

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

1. File Number: <b style="font-size: 1.2em;">49,727</b>	2. Status Change Date: <b style="font-size: 1.2em;">3/20/2018</b>	3. Field Office: <b style="font-size: 1.2em;">02</b>	4. GMD: <b style="font-size: 1.2em;">02</b>
5. Status: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input type="checkbox"/> Check Valve <input type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> Meter			
7a. Applicant(s) New to system <input type="checkbox"/>  <b>GORDON J BERGKAMP</b> <b>18826 W 1ST ST</b> <b>BURRTON KS 67020-9016</b>  Person ID <b>31220</b> Add Seq# _____	7c. Landowner(s) New to system <input type="checkbox"/>  <b>GORDON J BERGKAMP</b> <b>18826 W 1ST ST</b> <b>BURRTON KS 67020-9016</b>  Person ID <b>31220</b> Add Seq# _____		
7b. Landowner(s) New to system <input type="checkbox"/>  <b>WILLIAM J &amp; MARGARET A BERGKAMP</b> <b>417 S GOLDEN PRAIRIE RD</b> <b>HALSTEAD KS 67056</b>  Person ID <b>25499</b> Add Seq# _____	7d. Misc. New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____		
8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No <b>7a</b>  Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/>	9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____		
10. Completion Date: _____     11. Perfection Date: _____     12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: <b>3/9/18</b> By: <b>MJM</b> Date Entered: <b>3/28/2018</b> By: <b>UM</b>			

File No. **49,727**      15. Formation Code:      Drainage Basin:      County:      Special Use:      Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W

17. Rate and Quantity				
Authorized		Additional		
Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
				none

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

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

20. Meter Required?  Yes  No      To be installed by \_\_\_\_\_      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
T	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
																										NO			
																										7c.			
																										7b			

Comments: **Application fails Safe Yield and was recommended for denial by GMD#2**

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

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

**TO:** Files

**DATE:** March 9, 2018

**FROM:** Matt Meier

**RE:** Application, File No. 49,727

Gordan Bergkamp filed the referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 200.2 acre-feet of groundwater for irrigation use. The proposed well was to be located in the Northwest Quarter of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 18, more particularly described as being near a point 2000 feet North and 4700 feet West of the Southeast corner of said section, in Township 23 South, Range 2 West, Harvey County, Kansas within the boundaries of Equus Beds Groundwater Management District No. 2.

On October 5, 2017, a copy of the application was submitted to Equus Beds Groundwater Management District No. 2 for review. On February 5, 2018, a reply letter was received from Equus Beds Groundwater Management District No. 2 recommending denial of the application for failure to comply with Safe Yield Rule K.A.R. 5-22-7(a) and given a 30-day deadline (March 7, 2018) to consult with GMD#2 on the recommendation. No request for extension or notification of contact with GMD#2 was received from the applicant.

Therefore, based on the existing information, it is recommended that application File No. 49,727 be denied and dismissed for failure to meet safe yield criteria.

Matt Meier  
Environmental Scientist  
Permits Unit

# 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

March 29, 2018

**FILE COPY**

GORDON J BERGKAMP  
18826 W 1ST ST  
BURRTON KS 67020-9016

RE: Application, File No. 49,727

Dear Mr. Bergkamp:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,727, for failure to comply with the safe yield requirements of K.A.R. 5-22-7(a).

This order 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 order.

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,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

Enclosures

pc: WILLIAM J & MARGARET A BERGKAMP  
Stafford Field Office  
GMD#2



THE STATE



OF KANSAS

**KANSAS DEPARTMENT OF AGRICULTURE**  
Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER  
IN THE MATTER OF THE  
DISMISSAL OF APPLICATION  
FILE NO. 49,727**

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

**FINDINGS**

1. That on November 9, 2016, the Chief Engineer received an application from Gordan Bergkamp for a permit to appropriate water for beneficial use, assigned File No. 49,727, proposing the appropriation of 200.2 acre-feet of groundwater for irrigation use. The proposed well was to be located in the Northwest Quarter of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 18, more particularly described as being near a point 2,000 feet North and 4,700 feet West of the Southeast corner of said section, in Township 23 South, Range 2 West, Harvey County.
2. That on October 5, 2017, a copy of the application was submitted to Equus Beds Groundwater Management District No. 2. GMD #2 recommended denial of the application in a letter dated February 5, 2018. They recommended denying the application because their review determined that the application did not comply with the District's Safe Yield regulation K.A.R. 5-22-7(a), as existing and proposed consumptive appropriations exceeded the maximum allowable.
3. That on February 6, 2018 a letter was sent to the applicant stating the decision of GMD#2 and that the applicant had 30 days (until March 7, 2018) to appeal the decision.
4. That the applicant has not submitted additional information for consideration, nor requested an extension of time, for Application, File No. 49,727, thus the application should be denied and dismissed and its priority forfeited for failure to comply with Safe Yield regulation K.A.R. 5-22-7(a).

**ORDER**

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Application, File No. 49,727, is herewith dismissed and the priority assigned to it is considered to be forfeited.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

**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 26<sup>th</sup> day of March, 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 26<sup>th</sup> day of March, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*  
Notary Public

CERTIFICATE OF SERVICE

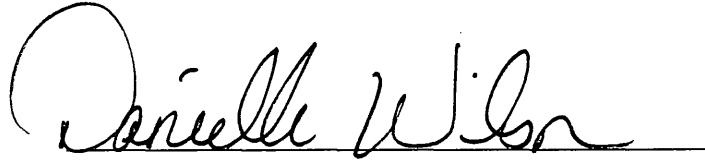
On this <sup>2018</sup> day of *March*, 2018, I hereby certify that the foregoing Dismissal of Application, File No. 49,727, dated *March 26<sup>th</sup> 2018* was mailed postage prepaid, first class, US mail to the following:

GORDON J BERGKAMP  
18826 W 1ST ST  
BURRTON KS 67020-9016

With photocopies to:

WILLIAM J & MARGARET A BERGKAMP  
417 S GOLDEN PRAIRIE RD  
HALSTEAD KS 67056

Stafford Field Office  
Equus Beds Groundwater Management District No. 2



Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49,727  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
RECEIVED

**APPLICATION FOR PERMIT TO  
APPROPRIATE WATER FOR BENEFICIAL USE**  
Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

NOV 09 2016  
12:50  
KS DEPT OF AGRICULTURE

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): Gordon J. Bergkamp  
Address: 18862 W. 1st Street  
City: Burrton State KS Zip Code 67020  
Telephone Number: (316) 830-0079

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Little Arkansas River Basin - Equus Beds Aquifer (drainage basin)

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

3. The maximum quantity of water desired is 200.2 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 1000 gallons per minute OR \_\_\_\_\_ cubic feet per second.

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

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

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

For Office Use Only:  
F.O. 2 GMD 2 Meets K.A.R. 5-3-1 (YES) Use IRP Source (G) S County HV By AWW Date 11/9/16  
Code EE2 Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 11/9/16 Check # 7907

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 NW quarter of the NW quarter of the SW quarter of Section 18, more particularly described as being near a point 2000 feet North and 4700 feet West of the Southeast corner of said section, in Township 23 South, Range 2W East/West (circle one), Harvey County, Kansas.

(B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

(C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

(D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

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

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

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

Gordon J. Bergkamp, 18862 W. 1st Street, Burrton, KS 67020. 316-830-0079

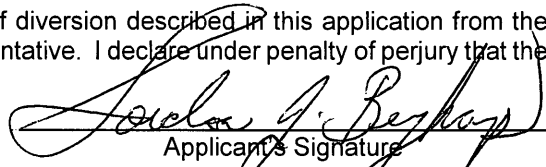
(name, address and telephone number)

(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 11-7, 2016.

  
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 one well

(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) May 1, 2017

(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be June 1, 2017

(Mo/Day/Year)

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

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

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

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

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

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.

Dismissed Application No. 49566

WATER RESOURCES  
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NOV 09 2016

KS DEPT OF AGRICULTURE  
SCANNED

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	4-22-16	_____	_____	_____
Total depth of well	220'	_____	_____	_____
Depth to water bearing formation	58'	_____	_____	_____
Depth to static water level	38'	_____	_____	_____
Depth to bottom of pump intake pipe	NA	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of co-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):  
Gordon J. Bergkamp, 18862 W. 1st Street, Burrton, KS 67020. 316-830-0079  
(name, address and telephone number)

William J. & Margaret Bergkamp Trusts, 419 S. Golden Prairie Rd., Halstead, KS 67056. 316-835-3295  
(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 Halstead, Kansas, this 7th day of November, 2016.  
(month) (year)

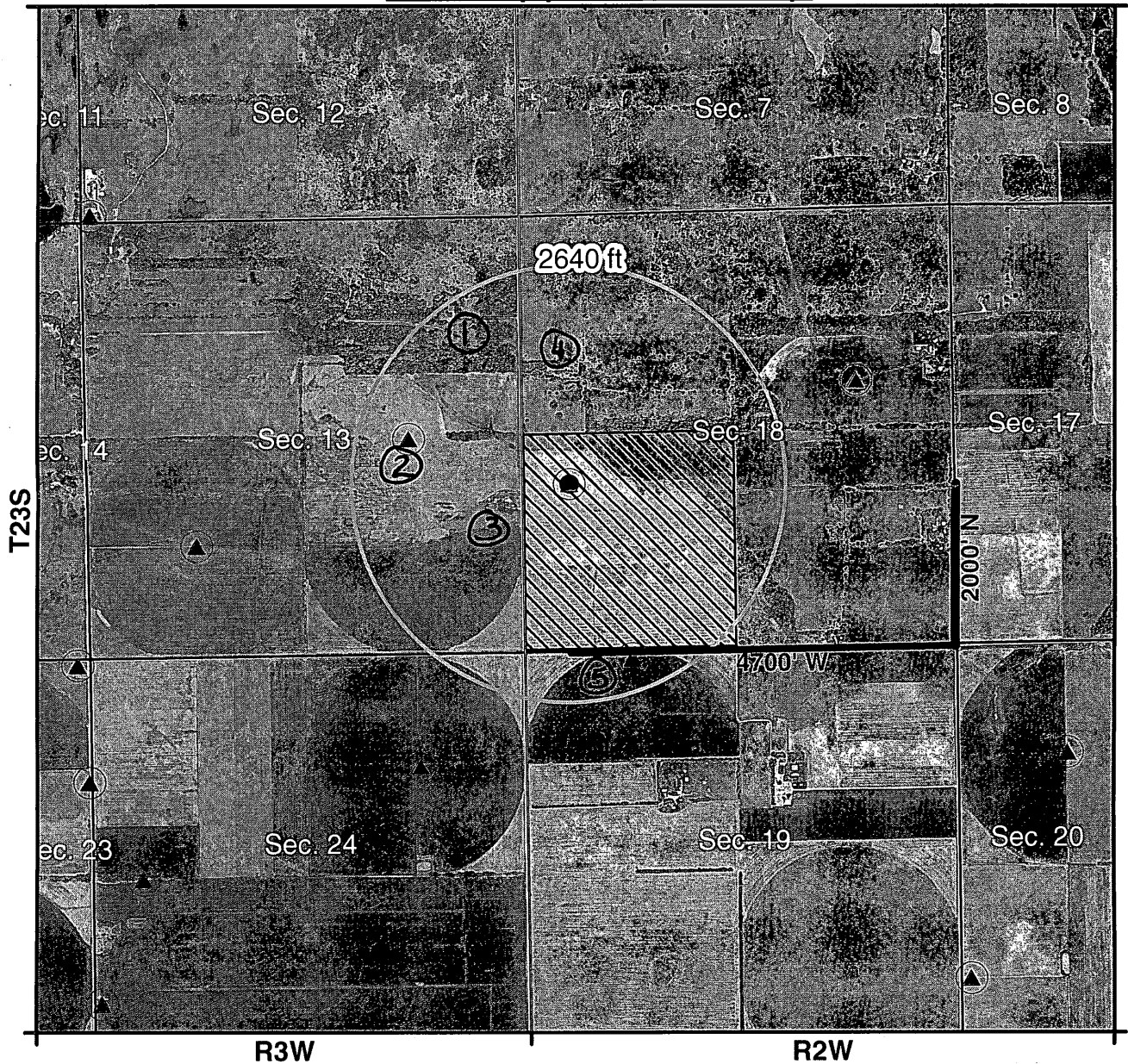
  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by T. Boese GMD2/Manager Date: November 7, 2016  
(office/title)

# New Application Map



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

*Scott J. Beghey*  
Signature

11-7-16  
Date

**New Application**

**Application No. \_\_\_\_\_ To Change:**

Point of Diversion

Place of Use

Use Made of Water

Existing Points of Diversion

Proposed Place of Use

WATER RESOURCES RECEIVED

NOV 09 2016

SCANNED

See Attached for Points of Diversion within 1/2 mile of proposed point



## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,727

Name of Applicant (Please Print): Gordon J. Bergkamp

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

**Landowner of Record** NAME: Gordon J. Bergkamp

ADDRESS: 18862 W. 1st Street, Burrton, KS 67020. 316-830-0079

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
18	23	2W										40	38							78

**Landowner of Record** NAME: William J. Bergkamp Trust & Margaret Bergkamp Trust

ADDRESS: 419 S. Golden Prairie Rd., Halstead, KS 67056. 316-835-3295

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
18	23	2W												37.5	38.5					76

154

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Carway-Dillhut-Solvay</u>	<u>30.7</u>	<u>0.00-0.06</u>	
<u>Carwile fine sandy loam</u>	<u>68.6</u>	<u>0.06-0.20</u>	<u>3</u>
<u>Pratt loamy fine sand</u>	<u>0.3</u>	<u>6.00-20.00</u>	<u>11</u>
<u>Saltcreek &amp; Naron fsl</u>	<u>0.4</u>	<u>0.06-0.20</u>	<u>7</u>
<u>Total:</u>	<u>100 %</u>		

b. Estimate the average land slope in the field(s): 1 %

Estimate the maximum land slope in the field(s): 2 %

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

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

Other, please describe: Possible Flood or Subsurface Drip Irrigation for corners

d. System design features:

i. Describe how you will control tailwater: Will schedule and apply irrigation to eliminate run-off

ii. For sprinkler systems:

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

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

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

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

*Not available at this time*

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn, soybeans, milo, wheat

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

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



Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: 620-234-5311  
Fax: 620-234-6900  
www.agriculture.ks.gov  
Governor Jeff Colyer, M.D.

February 6, 2018

GORDON J BERGKAMP  
18826 W 1ST ST  
BURRTON KS 67020-9016

RE: Pending Application, File No. 49,727

Dear Mr. Bergkamp:

On February 5, 2018, we received a recommendation from the Equus Beds Groundwater Management District No. 2 that the referenced Application for Permit to Appropriate Water for Beneficial Use be denied. This recommendation was based upon the groundwater management program adopted by the District and approved by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. The application does not comply with and Safe Yield Rule and Regulation K.A.R. 5-22-7(a).

We are advising you of this recommendation in order to allow you an opportunity to consult with the District regarding their recommendation if you have not already done so. If you have already contacted the District regarding this recommendation, then we are allowing you this opportunity to submit any additional information you wish to have considered before the Chief Engineer.

We will delay any further action on the referenced application until **March 7, 2018**, at which time the application will be submitted to the Chief Engineer for a final decision.

If you have any questions, please contact me at (620) 234-5311, and please have the specific file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Matthew J. Meier".

Matt Meier  
New Application Unit  
Water Appropriation Program

pc: Groundwater Management District No. 2  
William J Bergkamp Trust & Margaret Bergkamp Trust

SCANNED

JEFF WINTER, PRESIDENT  
VIN KISSICK, VICE PRESIDENT  
ALAN BURGHART, SECRETARY  
MIKE MCGINN, TREASURER  
TIM BOESE, MANAGER  
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:  
DAVID BOGNER  
JOE PAJOR  
DALE SCHMIDT  
BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

February 5, 2018

Chief Engineer, Division of Water Resources  
Attn: Matt Meier  
300 S. Main St.  
Stafford, KS 67578

Re: Appropriation Application File No. 49,727 – Gordon Bergkamp

Dear Mr. Meier:

The Equus Beds Groundwater Management District reviewed the referenced application on February 5, 2018, using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

The District's review found that the application does not comply with the District's Safe Yield Regulation K.A.R. 5-22-7(a), as the existing and proposed proposed consumptive appropriations exceed the maximum allowable for the area of consideration (2 mile radius).

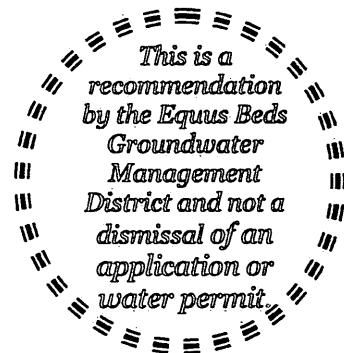
Based upon the review findings, the application is recommended for denial by the Equus Beds Groundwater Management District.

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from the date of this notification, pursuant to K.A.R. 5-22-12. An appeal petition must state the basis for the appeal and must include information/documentation supporting the appeal.

Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/STF



Enclosures

pc: Gordon J. Bergkamp, Applicant and Landowner, with copy of K.A.R. 5-22-12  
William J. Bergkamp Trust & Margaret Bergkamp Trust, Landowner  
Ivan & Bertha Bontrager, Nearby well owner

RECEIVED

FEB 05 2018

Staff:

Division of Water Resources

H:\MSOFFICE\LETTERS\APP\NewApp\Recommendation\Denial\49727\_Bergkamp.docx

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2 FINAL APPLICATION REVIEW CHECKLIST

1) Application No. <u>49727</u>	Date filed: <u>11/9/16</u>
2) Applicant: <u>Gordon J. Bergkamp</u>	County: <u>Harvey</u>
3) Proposed maximum quantity: <u>200.2</u> acre-feet/year	Rate: <u>1000</u> GPM
4) Proposed Use: <u>Irrigation</u>	
5) P/D location: <u>NW NW SW</u> <u>18-23S-2W</u>	Geo Center: North <u>2000</u> ft, West <u>4700</u> ft
6) Number and type of points of diversion listed on the application	<u>1 Well</u>

7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8?  Yes  No, Why \_\_\_\_\_

8) Meets Safe Yield K.A.R. 5-22-7?  Yes  No  N/A

(a) Total allowable appropriations:	<u>4021.00</u> af/yr
(b) Total existing appropriations:	<u>12835.72</u> af/yr
(c) Total small user exemptions:	<u>0.00</u> af/yr
(d) Total non-consumptive use:	<u>8000.00</u> af/yr
(e) Total consumptive use:	<u>4835.72</u> af/yr
(Total existing appropriations) - (Total non-consumptive use)	
(f) exempt from regulation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No,
Cite exemption: _____	

9) Meets Well Spacing K.A.R. 5-22-2?  Yes  No  N/A

(a) POD in enhanced well spacing area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(b) Domestic well spacing interval:	<u>&gt;660</u> ft
(c) Non-Domestic well spacing interval:	<u>&gt;1320</u> ft

10) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A

(a) Irrigation max quantity:	<u>1.3</u> acre-feet / acre
application paragraph 3 value (acre-feet) / proposed acres = Q	
(b) Stockwater max quantity:	_____ GPD _____ unit
(c) Industry max quantity:	_____ Acre
Industry standard:	
(d) Municipal max quantity:	_____ GCD
Lesser of either 200 GCD or	
$1.10 * (X - Y) * 365 d * (z + t)$	
X - Average of last three years usage in Gallons per Capita per Day (GCD)	
Y - water usage for industries that use over 200,000 gal/yr (GCD)	
Z - Projected population in 20 years	
T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)	
(e) Pond max quantity is	_____
(Net evap + seepage)/12 x pond area + any initial fill	
(f) Groundwater pit max Q:	_____
Net evap * pit area/12	

11) Reasonable rate for intended use?  Yes  No  N/A

12) Depth to water: 8.46 ft bls at observation well: IW2A

13) Date reviewed: 11/3/17

14) Reviewed by: S. Flaherty Title: Hydrogeologist *Renewed 2-5-18 T. Bean*

15) District recommendation:  Approve  Deny  Other, see comment

**16) Comments and Calculations:**

Review for a new application submitted by Gordon Bergkamp for Irrigation Use in Harvey County

- No Overlapping Place of Use
- No Overlapping Point of Diversion
- Surrounding Well Owner Notifications sent
- 1 nearby well owner expressed opposition to the proposed well
- no Rate/Quantity Limitations
- no Special Use Areas or IGUCAs
- Recommend Denial, Does not comply with K.A.R. 5-22-7

RECEIVED

FEB 05 2018

Stafford Field Office  
Division of Water Resources

**Meier, Matt**

---

**From:** Meier, Matt  
**Sent:** Wednesday, November 15, 2017 9:59 AM  
**To:** 'Rebecca Wilson'  
**Subject:** RE: Extension Request #49727

Thanks for the update Rebecca and I will note that a 30 day extension was requested and granted for file #49727.

**From:** Rebecca Wilson [mailto:[rwilson@gmd2.org](mailto:rwilson@gmd2.org)]  
**Sent:** Tuesday, November 14, 2017 4:01 PM  
**To:** Meier, Matt <[Matt.Meier@ks.gov](mailto:Matt.Meier@ks.gov)>  
**Subject:** Extension Request #49727

Good afternoon, Matt!

Tim Boese is requesting a 30 day extension from the date of this email to review file #49727. Please advise.

Thanks!

*Rebecca Wilson*

Rebecca Wilson  
Administrative Assistant  
Equus Beds GMD2  
313 Spruce Street  
Halstead, KS 67056  
316-835-2224  
316-835-2225 Fax  
[rwilson@gmd2.org](mailto:rwilson@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)



Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

October 5, 2017

GROUNDWATER MANAGEMENT DISTRICT NO 2  
% TIM BOESE  
313 SPRUCE ST  
HALSTEAD KS 67056-1925

Re: Pending Application, File No. 49,727

Dear Mr. Boese:

We are enclosing a copy of the application referred to above which appears to be in proper form. Nearby well owner notification letters were sent out on September 14, 2017. A letter was received from Ivan & Bertha Bontrager who stated they were against approval of the application. No other responses were received.

We are delaying any further action for a period of **30 days** from the date of this letter to allow you time to submit your recommendations concerning this application. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Matt Meier". The signature is written in a cursive style.

Matt Meier  
Environmental Scientist  
Water Appropriation Program

Enclosure

pc:

SCANNED

  
**Kansas**  
Department of Agriculture  
*Division of Water Resources*

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
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Sam Brownback, Governor

October 5, 2017

Ivan & Bertha Bontrager  
P.O. Box 224  
Hesston, KS 67062

Re: Pending Application, File No. 49,727

Dear Ivan and Bertha:

This will acknowledge receipt of your letter, received in this office on September 21, 2017 in which you stated that you are against having another irrigation well approved in your well area. The application is proposing to appropriate groundwater for irrigation use. The next step of which will be review by Equus Beds Groundwater Management District No. 2 to determine if there is water available based on their Safe Yield calculations.

We are in the process of thoroughly reviewing this pending application to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level.

Additionally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if this permit application is approved by the Chief Engineer and you believe the diversion of water is impairing your water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office, as follows, so that an investigation can be made.

Division of Water Resources  
Stafford Field Office  
300 S Main Street  
Stafford, Kansas 67578-1342  
Telephone: 620-234-5311

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 620-234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier  
New Application Unit  
Water Appropriation Program

pc:

**SCANNED**



September 17, 2017

Matt Meier  
Environmental Scientist  
Stafford Field Office  
300 South Main Street  
Stafford, KS 67578-1521

Dear Matt

Re: Pending Application, File No. 49,727

We have a domestic water well approximately  $\frac{1}{4}$  mile from the Proposed Point of Diversion. There are approximately 6 irrigation wells within 1  $\frac{1}{2}$  miles radius of our well. We use this well to supply water in a tank for our cattle. When all the irrigation wells are pumping for crops the water table goes down and our water pressure is very slow.

We would like to contest having another irrigating well in our area.

We would appreciate you taking the amount of irrigating wells already in our immediate area into consideration when you make your decision.

Sincerely,

  
Ivan Bontrager

  
Bertha Bontrager

RECEIVED

SEP 21 2017

Stafford Field Office  
Division of Water Resources

  
**Kansas**  
Department of Agriculture  
*Division of Water Resources*

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

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Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

September 14, 2017

Barton & Maeanna Regier Tr.  
917 N. River Park Road  
Burton, KS 67020

Re: Pending Application, File No. 49,727

Dear Sir or Madam:

This is to advise you that Gordon Bergkamp has filed the application referred to above for a permit to appropriate 200.2 acre-feet of groundwater per calendar year for industrial use to be diverted at a maximum rate of 1,000 gallons per minute. The proposed point of diversion for 49,727 is one (1) well, which is located as follows:

Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 18, Township 23 South, Range 2 West, Harvey County, Kansas.

A map is enclosed indicating the location of the proposed well. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. 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.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,



Matt Meier  
Environmental Scientist  
Water Appropriations Program

Enclosure

pc:

**SCANNED**



**Legend**

- + Section Corners
- ▭ Section Lines

0 650 1,300 2,600 3,900 5,200 Feet

Proposed Water Appropriation, File No. 49727  
18-23S-2W  
Harvey County



SCANNED  
MJM-DWR 9/14/17



Department of Agriculture  
*Division of Water Resources*

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

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Sam Brownback, Governor

September 14, 2017

Flickinger Family Trust  
431 N. River Park Road  
Burrton, KS 67020

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Sincerely,

Matt Meier  
Environmental Scientist  
Water Appropriations Program

Enclosure

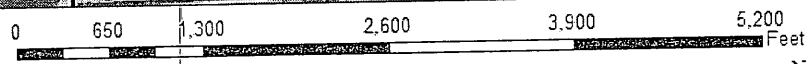
pc:

**SCANNED**



Stafford Field Office  
 300 S. Main Street  
 Stafford, Kansas 67578-1521

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**Legend**

-  Section Corners
-  Section Lines

MJM-DWR 9/14/17

Proposed Water Appropriation, File No. 49727  
 18-23S-2W  
 Harvey County



  
**Kansas**  
Department of Agriculture  
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Sam Brownback, Governor

September 14, 2017

William & Margaret Bergkamp Trust  
419 S. Golden Prairie Road  
Halstead, KS 67056

Re: Pending Application, File No. 49,727

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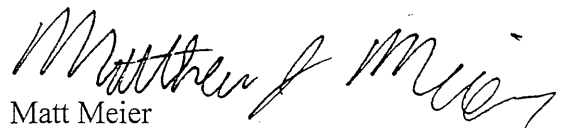
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Sincerely,



Matt Meier  
Environmental Scientist  
Water Appropriations Program

Enclosure

pc:

**SCANNED**





**Legend**

- Section Corners
- Section Lines

MJM-DWR 9/14/17

Proposed Water Appropriation, File No. 49727  
18-23S-2W  
Harvey County



  
Kansas  
Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

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Sam Brownback, Governor

September 14, 2017

Ivan & Bertha Bontrager Trust  
PO Box 224  
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Sincerely,



Matt Meier  
Environmental Scientist  
Water Appropriations Program

Enclosure

pc:

SCANNED



# Kansas

Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
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Sam Brownback, Governor



**Legend**

- Section Corners
- Section Lines

MJM-DWR 9/14/17

Proposed Water Appropriation, File No. 49727  
18-23S-2W  
Harvey County



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

2000 ft N and 4700 ft W of the SE Corner of Section 18, T 23S, R 2W

Located at: 97.589746 West Longitude and 38.048857 North Latitude

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_ 2085	00	IRR	NK	G	7993	--	NC	NW	SE	1980	1980	17	23	2W	1	119.00	119.00	AF	
A_ 3036	00	IRR	NK	G	7440	--	--	NC	NE	-----	-----	14	23	3W	1	132.00	132.00	AF	
A_ 13639	00	IRR	NK	G	7730	--	--	CW	SW	1320	5200	20	23	2W	1	120.00	120.00	AF	
A_ 13641	00	IRR	NK	G	6884	--	--	NC	NW	-----	-----	20	23	2W	3	138.00	138.00	AF	
A_ 24947	00	IRR	NK	G	10354	--	SE	NW	SE	1340	1600	20	23	2W	2	225.00	225.00	AF	
A_ 32815	00	IRR	NK	G	3908	--	--	NC	NE	3940	1360	24	23	3W	5	224.00	224.00	AF	
A_ 37175	00	IRR	NK	G	9828	--	--	NC	SW	1320	3960	14	23	3W	2	137.00	137.00	AF	
A_ 37334	00	IRR	NK	G	2242	--	--	CN	NW	5230	3960	19	23	2W	2	243.00	243.00	AF	
A_ 37898	00	IRR	NK	G	10255	NC	W2	W2	NW	3960	4980	25	23	3W	2	255.00	255.00	AF	
A_ 38913	00	IRR	NK	G	9343	--	--	NC	SE	1320	1320	23	23	3W	2	169.00	169.00	AF	
A_ 38973	00	IRR	NK	G	3714	--	NC	S2	NE	3217	1191	18	23	2W	2	30.00	30.00	AF	
A_ 41341	00	IRR	NK	G	4592	--	--	NC	SW	1320	3983	13	23	3W	1	207.00	207.00	AF	
A_ 41342	00	IRR	NK	G	7960	--	--	NC	NE	3998	1400	23	23	3W	3	101.00	101.00	AF	
A_ 41812	00	IRR	NK	G	8446	--	NW	SW	SW	1168	5210	24	23	3W	2	131.00	131.00	AF	
A_ 41990	00	IRR	NK	G	7031	--	SW	SW	NW	2656	4691	24	23	3W	3	128.00	128.00	AF	
A_ 45223	00	IND	KK	G	9588	--	SE	SE	SW	300	3135	1	23	3W	1	800.00	800.00	AF	
A_ 45227	00	IRR	NK	G	2028	--	NE	NW	SE	2600	1387	13	23	3W	2	168.00	168.00	AF	
A_ 45567	00	MUN	KE	G	9244	--	SW	SW	SW	105	5195	24	23	3W	4	1000.00	1000.00	AF	
A_ 45568	00	MUN	KE	G	6344	--	NE	NE	NE	5232	159	23	23	3W	4	1000.00	1000.00	AF	
A_ 45576	00	MUN	KE	G	6657	--	SW	SW	SW	69	5212	12	23	3W	1	1000.00	1000.00	AF	
A_ 48444	00	IRR	LO	G	9828	--	--	NC	SW	1320	3960	14	23	3W	2	30.70	30.70	AF	
A_ 48624	00	IRR	KE	G	8008	--	NC	E2	SE	1358	680	11	23	3W	2	96.20	96.20	AF	
A_ 48704	00	MUN	AY	G	9046	--	NW	NW	NW	5060	5100	29	23	2W	6	500.00	500.00	AF	
A_ 48777	00	IRR	HK	G	6846	--	NE	SE	NE	3825	50	23	23	3W	6	89.70	89.70	AF	
A_ 49727	00	IRR	AY	G	0	--	NW	NW	SW	2000	4700	18	23	2W	4	200.20	200.20	AF	
T_20137051	MF	IRR	GY	G	6884	--	--	NC	NW	-----	-----	20	23	2W	3	576.05	.00	AF	
VHV	6	00	MUN	AA	G	9046	--	NW	NW	NW	5060	5100	29	23	2W	6	851.92	851.92	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	700.20	.00
Total Permitted Amount (AF) =	3985.90	.00
Total Inspected Amount (AF) =	30.70	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2527.00	.00
Total Vested Amount (AF) =	851.92	.00
TOTAL AMOUNT (AF) =	8095.72	.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 2.00 miles of point defined as:

97.589746 West Longitude and 38.048857 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A\_\_ 2085 00 IRR NK G

> CLYDE & SHARON JOST

>

> 913 220TH

> HILLSBORO KS 67063

-----

A\_\_ 3036 00 IRR NK G

> RONALD G & SHARON K NEUWAY

>

> 903 N WILLOW LAKE RD

> BURRTON KS 67020

-----

A\_\_ 13639 00 IRR NK G

> KLA LLC

> KENDEL KOEHN - RES AGENT

> 5517 S SPRING LAKE RD

> HALSTEAD KS 67056

-----

A\_\_ 13641 00 IRR NK G

> MERLIN D & KAREN R UNRUH

>

> 913 S SPRING LAKE RD

> HALSTEAD KS 67056

-----

A\_\_ 24947 00 IRR NK G

> MERLIN D & KAREN R UNRUH

>

> 913 S SPRING LAKE RD

> HALSTEAD KS 67056

-----

A\_\_ 32815 00 IRR NK G

> JOSEPH H & JOANN A BERGKAMP

>

> 2004 S WILLOW LAKE RD

> HALSTEAD KS 67056

-----

A\_\_ 37175 00 IRR NK G

> GORDON J BERGKAMP

>

> 18826 W 1ST ST

> BURRTON KS 67020

-----

A\_\_ 37334 00 IRR NK G

> WILLIAM J & MARGARET A BERGKAMP

>

> 417 S GOLDEN PRAIRIE RD

> HALSTEAD KS 67056

-----

A\_\_ 37898 00 IRR NK G

> JOSEPH H & JOANN A BERGKAMP

>

> 2004 S WILLOW LAKE RD  
> HALSTEAD KS 67056

-----  
A\_\_ 38913 00 IRR NK G  
> WILLIAM J & MARGARET A BERGKAMP

>  
> 417 S GOLDEN PRAIRIE RD  
> HALSTEAD KS 67056

-----  
A\_\_ 38973 00 IRR NK G  
> JANICE T MOYER

>  
> 7606 SADDLE DR  
> MANHATTAN KS 66503

-----  
A\_\_ 41341 00 IRR NK G  
> JOHN F & ILEEN L WEBER

>  
> 247 MAIN ST  
> HALSTEAD KS 67056

-----  
A\_\_ 41342 00 IRR NK G  
> JOHN F & ILEEN L WEBER

>  
> 247 MAIN ST  
> HALSTEAD KS 67056

-----  
A\_\_ 41812 00 IRR NK G  
> GORDON W SCHMIDT TRUST  
> GORDON W SCHMIDT TTEE  
> 10320 N WHEAT STATE RD  
> INMAN KS 67546

-----  
A\_\_ 41990 00 IRR NK G  
> GORDON W SCHMIDT TRUST  
> GORDON W SCHMIDT TTEE  
> 10320 N WHEAT STATE RD  
> INMAN KS 67546

-----  
A\_\_ 45223 00 IND KK G  
> G F INCORPORATED  
> % CITIZEN'S STATE BANK  
> PO BOX 869  
> HESSTON KS 67062

-----  
A\_\_ 45227 00 IRR NK G  
> FLICKINGER FAMILY TRUST  
> LARRY FLICKINGER TTEE  
> 431 N RIVER PARK RD  
> BURRTON KS 67020

-----  
A\_\_ 45567 00 MUN KE G

> CITY OF WICHITA  
> CITY HALL 8TH FLOOR  
> 455 N MAIN ST  
> WICHITA KS 67202

>-----

A\_\_ 45568 00 MUN KE G  
> CITY OF WICHITA  
> CITY HALL 8TH FLOOR  
> 455 N MAIN ST  
> WICHITA KS 67202

>-----

A\_\_ 45576 00 MUN KE G  
> CITY OF WICHITA  
> CITY HALL 8TH FLOOR  
> 455 N MAIN ST  
> WICHITA KS 67202

>-----

A\_\_ 48444 00 IRR LO G  
> GORDON J BERGKAMP  
>  
> 18826 W 1ST ST  
> BURRTON KS 67020

>-----

A\_\_ 48624 00 IRR KE G  
> LINFORD W & IRENE E HOLDEMAN  
>  
> 12611 NW 12TH ST  
> HALSTEAD KS 67056

>-----

A\_\_ 48704 00 MUN AY G  
> CITY OF WICHITA  
> PUBLIC WORKS & UTILITIES-WTP  
> 455 N MAIN ST 8TH FLOOR  
> WICHITA KS 67202

>-----

A\_\_ 48777 00 IRR HK G  
> RAEBURN M & ANNETTA M HOWARD TRUSTS  
>  
> 2404 N HALSTEAD ST  
> HUTCHINSON KS 67501

>-----

A\_\_ 49727 00 IRR AY G  
> GORDON J BERGKAMP  
>  
> 18826 W 1ST ST  
> BURRTON KS 67020

>-----

T\_\_ 20137051 MF IRR GY G  
> MERLIN D & KAREN R UNRUH  
>  
> 913 S SPRING LAKE RD  
> HALSTEAD KS 67056

49,727

**Darling Drilling Company**  
Telephone (620) 662-7901 3916 W. 56<sup>th</sup> Ave.  
Hutchinson, Ks. 67501

**DRILLER'S TEST LOG**

**Date:** 04-22-2016  
**Name:** Gordon Bergkamp  
**Address:** Burrton, Ks.  
**County:** Harvey  
**Quarter:** SW     **Section:** 18     **Township:** 22S     **Range:** 2W

DRILLED FOOTAGE		DESCRIPTION OF STRATA	N			
From	To					
0	4	Sandy top soil				
4	15	Light brown clay				
15	27	Fine small sand				
27	58	Tan clay				
58	77	Fine small sand (took water)				
77	81	Bluish tan clay				
81	120	Fine small sand clay mix 70/30				
120	150	Black clay fine sand mix 60/40				
150	187	Black clay w/few streaks of fine sand				
187	220	Small fine sand				
			S			
			Static water level: 38'			
			Depth of well: 220'			
			Type & size of casing: 160# 5"			
			Plain: 0 to 200'			
			Perf: 200' to 220'			
			Gravel pack intervals: 220-20			
			Grout material: 20 to 0			
			Contamination: n/a			
			Direction from well:			
			Casing above surface: 36"			
			Bore hole: 7.5"			
			Remarks:			
			WATER RESOURCES RECEIVED			
			NOV 09 2016			
			KS DEPT OF AGRICULTURE			

RECEIVED

APR 27 2016

SCANNED

11-7-2016

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application File No. 49,727

Minimum Desirable Streamflow

Dear Sir:

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

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

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

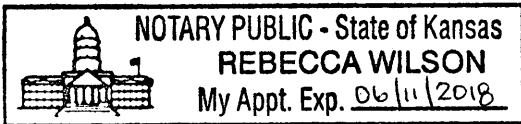
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

*Gordon J. Bergkamp*  
Signature of Applicant

Gordon J. Bergkamp  
(Print Applicant's Name)

State of Kansas )  
County of HARVEY ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 7<sup>TH</sup> day of NOVEMBER, 2016.



*Rebecca Wilson*  
Notary Public

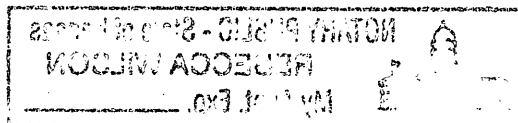
My Commission Expires: 06/11/2018

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

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

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

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





## Wells Within ½ Mile

1. Domestic Well  
Barton & Maeanna Regier Tr.  
917 N. River Park Road  
Burrton, KS 67020
2. Irrigation Well No. 45227  
Flickinger Family Trust  
431 N. River Park Road  
Burrton, KS 67020
3. Domestic Well  
Flickinger Family Trust  
431 N. River Park Road  
Burrton, KS 67020
4. Domestic Stock-watering Well  
Ivan & Bertha Bontrager Trust  
PO Box 224  
Hesston, KS 67062
5. Irrigation Well No. 37334  
William J. Bergkamp Trust & Margaret Bergkamp Trust  
419 S. Golden Prairie Road  
Halstead, KS 67056

WATER RESOURCES  
RECEIVED

NOV 09 2016

KS DEPT OF AGRICULTURE

SCANNED

## FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

### MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

#### ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

#### CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

**WATER RESOURCES  
RECEIVED**

NOV 09 2016

**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

November 9, 2016

GORDON J BERGKAMP  
18862 W 1ST ST  
BURRTON KS 67020

**FILE COPY**

RE: Application  
File No. 49727

Dear Sir or Madam:

Your application for permit to appropriate water in 18-26S-2W in Harvey County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

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

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

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

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

Sincerely,

Brent A Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD 2

SCANNED

# Equus Beds Groundwater Management District No. 2

RECEIVED

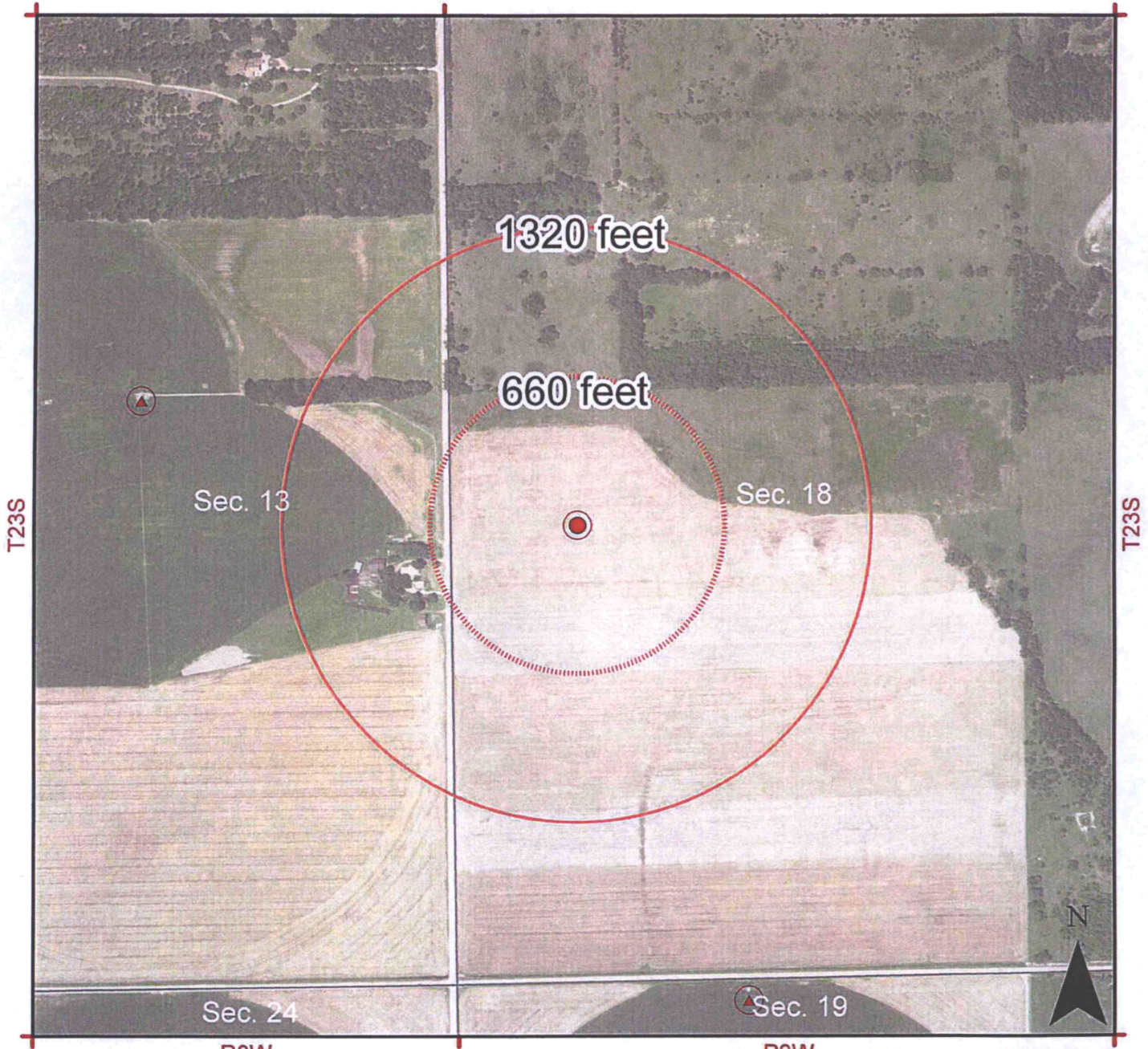
FEB 05 2018

SPACING EVALUATION 49727 BERGKAMP

LOCATION: NWNWSW (2000'N & 4700'W) 18-23S-02W, Harvey County

Stafford Field Office  
Division of Water Resources

Prepared By: Stephen Flaherty Date: 10/23/2017



## Map Legend

- Monitoring Well
- Bedrock
- GMD2 Boundary
- Legal Sections
- Proposed Point of Diversion
- ▲ Authorized Location
- Burrton IGUCA
- Hollow Nikkel SWQUA
- McPherson IGUCA
- Enhanced Well Spacing Area
- Application Suspension Area

Equus Beds Groundwater Management District No. 2  
313 Spruce Street, Halstead, KS 67056  
316-835-2224, equusbeds@gmd2.org



RECEIVED

FEB 05 2018

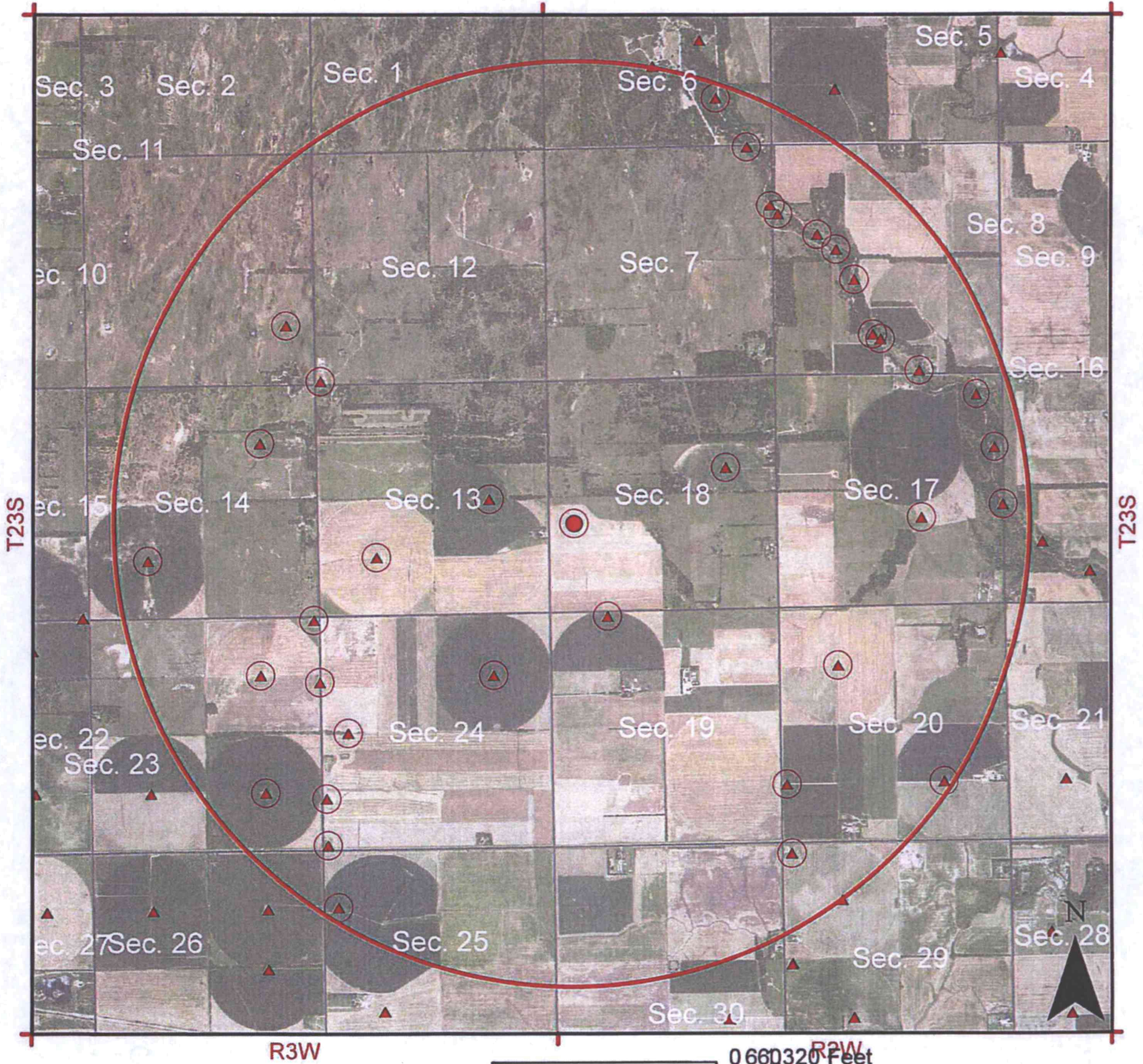
# Equus Beds Groundwater Management District No. 2

State Field Office  
Division of Water Resources

## SAFETYIELD EVALUATION 49727 BERGKAMP

LOCATION: NWNWSW (2000'N & 4700'W) 18-23S-02W, Harvey County

Prepared By: Stephen Flaherty Date: 10/23/2017



### Map Legend

- Monitoring Well
- Bedrock
- GMD2 Boundary
- Legal Sections

- Proposed Point of Diversion
- Authorized Location

- Burrton IGUCA
- Hollow Nikkel SWQUA
- McPherson IGUCA
- Enhanced Well Spacing Area
- Application Suspension Area

Equus Beds Groundwater Management District No. 2  
313 Spruce Street, Halstead, KS 67056  
316-835-2224, equusbeds@gmd2.org

0 660 320 Feet



**SAFEYIELD EVALUATION 49727 BERGKAMP**  
**LOCATION: NWNWSW (2000'N & 4700'W) 18-23S-02W, Harvey County**  
**SPECIAL USE AREA: None**  
**EVALUATION DATE:- 10/23/2017**

Total Areas: 8,042 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 8,042 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A00208500	865	23S	02W	17	19801980	IRR	119
A00303600	671	23S	03W	14	NCNE	IRR	132
A01363900	998	23S	02W	20	13205200	IRR	120
A01364100	240	23S	02W	20	NCNW	IRR	138
A02494700	1120	23S	02W	20	13401600	IRR	225
A03281500	1526	23S	03W	24	39401360	IRR	224
A03717500	1234	23S	03W	14	13203960	IRR	137
A03733400	302	23S	02W	19	52303960	IRR	243
A03789800	1147	23S	03W	25	39604980	IRR	255
A03891300	1616	23S	03W	23	13201320	IRR	169
A03897300	1012	23S	02W	18	32171191	IRR	30
A04134100	1848	23S	03W	13	13203983	IRR	207
A04134200	849	23S	03W	23	39981400	IRR	101
A04181200	2199	23S	03W	24	11685210	IRR	131
A04199000	2245	23S	03W	24	26564691	IRR	128
A04522700	2974	23S	03W	13	26001387	IRR	168
A04556700	3054	23S	03W	24	1055195	MUN	1000
A04556800	3055	23S	03W	23	52320159	MUN	1000
A04556900	3056	23S	02W	8	36655195	BNK	1500
A04557000	3057	23S	02W	8	28513878	BNK	1500
A04557100	3058	23S	02W	8	8042887	BNK	1500
A04557600	3063	23S	03W	12	695212	MUN	1000
A04844400	4095	23S	03W	14	13203960	IRR	30.7
A04862400	4110	23S	03W	11	13580680	IRR	96.2
A04877700	4136	23S	03W	23	38250050	IRR	89.7
P04870400P	4182	23S	02W	29	50605100	MUN	500
P04972700P	4947	23S	02W	18	20004700	IRR	200.2
VC012	1998	23S	02W	6	11751325	BF	104
VC013	1999	23S	02W	6	500600	BF	104
VC014	2000	23S	02W	7	40000125	BF	104
VC015	2001	23S	02W	8	32004350	BF	104
VC016	2002	23S	02W	8	21753500	BF	104
VC017	2003	23S	02W	8	9253075	BF	104
VC018	2004	23S	02W	8	1002000	BF	104
VC019	2005	23S	02W	17	48500700	BF	104
VC020	2006	23S	02W	17	36500250	BF	104
VC021	2007	23S	02W	17	23500050	BF	104
VHV000600	1376	23S	02W	29	50605100	MUN	851.92

<b>Allowable Appropriations</b>	<b>4,021.00</b>	<b>Total Existing Appropriation</b>	<b>12,835.72</b>
<b>Small User Quantity</b>	<b>0</b>	<b>Non Consumptive Appropriations</b>	<b>8,000.00</b>
<b>Remaining SUQ</b>	<b>45</b>	<b>Consumptive Appropriations</b>	<b>4,835.72</b>
<b>Note- Values are in acre-feet</b>		<b>Available Appropriations</b>	<b>0</b>

**RECEIVED**  
**FEB 9 2018**  
 Stafford Field Office  
 Division of Water Resources