap on well #16 PD with File No. 41500 well #16

PU overlap- 2123, 4902, 8087, 19793, 38952, 39200, 39724, 40420, 41499, 41500, 47327

Water Resources
Received

FEB 05 2010

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>10/24/94</u>			
Total depth of well	<u>57'</u>			
Depth to water bearing formation				
Depth to static water level	<u>17.59'</u>			
Depth to bottom of pump intake pipe				

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

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):
CITY OF ABILENE, P.O. BOX 519 ABILENE, KS 67410
(name, address and telephone number)
(785) 263-7478
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.
Dated at _____, Kansas, this 2 day of FEB, 2018.
(month) (year)

(Applicant Signature)
By [Signature]
(Agent or Officer Signature)
Sa4 Leusman
(Agent or Officer - Please Print)

Water Resources
Received
FEB 05 2018
KS Dept Of Agriculture

Assisted by Katie Tietsort TFO WC Date: 2/1/18
(office/title)

49,988

Schemm, Doug [KDA]

From: Tietsort, Katie [KDA]
Sent: Wednesday, June 27, 2018 10:28 AM
To: Schemm, Doug [KDA]
Cc: Baum, Kristen
Subject: RE: City of Abilene

Doug,

As we discussed, this package should move forward for signature. The package includes approvals under pending applications 49988 & 48889, which will allow the City to pump additional water from their primary wells #14 and #16 and will ease pressure on the system. This quantity becomes all additional. The package includes the dismissal of 40420 and reduction under 41499. Additionally, because of all the changes to files and review of their quantities, it also includes a number of F&O's removing the extraneous limitations (which are now greater than the Q authorized due to the dismissals and reductions) and corrects the quantity limitation under 47327, the only file that will still have a limitation along with the original limitation under 38952.

We have come a long way in "cleaning up" the City of Abilene water rights and working with the City to acquire additional rights to help them. I am very pleased with our efforts for this group.

As we discussed with the City yesterday, the pending file 50066 is part of a different project and should specifically not be included with this package. That will be part of a different package once they work with that landowner further on wells.

Thanks everyone, 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: Schemm, Doug [KDA]
Sent: Wednesday, June 27, 2018 9:55 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: City of Abilene

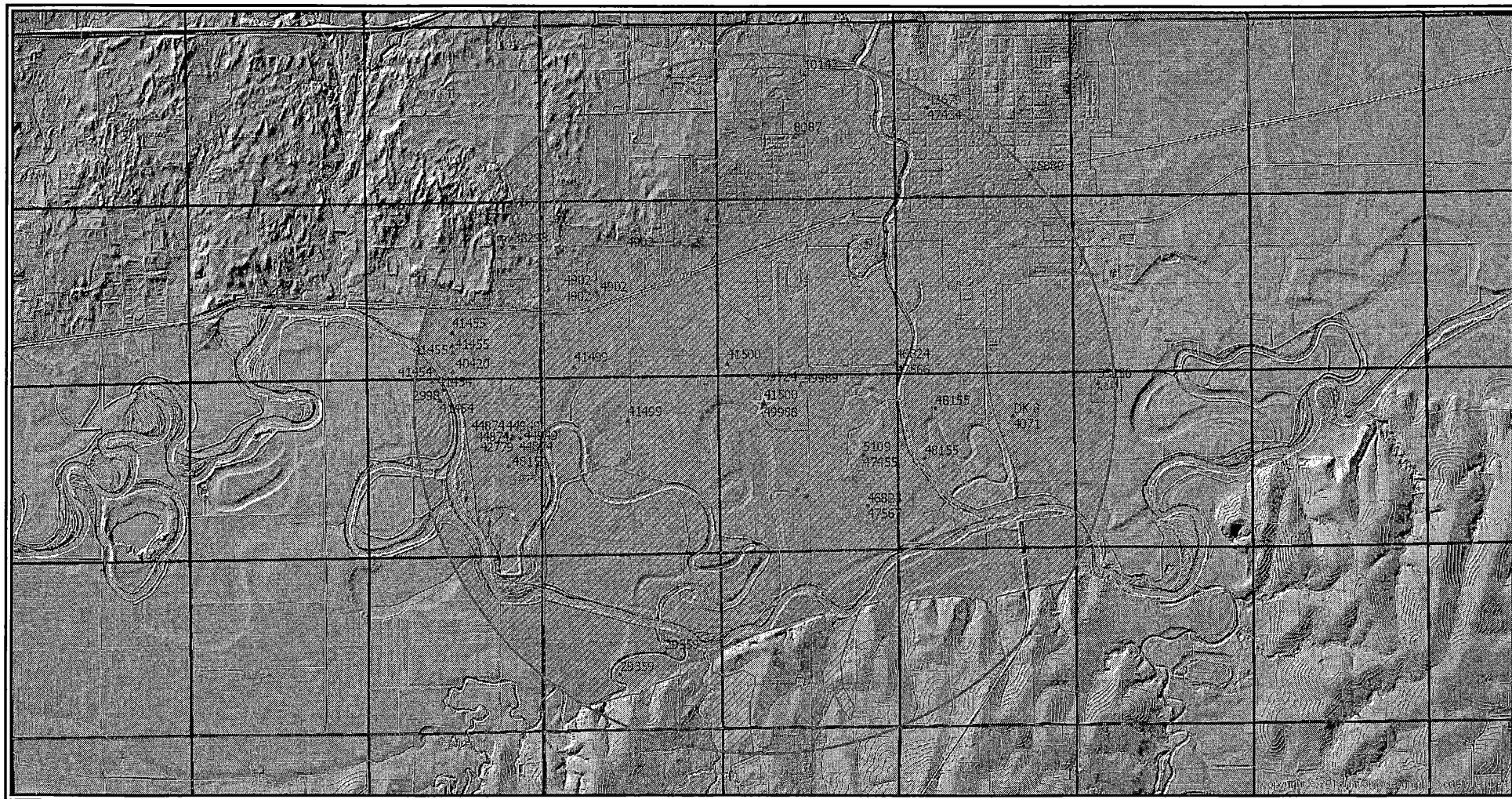
CITY OF ABILENE

Revised on June 27, 2018

FILE NUMBER	AUTHORIZED QUANTITY (GALLONS)	ADDITIONAL QUANTITY	AUTHORIZED RATE	ADDITIONAL RATE	
File No. 2,123	289,030,000	289,030,000	1346 gpm	1346 gpm	
File No. 4,902					
Well #5	1,000,000	1,000,000	300 gpm	300 gpm	
Well #20	29,000,000	29,000,000	394 gpm	394 gpm	
File No. 8,087					
Well #6	40,000,000	40,000,000	369 gpm	369 gpm	
Well #8	1,000,000	1,000,000	490 gpm	490 gpm	
File No. 10,143					Dismissed on 5/4/17
File No. 19,793					
Well #1	31,950,000	31,950,000	210 gpm	210 gpm	
Well #3	31,950,000	31,950,000	205 gpm	205 gpm	
	TOTAL =	423,930,000			
File No. 38,952					
Well # 15	100,688,000	1	350 gpm	350 gpm	Modified Additional Quantity
Limitation:	Limited with File Nos. 2,123; 4,902; 8,087; 10,143; & 19,793 to provide a total not to exceed 424.93 mgy (1304.06 AF) (Cumulative authority prior to 38,952 is 423.93 mgy).				
File No. 39,200					
Well # 21	64,640,000	64,640,000	300 gpm	300 gpm	
File No. 39,724					
Well # 14	50,000,000 gal	50,000,000 gal	600 gpm	600 gpm	Removed Quantity Limitation
	(Cumulative authorized quantity = 539.57 million gallons)				
File No. 40,420					
					To be Dismissed
File No. 41,499					
Well # 17	54,390,000	54,390,000	600 gpm	600 gpm	Reduction in Quantity
File No. 41,500					
Well # 16	68,600,000	68,600,000	600 gpm	600 gpm	Removed Quantity Limitation
	(Cumulative authorized quantity = 662.56 million gallons)				
File No. 47,327					
Well # 6	70,000,000	53,470,000	500 gpm	500 gpm	Revised Additional Quantity
Limitation:	Limited with Water Right, File Nos. 2,213; 4,902; 8,087; 19,793; 38,952; 39,200; 39,724; 41,499 & 41500 to provide a total not to exceed 716.03 million gallons (2,197.4 acre-feet)				
File No. 49,988					
Well # 16	31,500,000	31,500,000	600 gpm	600 gpm	
File No. 49,989					
Well # 14	50,000,000	50,000,000	600 gpm	600 gpm	
	(Cumulative authorized quantity = 797.53 million gallons)				

#49,988

Safe Yield Report Sheet
Water Right- A4998800
Point of Diversion in 29-13S-02E
Footages from SE corner- 4,390 feet North 3,920 feet West



#49,988

Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 1,677.91 AF.

Total prior appropriations in the circle is 1,498.47 AF. $-250.11 \text{ AF} = 1,248.36 + 289.94 \text{ AF} = 1538.3 \text{ AF}$

Total quantity of water available for appropriation is ~~179.44~~ AF.

139.61 AF

Requesting 96.67 AF
meets safe yield

Safe Yield Variables

The area used for the analysis is set at 6,712 acres.

The potential annual recharge at the circle center is estimated to be 3.0 inches.

The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 03-APR-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 15 water rights and 14 points 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	Tot Acres	Net Acres
V DK 8 00	IRR	AA	G		SE	NW	NE	3967	1855	28	13	02E	1	WR	75.00	75.00 ✓	75.00	75.00
A 4071 00	IRR	NK	G		SE	NW	NE	3967	1855	28	13	02E	1	WR	5.00	5.00 ✓	75.00	0.00
A 4902 00	MUN	NK	G		NE	SE	NW	3800	2700	19	13	02E	2	PD	3.07	3.07		
Same	MUN	NK	G		NW	NE	SW	2626	3655	19	13	02E	6	PD	89.00	89.00		
A 5109 00	IRR	NK	G		SW	SE	NE	2868	991	29	13	02E	1	WR	75.00	75.00	204.00	204.00
A 39724 00	MUN	LR	G		NE	NE	NW	5000	2900	29	13	02E	2	WR	153.44	15.60 +137.84		
A 40420 00	MUN	LR	G		SE	SE	SW	230	2700	24	13	01E	2	WR	99.98	99.98		
A 41499 00	MUN	LR	G		E2	E2	NW	3960	2720	30	13	02E	1	WR	210.53	210.53		
A 41500 00	MUN	LR	G		SW	NE	NW	4390	3920	29	13	02E	3	WR	210.53	59.84 +150.69		
A 44874 00	IRR	NK	G					3593	837	25	13	01E	6	WR	63.00	63.00	170.50	170.50
Same	IRR	NK	G					3662	1049	25	13	01E	7	WR				
Same	IRR	NK	G					3523	625	25	13	01E	8	WR				
A 47434 00	IRR	LR	G		SE	SW	NW	2700	4200	16	13	02E	3	WR	7.15	5.74 +1.41	4.00	0.00
A 47455 00	IRR	MM	G		SW	SE	NE	2868	991	29	13	02E	1	WR	243.60	168.60 ✓ o/L 5109	204.00	0.00
A 48154 00	IRR	KE	G					2470	1050	25	13	01E	9	WR	204.60	141.60 ✓ o/L 44874	170.50	0.00
A 48155 00	IRR	KE	G		SE	NW	NW	4239	4186	28	13	02E	3	WR	236.40	236.40	197.00	197.00
A 49988 00	MUN	AY	G		SW	NE	NW	4390	3920	29	13	02E	3	WR	96.67	96.67		
A 49989 00	MUN	AY	G		NE	NE	NW	5000	2900	29	13	02E	2	WR	153.44	153.44		

250.11 AF

Pending

289.94 AF

Add'l Qty

Limitations

File Number	Seq Num	Limitations
A 4071 00	1	80AF/YR COM/W DK 08
A 39724 00	2	595.34MGY COM/W #2123, 4902, 8087, 10143, 19793, 38952 & 39200
A 41500 00	2	716.03MGY COM/W #2123, 4902, 8087, 19793, 38952, 39200, 40420 & 41499

File Number	Seq Num	Limitations
A 47434 00	1	7.15AF/YR @ 90GPM COM/W #42679
A 47455 00	1	243.6AF/YR @ 1200GPM COM/W #5109
A 48154 00	1	204.6AF/YR COM/W #44874

#49,988

Report Date Thursday, April 5 2018

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49988 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49988 00 MUN

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

4390 Feet North and 3920 Feet West of the Southeast Corner of Section 29 T 13S R 2E

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 4071 00	IRR	NK	G	7414	--	SE	NW	NE	3967	1855	28	13	2E	1		5.00	5.00	AF
A__ 4902 00	MUN	NK	G	6269	--	NE	SE	NW	3800	2700	19	13	2E	2		3.07	3.07	AF
Same				6208	--	NW	NE	SW	2626	3655	19	13	2E	6		89.00	89.00	AF
A__ 5109 00	IRR	NK	G	3301	--	SW	SE	NE	2868	991	29	13	2E	1		75.00	75.00	AF
A__ 39724 00	MUN	LR	G	1188	--	NE	NE	NW	5000	2900	29	13	2E	2		153.44	15.60	AF
A__ 40420 00	MUN	LR	G	9536	--	SE	SE	SW	230	2700	24	13	1E	2		99.98	99.98	AF
A__ 41499 00	MUN	LR	G	4166	--	E2	E2	NW	3960	2720	30	13	2E	1		210.53	210.53	AF
A__ 41500 00	MUN	LR	G	0	--	SW	NE	NW	4390	3920	29	13	2E	3		210.53	59.84	AF
A__ 44874 00	IRR	NK	G	7675	--	--	--	--	3593	837	25	13	1E	6 G 2		63.00	63.00	AF
Same				7879	--	--	--	--	3662	1049	25	13	1E	7 B 2				
Same				7473	--	--	--	--	3523	625	25	13	1E	8 B 2				
A__ 47434 00	IRR	LR	G	10221	--	SE	SW	NW	2700	4200	16	13	2E	3		7.15	5.74	AF
A__ 47455 00	IRR	MM	G	3301	--	SW	SE	NE	2868	991	29	13	2E	1		243.60	168.60	AF
A__ 48154 00	IRR	KE	G	8087	--	--	--	--	2470	1050	25	13	1E	9		204.60	141.60	AF
A__ 48155 00	IRR	KE	G	5074	--	SE	NW	NW	4239	4186	28	13	2E	3		236.40	236.40	AF
A__ 49988 00	MUN	AY	G	0	--	SW	NE	NW	4390	3920	29	13	2E	3		96.67	96.67	AF
A__ 49989 00	MUN	AY	G	1188	--	NE	NE	NW	5000	2900	29	13	2E	2		153.44	153.44	AF
T__20049051 00	CON	GY	G	8524	--	NE	NE	SW	2273	3045	17	13	2E	4		96.00	96.00	AF
VDK 8 00	IRR	AA	G	7414	--	SE	NW	NE	3967	1855	28	13	2E	1		75.00	75.00	AF

All wells
> 1,320'
meets spacing
(Except to City's own well)

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	250.11	.00
Total Permitted Amount (AF) =	474.00	.00
Total Inspected Amount (AF) =	391.69	.00
Total Pro_Cert Amount (AF) =	168.60	.00
Total Certified Amount (AF) =	235.07	.00
Total Vested Amount (AF) =	75.00	.00
TOTAL AMOUNT (AF) =	1594.47	.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:

4390 Feet North and 3920 Feet West of the Southeast Corner of Section 29 T 13S R 2E

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 4071 00	IRR	NK	G
> LARRY KOLLING			
>			
> 1045 2100 AVE			
> ABILENE KS 67410			

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 5, 2018

JOHN MARIUS WISE
JOANNE M PACK
1504 S BUCKEYE AVENUE
ABILENE KS 67410

Re: Pending New Applications, File Nos. 49,988 and 49,989

Dear Sir or Madam:

This is to advise you that the City of Abilene has filed the applications referred to above for permits to appropriate groundwater for municipal use. File No. 49,988 is requesting 31.5 million gallons (96.67 acre-feet) of groundwater per calendar year to be diverted at a maximum rate of 600 gallons per minute. The proposed point of diversion is an existing municipal supply well currently authorized under File No. 41,500, located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 29, and

File No. 49,989 is requesting 50 million gallons (153.44 acre-feet) of groundwater per calendar year to be diverted at a maximum rate of 600 gallons per minute. The proposed point of diversion is an existing municipal supply well currently authorized under File No. 39,724, located in the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 29, both in Township 13 South, Range 2 East, Dickinson County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed locations of the applicant's points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the applications and site maps posted by the file numbers referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

Handwritten signature of Douglas W. Schemm.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: City of Abilene

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 5, 2018

WARREN WILSON HAY INC
2201 S WASHINGTON ST
ABILENE KS 67410

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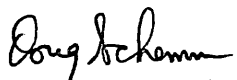
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Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed locations of the applicant's points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the applications and site maps posted by the file numbers referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,


Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: City of Abilene

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

STATE OF KANSAS



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 5, 2018

TED L SEXTON
853 2100 AVE
ABILENE KS 67410

Re: Pending New Applications, File Nos. 49,988 and 49,989

Dear Sir or Madam:

This is to advise you that the City of Abilene has filed the applications referred to above for permits to appropriate groundwater for municipal use. File No. 49,988 is requesting 31.5 million gallons (96.67 acre-feet) of groundwater per calendar year to be diverted at a maximum rate of 600 gallons per minute. The proposed point of diversion is an existing municipal supply well currently authorized under File No. 41,500, located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 29, and

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 5, 2018

ROLAND V & KELLY A ROCK
1104 S WASHINGTON STREET
ABILENE KS 67410

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Environmental Scientist
Topeka Field Office

pc: City of Abilene

STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 5, 2018

JG STANDARD LLC
PO BOX 750694
TOPEKA KS 66675

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Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: City of Abilene

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 5, 2018

KENNETH C & CAROL E WRIGHT
1564 S BUCKEYE AVENUE
ABILENE KS 67410

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Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: City of Abilene

49988

1. WARREN WILSON HAY, INC.
2201 S WASHINGTON ST ABILENE, KS 67410
Phone: 785-263-3330
Domestic
1-A Irrigation
1-B Domestic
2. SEXTON, TED K
853 2100 AVE ABILENE, KS 67410
Phone 785-263-4659
Domestic
3. ROCK, ROLAND V & KELLY A
1104 S WASHINGTON ST ABILENE, KS 67410
Phone: 785-263-4403
Domestic
4. JG STANDARD, LLC
PO BOX 750694 TOPEKA, KS 66675
Phone: unknown
?
5. WISE, JOHN MARIUS & PACK, JOANNE MARIE
1504 S BUCKEYE AVE ABILENE, KS 67410
Phone: 785-263-1111
Domestic
6. WRIGHT, KENNETH C & WRIGHT, CAROL E
1564 S BUCKEYE AVE ABILENE, KS 67410
Phone: 785-263-7957
Domestic

Water Resources
Received

FEB 05 2018

KS Dept Of Agriculture

SCANNED

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

February 14, 2018

CITY OF ABILENE
PO BOX 519
ABILENE KS 67410

RE: Application
File No. 49988

Dear Sir or Madam:

Your application for permit to appropriate water in 29-13S-2E in Dickinson 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,

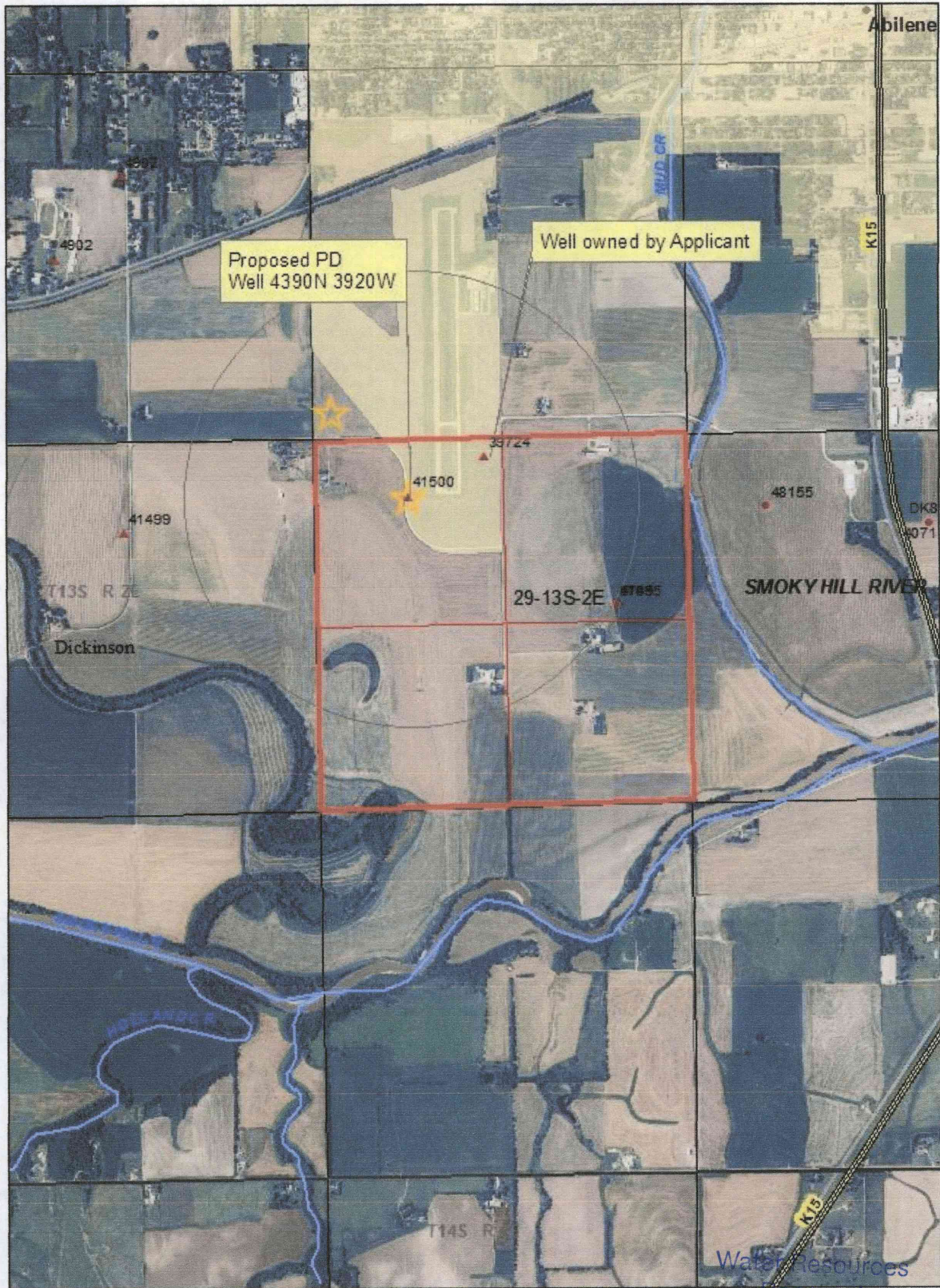
A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive, flowing style.

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

New Application Well #16, City of Abilene



1:24,000

FEB 05 2018

KS Dept Of Agriculture

SCANNED