Kansas
Department of Agriculture
Division of Water Resources

109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

phone: (785) 296-3717
fax: (785) 296-1176
www.ksda.gov/dwr

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer

Sam Brownback, Governor

September 20, 2012

Rick & Debra Kolbeck
10930 Whirlwind RD
Dodge City, KS. 67801

Re: Claim of Impairment Water Right File No. 360.01

Dear Mr. & Mrs. Kolbeck:

Please find enclosed our final report on your claim of impairment dated March 24, 2011. This report was completed to comply with K.A.R. 5-4-1 and has been posted on the agency's web site: http://www.ksda.gov/water_management_services/content/321/cid/1745.

Based on the observations in the report, including 1) DWR staff observed no conclusive direct relationship between your domestic wells and nearby pumping wells and 2) you have this year (2012) applied for and were subsequently been granted a certified water right that was demonstrated to meet your stated needs, I find that your water right is not being impaired at this time.

Though this is final agency action, I would note that this finding does not foreclose you from filing another claim of impairment in the future. And like the present claim, any future claim will be investigated on its merits and the outcome will be decided on the best available data. The division intends to continue the status quo monitoring and data collection efforts at and near your domestic well system site. Should a future impairment claim be filed better, more conclusive data regarding the effects of the surrounding wells or the regional groundwater declines would be required to prove impairment. Please contact my office if you are interested in exploring improved monitoring and data collection at your domestic well system site.

(over)

If you have any questions or would like to discuss these findings please don't hesitate to call or contact this office at (785)296-3717 or the Stafford field office at (620)234-5311.

Sincerely,

David W. Barfield, P.E.
Chief Engineer

Enclosure
pc: Southwest Kansas Groundwater Management District #3
Stafford Field Office

Final Report

Prepared pursuant to K.A.R. 5-4-1

on a Claim of Water Right Impairment
In the Case of

Water Right File No. 360.01
owned and operated by
Rick and Debra Kolbeck

September 20, 2012

John W. Munson
James O. Bagley
Division of Water Resources
Kansas Department of Agriculture

Summary: Rick Kolbeck, owner of a residence in Ford County and domestic Water Right, File No. 360.01 filed, through his attorney, a written complaint of water right impairment, which was received at the Stafford Field Office of the Kansas Department of Agriculture, Division of Water Resources ("DWR") on March 25, 2011. See Attachment A. In the complaint Mr. Kolbeck asserts that area wells are impairing the use of his domestic wells such that they do not adequately meet his needs for water.

On August 30, 2011, DWR staff instrumented well sites on and around Mr. Kolbeck's property and began collecting data from these sites. Staff also analyzed historical water level data from other nearby wells. Analysis of historical water level measurements indicates that water levels are declining on the order of one foot per year in an approximately six-mile radius around Mr. Kolbeck's domestic wells. However, well logs show differences in hydrogeology between Mr. Kolbeck's well sites and nearby pumping wells. Furthermore, water level measurements in Mr. Kolbeck's original water well, which was abandoned in 2009, were observed to be declining at a much lesser rate than was observed in the other nearby wells. In light of these observations, DWR staff have not found a conclusive relationship between regional pumping and water levels at Mr. Kolbeck's domestic wells. DWR staff also did not observe any indications of well-to-well interference between Mr. Kolbeck's domestic wells and any nearby well.

During the investigation Mr. Kolbeck drilled three new wells, then applied for and was granted a certified water right – 360.01 – for his domestic wells. In the process of establishing the certified water right, DWR staff observed that Mr. Kolbeck was able to operate his domestic wells to produce enough water to meet his stated needs. See Attachments B, C and D.

Complaint: In his written complaint, Mr. Kolbeck did not quantify the degree to which he claims to be impaired and presented no information on the historical pumping rate of his domestic well. Mr. Kolbeck's complaint focused on a timeline of events wherein the output of his domestic well became inadequate and two wells were subsequently drilled to replace it. The complaint requests that the division investigate well-to-well impairment between Mr. Kolbeck's wells and 25 specific appropriated rights and 8 term permits as well as the possibility that impairment may be due to regional declines.

Location: Mr. Kolbeck's domestic wells and the neighboring wells are located in rural Ford County about 13 miles south of Dodge City. See Figure 1.

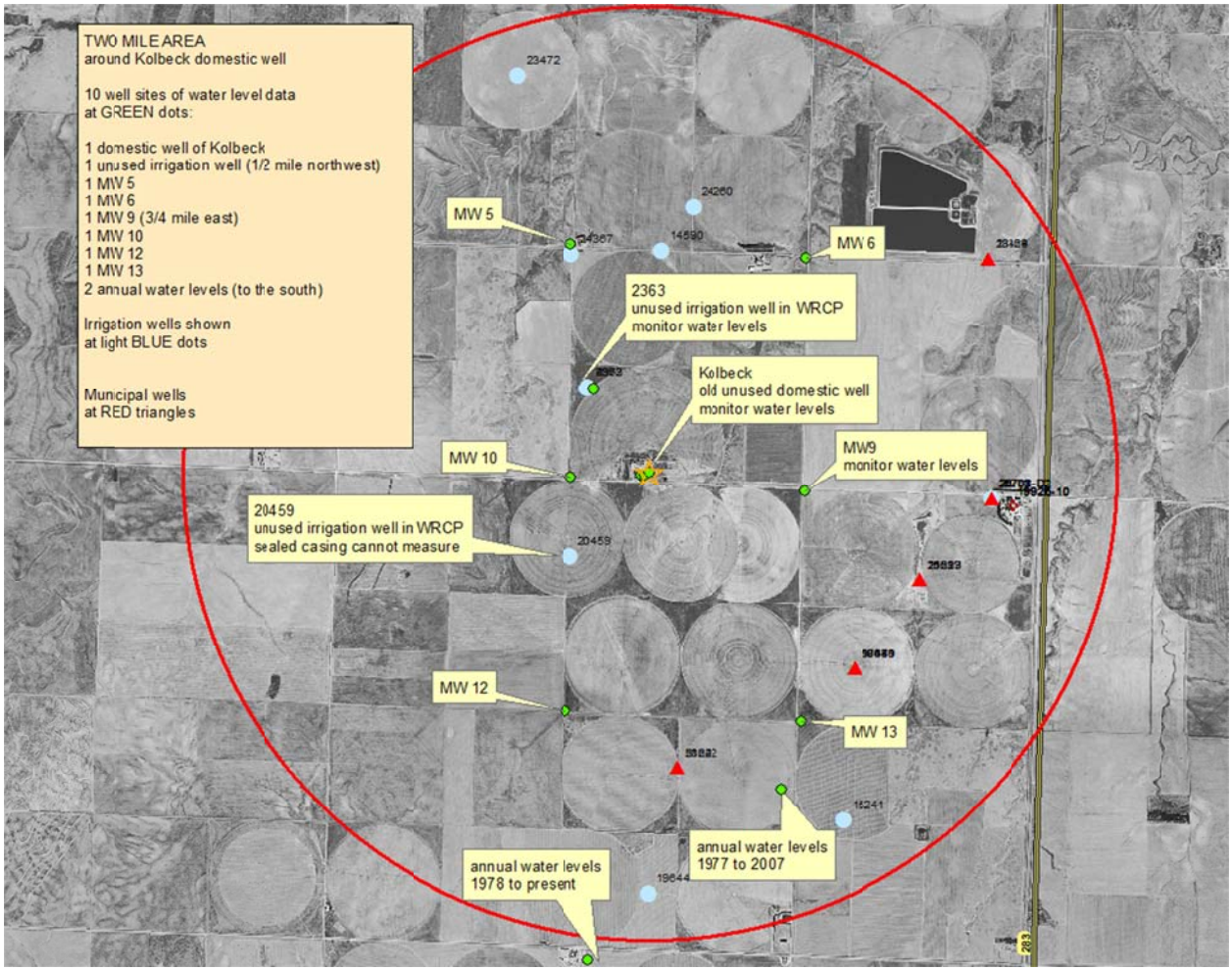

Figure 1 –Two mile area around Mr. Kolbeck's domestic wells, nearby well locations, and annotations.

Investigation and Observations: Prior to 2011, the source of water for Mr. Kolbeck's household and livestock was one well on his property ("original well"), the depth of which is not known. The original well is no longer used by Mr. Kolbeck. On August 30, 2011, DWR staff installed a pressure transducer in the original well to a depth of 183.56 feet and measured the depth to water to be 170.31 feet. In an attempt to access water at a more acceptable pumping rate, two new wells with borehole diameters of 8.75 inches were drilled in 2010. The best well of the two was drilled 313 feet deep and the depth to water was 171 feet when drilled. A third well with a borehole diameter of 10 inches was drilled in 2011 to a depth of 232 feet and the depth to water was 169.5 feet. See Attachment. Both the 313 feet deep well and the 232 feet deep well are currently used to satisfy Mr. Kolbeck's domestic needs. The two wells pumping together yield about 41 gallons per minute based on timed tests performed by DWR staff on July 18, 2012 using the installed Assured Automation water meter. The installed Assured Automation water meter is not approved by DWR and does not meet the minimum requirements for approval.

Water level data near Mr. Kolbeck's domestic wells: DWR staff observed that the water level at Mr. Kolbeck's abandoned domestic well (original well) declined about 0.2 feet in the spring of 2012 and the water level at MW 9 declined about 1 foot since the transducers were installed. The water level in the unused irrigation well 2363 increased about 0.5 feet over the winter then declined about 1 foot since May 2012.

Figure 2 shows water level measurements plotted relative to approximate elevation. The two downward spikes at MW 9 appear to be when the well was pumped for water quality sampling. It is not known why there are upward spikes in the water level data at Kolbeck in November 2011. Water level data from August 2011 to July 2012 does not appear to show any direct drawdown on Mr. Kolbeck's well caused by any specific well.

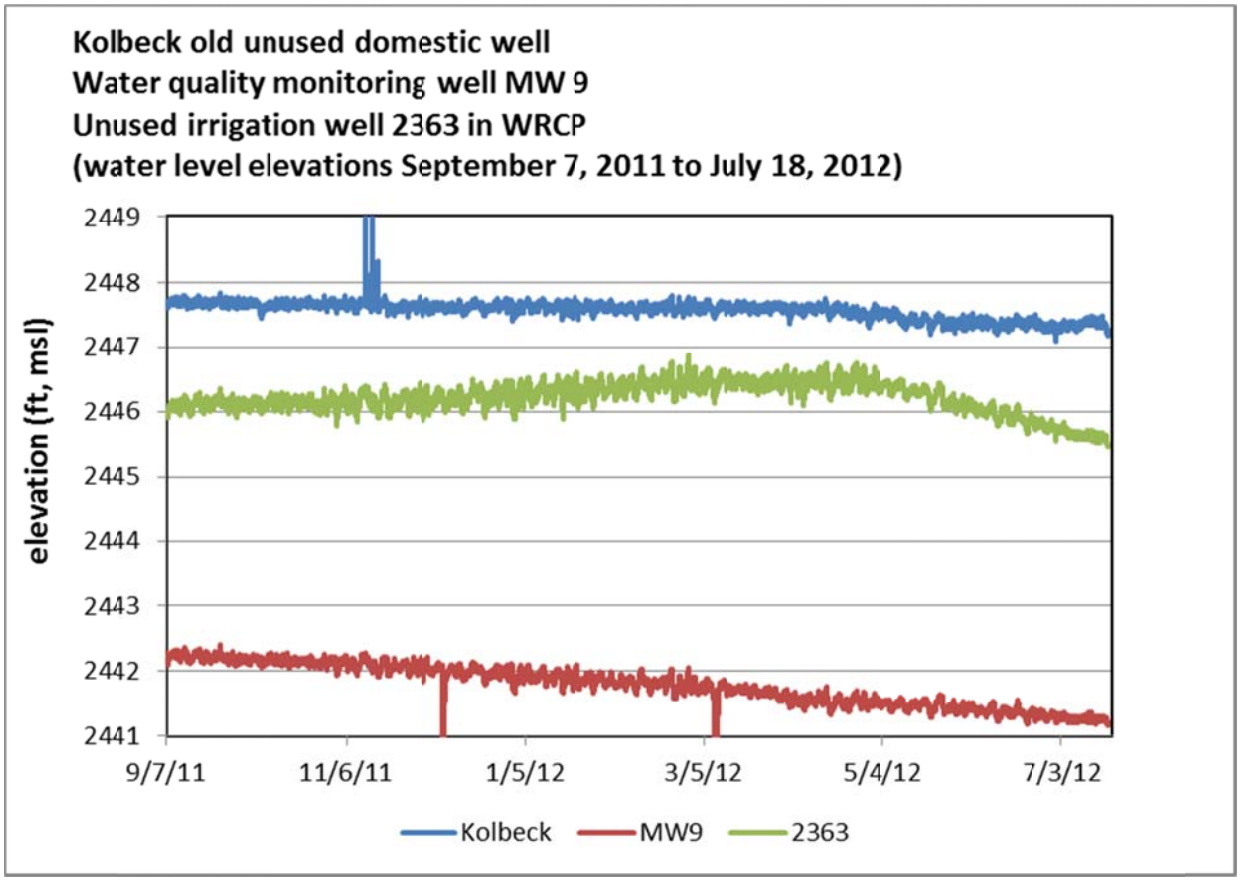

Figure 2 –Water levels at three sites near Mr. Kolbeck's domestic wells.

Depth to water data for the six water quality monitoring wells MW 5, MW 6, MW 9, MW 10, MW 12, and MW 13 located at section corners near Mr. Kolbeck's domestic wells was available for the year the wells were drilled in 1984. Data was also supplied for 1992, 1997, 1998, 2001, 2002, and 2010. Most of the water level declines appear to have occurred between the last two measurements taken. See Figure 3. The measurements were taken by employees from CH2M Hill seven times at each well over the course of 26 years. The data was provided to DWR by a representative of CH2M Hill in an email dated 9/24/2010. The most recent measurement by CH2M Hill for MW9 was taken in March of 2010 and showed a depth to water of 184'. Measurements by DWR in August and September of 2011 showed a depth to water of 181.46' and 181.92' respectively. If the measurements taken by DWR and CH2M Hill were performed consistently, the data indicates that water levels increased on the order of 2.5 feet, from a spring 2010 level – which is ordinarily the yearly high, to a the fall 2011 level – which is usually the yearly low, all during one of the most severe droughts on record. We believe the difference between measurements taken in 2010 by CH2M Hill and the 2012 measurements by DWR cast some uncertainty on the absolute accuracy of the measurements provided by CH2M Hill, though the data may be useful to observe water level trends in the neighborhood.

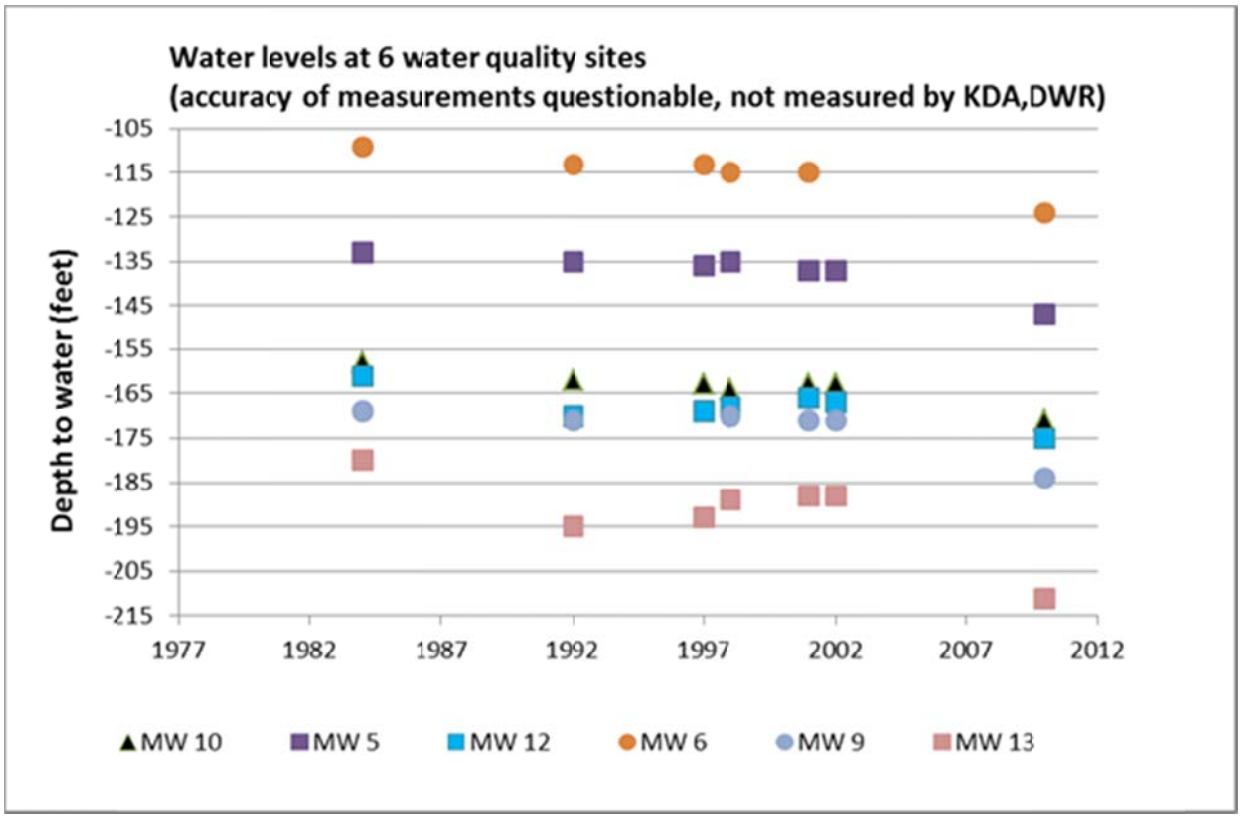

Figure 3 –Water levels at six water quality monitoring sites near Mr. Kolbeck's domestic wells.

Regional water level data: Kansas Geological Survey (KGS), Wizard Water Well Listing, shows water level elevations at six wells measured once a year within an approximate six mile area of Mr. Kolbeck. The well site at 1.5 miles was measured from1977 to 2007 and declined in water level from about -174 feet to -191 feet (about 17 feet decline in 30 years or -0.57 feet per year). The well at 2.1 miles has been measured since 1978 and has declined in water level from about -149 feet to -180 feet in 2012 (about 31 feet in 34 years or -0.91 feet per year). See Figure 4. The depth of the well is about 240 feet or an elevation of about 2380 feet with about 60 feet of water remaining in the well. The elevation of the bottom of the well appears to be about 20 feet deeper than the bottom clayey sand zone of the Kolbeck domestic well drilled in 2011 but the wells are a little over 2 miles apart.

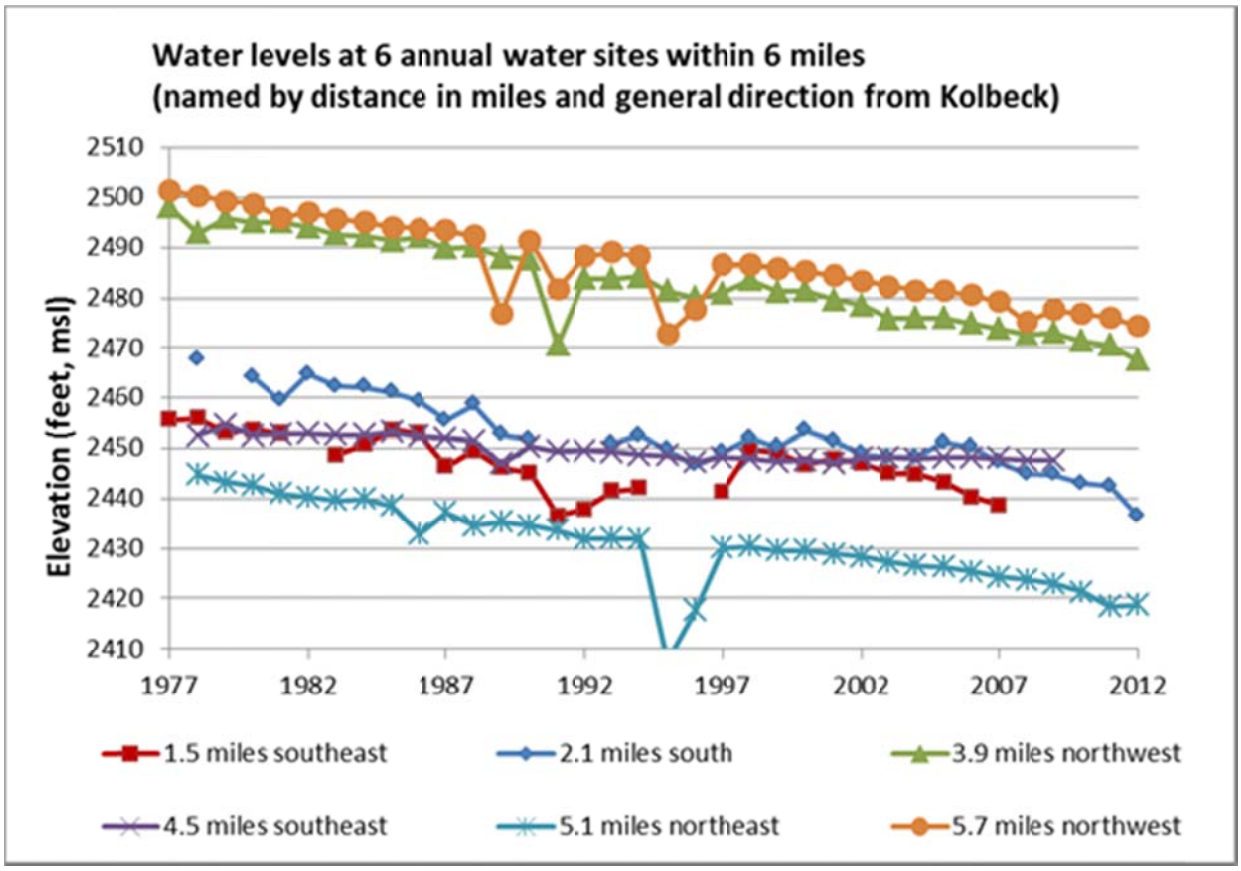

Figure 4 –Kansas Geological Survey water level sites within about 6 miles of Mr. Kolbeck's domestic wells.

Well driller logs: Lithographic log diagrams were prepared from well driller's logs of Mr. Kolbeck's three new domestic wells drilled in 2010 and 2011, the six nearest water quality monitoring wells (MW [X]), and the seven nearest municipal water supply wells (#2[X]). See Figure 5.

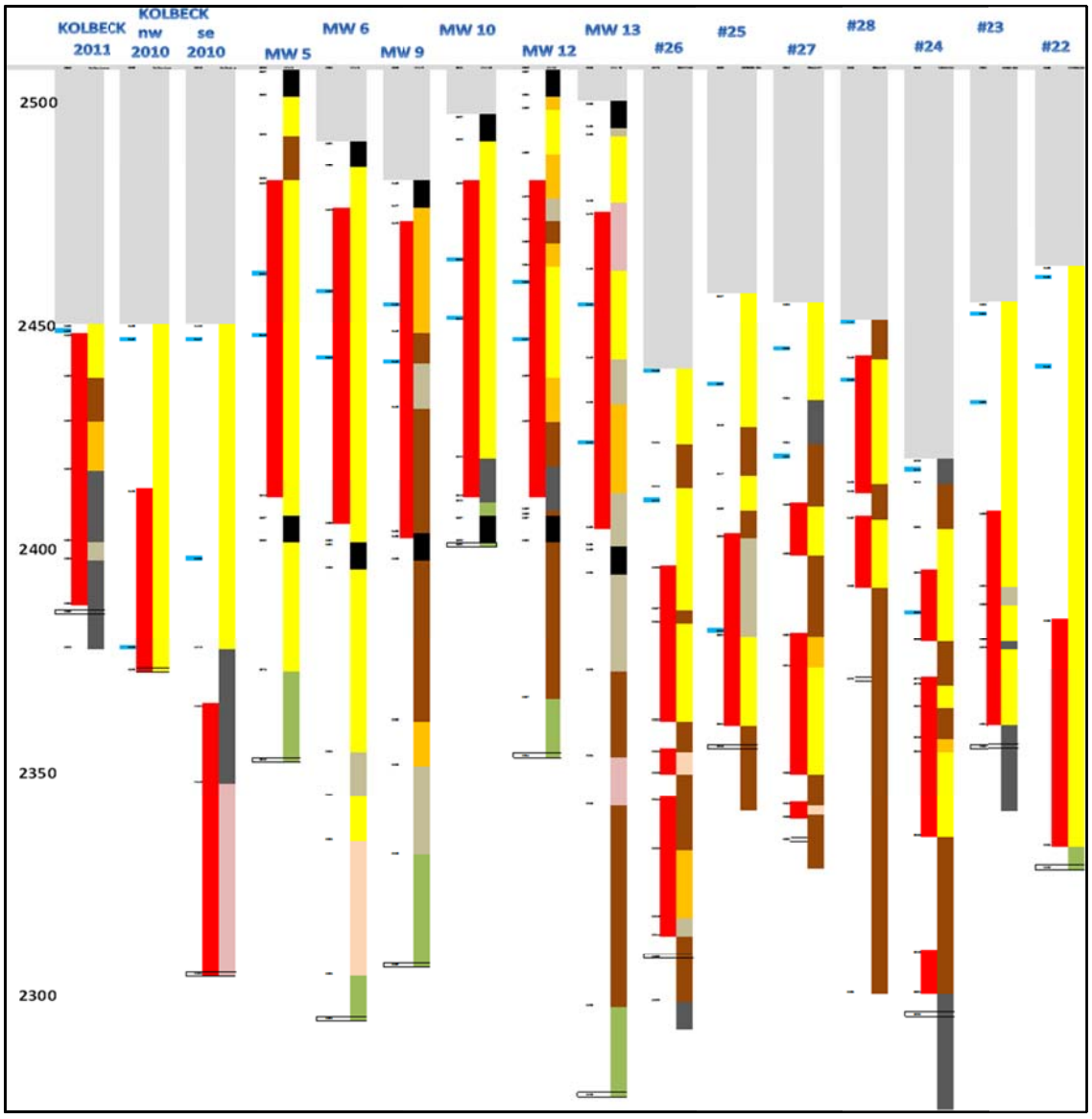

Figure 5 – Lithographic logs for three domestic wells drilled in 2010 and 2011 for Mr. Kolbeck, six water quality monitoring wells near Mr. Kolbeck, and seven nearest municipal supply wells.

The legend for the lithographic logs shows the well screen locations in red. The gray regions in the top of each log are regions that are not described and they are generally above the water level. The black zones above and below the well screen in each of the water quality wells are grout seals that limits the water in the water

quality wells to be only from the portion of the formations where the well screen exists. While the wells were drilled and completed deeper the limit of the well effectiveness is defined by the well screen within the grouted zone. The yellow and orange zones representing sand and gravel, and sand, respectively, typically yield a lot of water. The pink and mauve zones of fine sand or sandstone typically yield water but not as readily as the larger grained sand or sand and gravel. The dark gray zones represent clay that does not yield water and the light gray zones represent clayey sand which may yield some water like the sandy clay zones shown in brown. The blue dashes show some water level elevations, some are static levels and some are pumping levels. See Figure 6.

Figure 6 – Legend for lithographic logs

DWR staff suspect that the two domestic wells drilled for Mr. Kolbeck in 2010 were not uniformly sand and gravel as shown in the lithographic logs, but that perhaps the well driller did not describe all of the material encountered during drilling. It may be that the yellow zones would be more represented by the gray clay zones and the clayey sand zone as shown in the domestic well log drilled in 2011 or the sand and gravel zones in the wells drilled in 2010 are very limited in horizontal extent. According to the well driller's log when the shallower domestic well drilled in 2010 was test pumped at only 5 gallons per minute the water level drawdown was 69 feet to near the bottom of the well. According the well driller's log the deeper well pumping from sandstone performed better with a drawdown of 49 feet at 30 gallons per minute in one hour. The water levels in Mr. Kolbeck's domestic wells were not measured after the pumps were installed. See Figure 7.

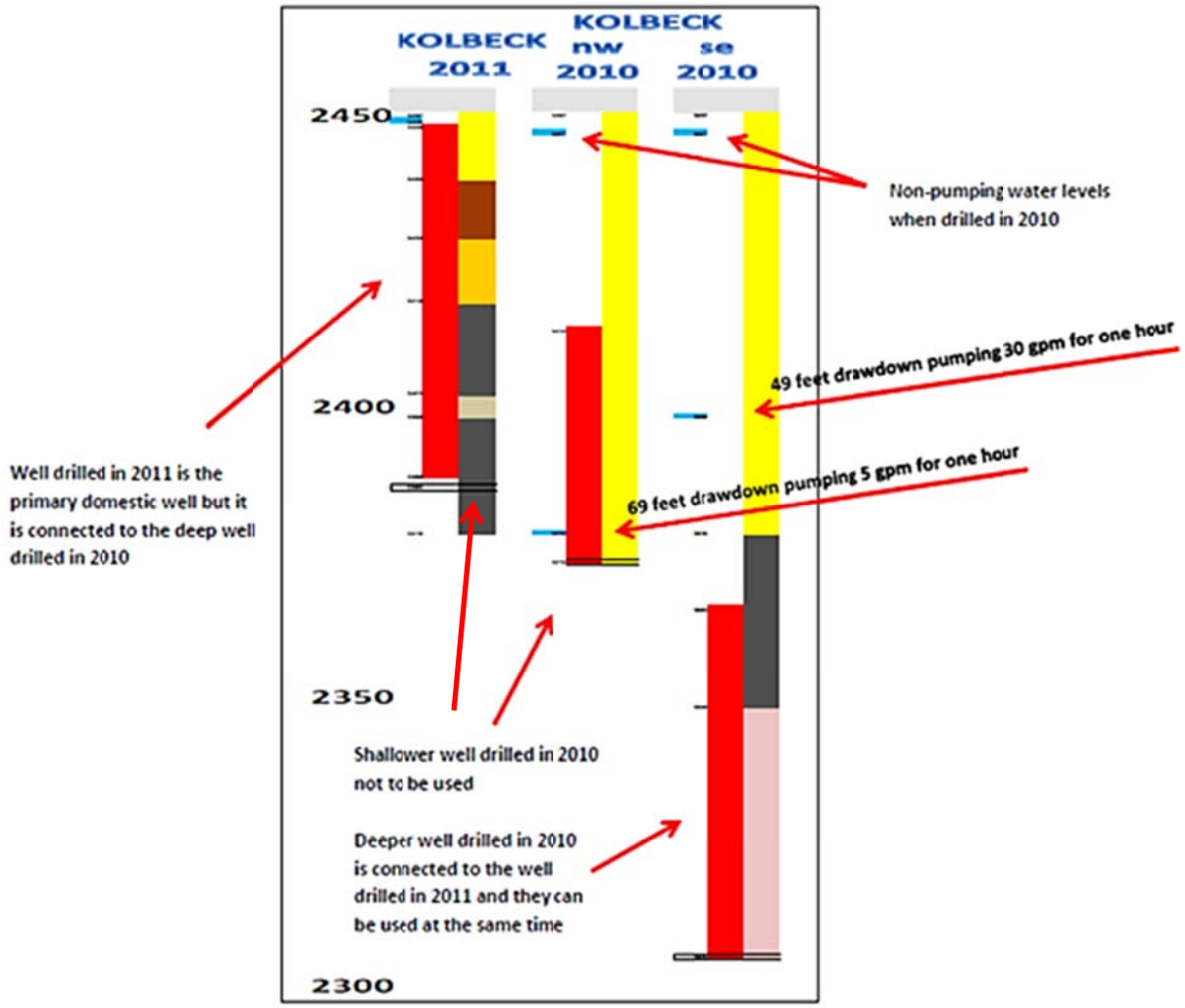

Figure 7 – Lithographic logs for three domestic wells drilled for Mr. Kolbeck in 2010 and 2011

The upper portion of the screened sand and gravel and sand zones of the domestic well drilled in 2011 is above about 2400 feet elevation as is the screened zones of the six nearby water quality monitoring wells. The water levels in the water quality wells should represent the same formations in the upper portion of the domestic well. Six of the seven municipal wells appear to be screened to deeper formations than the water quality wells suggesting that pumping from the deep municipal wells may not produce direct drawdown in the shallower grouted water quality wells. Similarly, direct drawdown would not be expected at the domestic well in the sand and gravel and sand zones. Also, the lower portion of the domestic well drilled in 2011is screened in clay except for only about 4 feet of clayey sand. Municipal well #28 appears to be screened above 2400 feet elevation as the domestic well drilled in 2011and the water quality monitor wells. The other municipal wells appear to pump water from deeper formations but not from sandstone. See Figure 8.

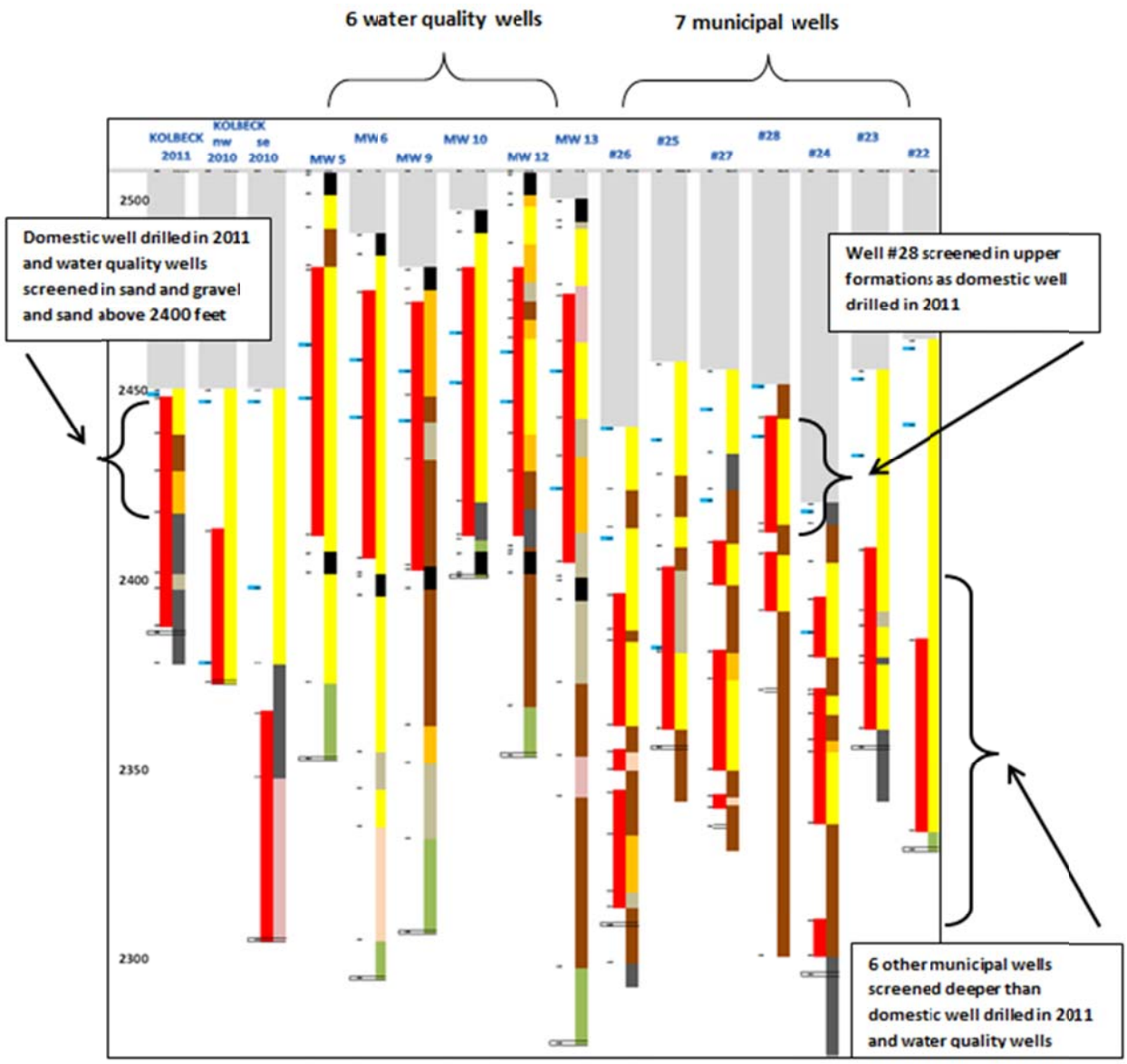

Figure 8 – Lithographic logs for three domestic wells drilled in 2010 and 2011 for Mr. Kolbeck, six water quality monitoring wells near Mr. Kolbeck, and seven nearest municipal supply wells.

Conclusions: DWR staff found no conclusive evidence of well-to-well interference affecting Mr. Kolbeck's domestic wells. DWR staff found no conclusive evidence that Mr. Kolbeck's domestic wells are suffering from the same declines in groundwater levels as observed in wells within 1.5 – 6 miles away from his wells. At this time, with his current well installations and pumping rate, Mr. Kolbeck appears to have adequate access to water to meet his domestic needs.

Attachment A – Kolbeck impairment complaint submitted by Adrian & Pankratz

Adrian & Pankratz
Attorneys at Law

Thomas A. Adrian
Randall J. Pankratz
Marilyn M. Wilder
Timothy C. Hodge
David J. Stucky

copy for file. Original in back cover sleeve of binder.

March 24, 2011

Jeff Lanterman, Water Commissioner
Division of Water Resources, Stafford Office
300 S. Main
Stafford, KS 67578

Re: Claim of Impairment

Dear Jeff:

Pursuant to K.A.R. 5-4-1, this letter is to officially make a claim of impairment on behalf of Rick and Debra Kolbeck. The Kolbecks live on the south side of the southwest quarter of Section 27, T28S, R25W in southwest Ford County and their address is 10930 Whirlwind, Dodge City, KS 67801 in the Concord Township. This is 1 ¾ miles west of 283 Highway and 13 miles south of Dodge City.

The Kolbecks moved into the house on the property approximately 10 years ago. When they moved in, the house already had an existing domestic well. They used the well for a number of years without incident. Subsequently, however, within the last year or so, that well ceased providing an adequate water supply. In approximately September 2010, the Kolbecks hired Bartel Drilling to drill a new well. The initial well drilled by Bartel was completed to 245 feet, within the Ogallala Aquifer

However, Bartel determined that the this well would not adequately meet the Kolbecks' needs for water and it was abandoned. Shortly thereafter, Bartel then proceeded to drill a second well down to 313 feet. We understand this well to penetrate into the larger Dakota Aquifer. Regardless, this well is also not adequately meeting the Kolbecks' needs for water and is only pumping a minimal amount of water daily. Enclosed with this letter are well logs for both the wells drilled by Bartel.

It is the Kolbecks' belief that area wells are impairing the use of their domestic well. Consequently, the Kolbecks respectfully request a well-to-well impairment investigation of all wells within at least a two mile radius of their property. Specifically, the Kolbecks ask that DWR investigate the following Water Right Permit Numbers:

1. 2, 363
2. 4,972
3. 5,864
4. 9,044
5. 10,170

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MAR 25 2011
Stafford Field Office
Division of Water Resources

301 N. Main St., Suite 400 | Newton, KS 67114 | Tel: 316.283.8746 | Fax: 316.283.8787 | www.aplawpa.com

6. 10,517
7. 13,424
8. 14,590
9. 15,241
10. 17,089
11. 18,641
12. 19,644
13. 19,925
14. 20,459
15. 20,708
16. 21,222
17. 21,223
18. 23,132
19. 23,133
20. 23,472
21. 24,260
22. 24,367
23. 25,270
24. 25,699

The Kolbecks further request that the investigation include the following term permits identified for municipal use:

25. 20059070
26. 20059071
27. 20059072
28. 20059073
29. 20059074
30. 20099100
31. 20099101
32. 20099102

In the alternative, if DWR deems it appropriate, the Kolbecks hereby ask for a regional investigation of impairment in their area. The Kolbecks have learned of significant drawdowns in the area and believe that over-appropriation is a concern. Thus, a regional impairment analysis may be appropriate.

Consequently, the Kolbecks request DWR to not only investigate the impairment but to take all appropriate action to restore the Kolbecks' domestic water supply. The Kolbecks will cooperate in any manner necessary during this investigation.

Attachment A – Kolbeck impairment complaint submitted by Adrian & Pankratz

Jeff Lanterman
March 24, 2011
Page 3

We appreciate your prompt attention to this matter. Please contact me with any questions or concerns.

Very truly yours,

Thomas A. Adrian
tom@aplawpa.com
Attorney

TAA:djs

Encl: Well Logs

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MAR 25 2011

Attachment A – Kolbeck impairment complaint submitted by Adrian & Pankratz

3/09/2011 08:20 FAX 7852965509 KDHE BOW 001

Richard Harper 9 Mar 11
KGS

WATER WELL RECORD **Form WWC-5** Division of Water Resources App. No.

1 LOCATION OF WATER WELL: County: Ford | Fraction: SW ¼ SE ¼ SE ¼ SE ¼ | Section Number: 27 | Township No.: T 28 S | Range Number: R 25 ☐E ☑W

Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here ☐.

Global Positioning System (GPS) information: Latitude: 37 34' 35.15" (in decimal degrees) Longitude: 100 02' 47.37" (in decimal degrees) Elevation: 2635 Datum: ☑ WGS 84, ☐ NAD 83, ☐ NAD 27 Collection Method: ☑ GPS unit (Make/Model: Google Earth) ☐ Digital Map/Photo, ☐ Topographic Map, ☐ Land Survey Est. Accuracy: ☐ <3 m, ☐ 3-5 m, ☐ 5-15 m, ☐ >15 m

2 WATER WELL OWNER: Rick Kolbeck
RR#, Street Address, Box #: Upland Road
City, State, ZIP Code : Dodge City, KS 67801

3 LOCATE WELL WITH AN "X" IN SECTION BOX: N / W / E / S; NW, NE, SW, SB; 1 mile

4 DEPTH OF COMPLETED WELL 245 ft.
Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.
WELL'S STATIC WATER LEVEL 171 ft. below land surface measured on mo/day/yr. 9/15/10
Pump test data: Well water was 240 ft. after 1 hours pumping 5 gpm
EST. YIELD 5 gpm. Well water was ..... ft. after ..... hours pumping ..... gpm
Bore Hole Diameter 8 3/4 in. to 245 ft., and ..... in. to ..... ft.
WELL WATER TO BE USED AS: ☐ Public water supply ☐ Geothermal ☐ Injection well
☑ Domestic ☐ Feedlot ☐ Oil field water supply ☐ Dewatering ☐ Other (Specify below)
☐ Irrigation ☐ Industrial ☐ Domestic-lawn & garden ☐ Monitoring well .....
Was a chemical/bacteriological sample submitted to Department? ☐ Yes ☑ No
If yes, mo/day/yr sample was submitted .....
Water well disinfected? ☑ Yes ☐ No

5 TYPE OF CASING USED: ☐ Steel ☑ PVC ☐ Other .....
CASING JOINTS: ☑ Glued ☐ Clamped ☐ Welded ☐ Threaded
Casing diameter 5 in. to 205 ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.
Casing height above land surface 18 in., Weight ..... lbs./ft., Wall thickness or gauge No. 200#
TYPE OF SCREEN OR PERFORATION MATERIAL:
☐ Steel ☐ Stainless Steel ☑ PVC ☐ Other (Specify) .....
☐ Brass ☐ Galvanized Steel ☐ None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
☐ Continuous slot ☑ Mill slot ☐ Gauze wrapped ☐ Torch cut ☐ Drilled holes ☐ None (open hole)
☐ Louvered shutter ☐ Key punched ☐ Wire wrapped ☐ Saw cut ☐ Other (specify) .....
SCREEN-PERFORATED INTERVALS: From 205 ft. to 245 ft., From ..... ft. to ..... ft.
From ..... ft. to ..... ft., From ..... ft. to ..... ft.
GRAVEL PACK INTERVALS: From 20 ft. to 245 ft., From ..... ft. to ..... ft.
From ..... ft. to ..... ft., From ..... ft. to ..... ft.

6 GROUT MATERIAL: ☐ Neat cement ☐ Cement grout ☐ Bentonite ☑ Other abandoned well
Grout Intervals: From ..... ft. to ..... ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.
What is the nearest source of possible contamination:
☐ Septic tank ☐ Lateral lines ☐ Pit privy ☐ Livestock pens ☐ Insecticide storage ☐ Other (specify below)
☐ Sewer lines ☐ Cesspool ☐ Sewage lagoon ☐ Fuel storage ☑ Abandoned water well
☐ Watertight sewer lines ☐ Seepage pit ☐ Feedyard ☐ Fertilizer storage ☐ Oil well/gas well .....
Direction from well west Distance from well 40 feet

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	5	topsoil			
5	45	brown clay			
45	90	sandy brown clay			
90	245	sand and gravel			Ogallala

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was ☑ constructed, ☐ reconstructed, or ☐ plugged under my jurisdiction and was completed on (mo/day/year) 9/15/2010 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 101 This Water Well Record was completed on (mo/day/year) 10/14/2010 under the business name of Bartel Well Drilling, Inc by (signature) Paul J. Bartel

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367 Telephone 785 296 5522. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of $5.00 for each constructed well. Visit us at http://www.kdheks.gov/waterwell/index.html

SA) 82a-1212

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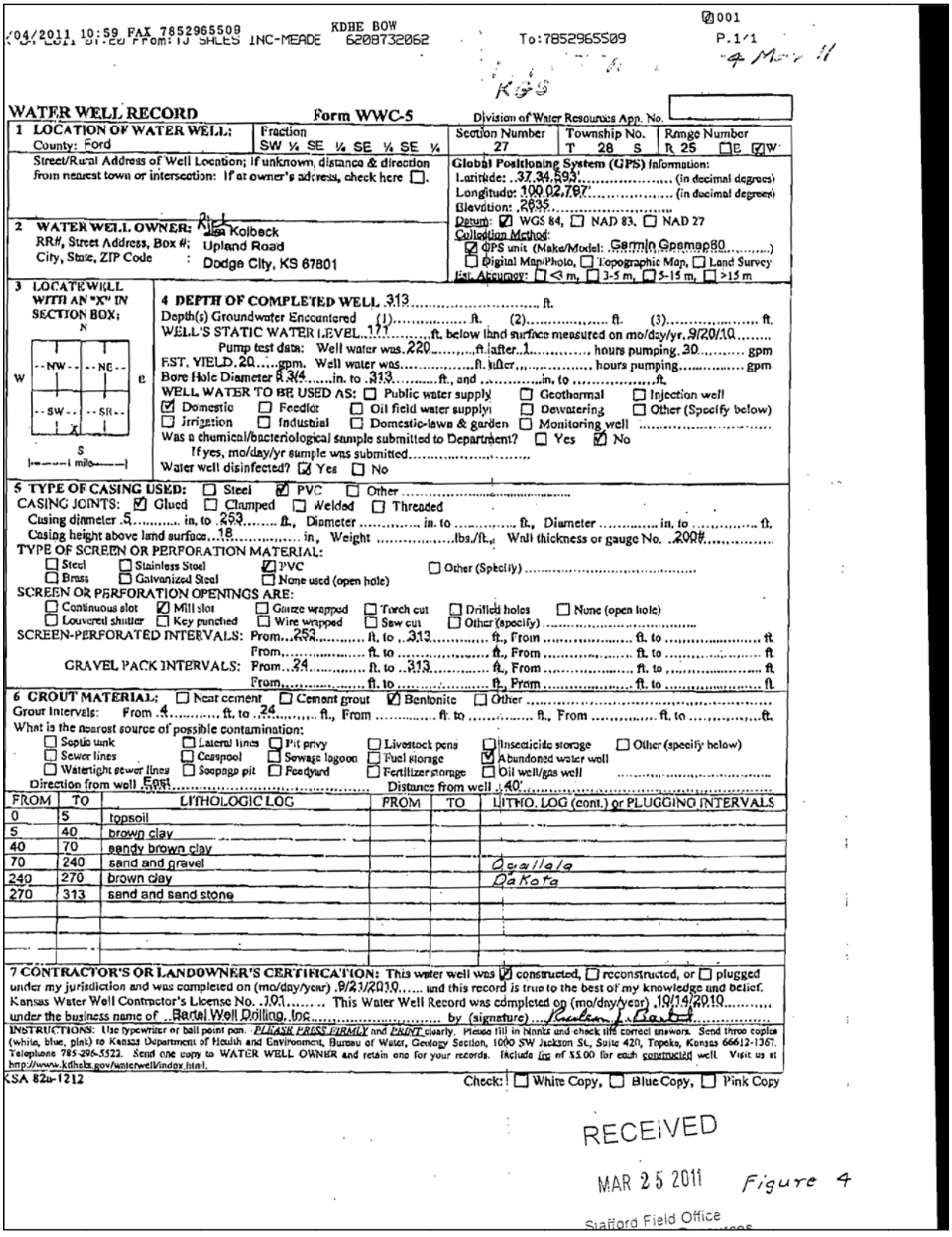
MAR 09 '11
Ground Water Associates, Inc.

Check: ☐ White Copy, ☐ Blue Copy, ☐ Pink Copy

RECEIVED
MAR 25 2011
Field Office
Division of Water Resou

Figure 3

Attachment A – Kolbeck impairment complaint submitted by Adrian & Pankratz



10/04/2011 10:59 FAX 7852965509 KDHE BOW 001
10/04/2011 10:59 FAX 7852965509 IJ SALES INC-MEADE 6208732062 To:7852965509 P.1/1

KGS

WATER WELL RECORD Form WWC-5 Division of Water Resources App. No.

1 LOCATION OF WATER WELL: County: Ford | Fraction: SW ¼ SE ¼ SE ¼ SE ¼ | Section Number: 27 | Township No.: T 28 S | Range Number: R 25 E W

Street/Rural Address of Well Location; If unknown, distance & direction from nearest town or intersection: If at owner's address, check here ☐.

Global Positioning System (GPS) Information: Latitude: 37.34.593' (in decimal degrees) Longitude: 100.02.797 (in decimal degrees) Elevation: 2635 Datum: ☑ WGS 84, ☐ NAD 83, ☐ NAD 27 Collection Method: ☑ GPS unit (Make/Model: Garmin Gpsmap80) ☐ Digital Map/Photo, ☐ Topographic Map, ☐ Land Survey Est. Accuracy: ☐ <3 m, ☐ 3-5 m, ☐ 5-15 m, ☐ >15 m

2 WATER WELL OWNER: Rick Kolbeck
RR#, Street Address, Box #: Upland Road
City, State, ZIP Code : Dodge City, KS 67801

3 LOCATE WELL WITH AN "X" IN SECTION BOX: N / NW NE W E SW SE S / 1 mile

4 DEPTH OF COMPLETED WELL 313 ft.
Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.
WELL'S STATIC WATER LEVEL 171 ft. below land surface measured on mo/day/yr. 9/20/10
Pump test data: Well water was 220 ft. after 1 hours pumping 30 gpm
EST. YIELD 20 gpm. Well water was ..... ft. after ..... hours pumping ..... gpm
Bore Hole Diameter 8 3/4 in. to 313 ft., and ..... in. to ..... ft.
WELL WATER TO BE USED AS: ☐ Public water supply ☐ Geothermal ☐ Injection well
☑ Domestic ☐ Feedlot ☐ Oil field water supply ☐ Dewatering ☐ Other (Specify below)
☐ Irrigation ☐ Industrial ☐ Domestic-lawn & garden ☐ Monitoring well .....
Was a chemical/bacteriological sample submitted to Department? ☐ Yes ☑ No
If yes, mo/day/yr sample was submitted .....
Water well disinfected? ☑ Yes ☐ No

5 TYPE OF CASING USED: ☐ Steel ☑ PVC ☐ Other .....
CASING JOINTS: ☑ Glued ☐ Clamped ☐ Welded ☐ Threaded
Casing diameter 5 in. to 253 ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.
Casing height above land surface 18 in., Weight ..... lbs./ft., Wall thickness or gauge No. 200#
TYPE OF SCREEN OR PERFORATION MATERIAL:
☐ Steel ☐ Stainless Steel ☑ PVC ☐ Other (Specify) .....
☐ Brass ☐ Galvanized Steel ☐ None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
☐ Continuous slot ☑ Mill slot ☐ Gauze wrapped ☐ Torch cut ☐ Drilled holes ☐ None (open hole)
☐ Louvered shutter ☐ Key punched ☐ Wire wrapped ☐ Saw cut ☐ Other (specify) .....
SCREEN-PERFORATED INTERVALS: From 252 ft. to 313 ft., From ..... ft. to ..... ft
From ..... ft. to ..... ft., From ..... ft. to ..... ft
GRAVEL PACK INTERVALS: From 24 ft. to 313 ft., From ..... ft. to ..... ft
From ..... ft. to ..... ft., From ..... ft. to ..... ft

6 GROUT MATERIAL: ☐ Neat cement ☐ Cement grout ☑ Bentonite ☐ Other .....
Grout Intervals: From 4 ft. to 24 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.
What is the nearest source of possible contamination:
☐ Septic tank ☐ Lateral lines ☐ Pit privy ☐ Livestock pens ☐ Insecticide storage ☐ Other (specify below)
☐ Sewer lines ☐ Cesspool ☐ Sewage lagoon ☐ Fuel storage ☑ Abandoned water well
☐ Watertight sewer lines ☐ Seepage pit ☐ Feedyard ☐ Fertilizer storage ☐ Oil well/gas well .....
Direction from well East Distance from well 40'

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	5	topsoil			
5	40	brown clay			
40	70	sandy brown clay			
70	240	sand and gravel			Ogallala
240	270	brown clay			Dakota
270	313	sand and sand stone			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was ☑ constructed, ☐ reconstructed, or ☐ plugged under my jurisdiction and was completed on (mo/day/year) 9/21/2010 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 101 This Water Well Record was completed on (mo/day/year) 10/14/2010 under the business name of Bartel Well Drilling, Inc by (signature) Rueben J. Bartel

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of $5.00 for each constructed well. Visit us at http://www.kdheks.gov/waterwell/index.html.

KSA 82a-1212 Check: ☐ White Copy, ☐ Blue Copy, ☐ Pink Copy

RECEIVED
MAR 25 2011
Stafford Field Office

Figure 4

Attachment A – Kolbeck impairment complaint submitted by Adrian & Pankratz

90 10841 DW 1-11

WATER WELL RECORD **Form WWC-5** Division of Water Resources App. No.

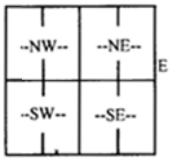
1 LOCATION OF WATER WELL: County: Ford | Fraction: 1/4 SW 1/4 SE 1/4 SW 1/4 | Section Number: 27 | Township No.: T 28 S | Range Number: R 25 ☐E ☒W

Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here ☒

Global Positioning System (GPS) information:
Latitude: 37.576669 (in decimal degrees)
Longitude: -100.046017 (in decimal degrees)
Elevation: unknown
Datum: ☐ WGS 84, ☒ NAD 83, ☐ NAD 27
Collection Method:
☒ GPS unit (Make/Model: WAAS)
☐ Digital Map/Photo, ☐ Topographic Map, ☐ Land Survey
Est. Accuracy: ☐ <3 m, ☒ 3-5 m, ☐ 5-15 m, ☐ >15 m

2 WATER WELL OWNER: Rick Kolbeck
RR#, Street Address, Box #: 10930 Whirlwind Rd
City, State, ZIP Code : Dodge City, KS 67801

3 LOCATE WELL WITH AN "X" IN SECTION BOX:



4 DEPTH OF COMPLETED WELL 232 ft.
Depth(s) Groundwater Encountered (1) ..... ft. (2) ..... ft. (3) ..... ft.
WELL'S STATIC WATER LEVEL 169.5 ft. below land surface measured on mo/day/yr 04/20/11
Pump test data: Well water was not checked ft. after ..... hours pumping ..... gpm
EST. YIELD ..... gpm. Well water was ..... ft. after ..... hours pumping ..... gpm
Bore Hole Diameter 10 in. to 240 ft., and ..... in. to ..... ft.
WELL WATER TO BE USED AS: ☐ Public water supply ☐ Geothermal ☐ Injection well
☒ Domestic ☐ Feedlot ☐ Oil field water supply ☐ Dewatering ☐ Other (Specify below)
☐ Irrigation ☐ Industrial ☐ Domestic-lawn & garden ☐ Monitoring well .....
Was a chemical/bacteriological sample submitted to Department? ☐ Yes ☒ No
If yes, mo/day/yr sample was submitted .....
Water well disinfected? ☒ Yes ☐ No

5 TYPE OF CASING USED: ☐ Steel ☒ PVC ☐ Other .....
CASING JOINTS: ☒ Glued ☐ Clamped ☐ Welded ☐ Threaded
Casing diameter 5 in. to 170 ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.
Casing height above land surface 24 in., Weight 2.36 lbs./ft., Wall thickness or gauge No. .214
TYPE OF SCREEN OR PERFORATION MATERIAL:
☐ Steel ☐ Stainless Steel ☒ PVC ☐ Other (Specify) .....
☐ Brass ☐ Galvanized Steel ☐ None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
☐ Continuous slot ☒ Mill slot ☐ Gauze wrapped ☐ Torch cut ☐ Drilled holes ☐ None (open hole)
☐ Louvered shutter ☐ Key punched ☐ Wire wrapped ☐ Saw cut ☐ Other (specify) .....
SCREEN-PERFORATED INTERVALS: From 170 ft. to 230 ft., From ..... ft. to ..... ft
From ..... ft. to ..... ft., From ..... ft. to ..... ft
GRAVEL PACK INTERVALS: From 100 ft. to 240 ft., From ..... ft. to ..... ft
From ..... ft. to ..... ft., From ..... ft. to ..... ft

6 GROUT MATERIAL: ☐ Neat cement ☐ Cement grout ☒ Bentonite ☐ Other .....
Grout Intervals: From ..... ft. to ..... ft., From 4 ft. to 100 ft., From ..... ft. to ..... ft.
What is the nearest source of possible contamination:
☐ Septic tank ☐ Lateral lines ☐ Pit privy ☐ Livestock pens ☐ Insecticide storage ☒ Other (specify below)
☐ Sewer lines ☐ Cesspool ☐ Sewage lagoon ☐ Fuel storage ☐ Abandoned water well None Known
☐ Watertight sewer lines ☐ Seepage pit ☐ Feedyard ☐ Fertilizer storage ☐ Oil well/gas well
Direction from well ..... Distance from well .....

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	2	Topsoil	179	189	Clay, brown, with sand and gravel
2	15	Clay, brown, tan, silty	189	200	Sand, fine - medium
15	83	Clay, brown, white, with caliche	200	216	Clay, tan, white
83	90	Clay, tan, with caliche	216	220	Sand, fine - coarse/clay, tan 50/50 mix
90	107	Clay, tan, brown, sandy	220	226	Clay, tan, white, sandy
107	126	Clay, tan, brown, with caliche	226	240	Clay, white, yellow
126	143	Sand, gravel, fine - coarse			
143	148	Clay, white, with sand			
148	155	Sand, fine - coarse, gravel, fine			
155	179	Sand, gravel, fine - coarse			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was ☒ constructed, ☐ reconstructed, or ☐ plugged under my jurisdiction and was completed on (mo/day/year) 04/20/11 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 185 This Water Well Record was completed on (mo/day/year) 04/26/11 under the business name of Clarke Well & Equipment, Inc. by (signature) .....

INSTRUCTIONS: Use typewriter or ball point pen. *PLEASE PRESS FIRMLY* and *PRINT* clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of $5.00 for each constructed well. Visit us at http://www.kdheks.gov/waterwell/index.html.

KSA 82a-1212 Check: ☒ White Copy, ☐ Blue Copy, ☐ Pink Copy

Attachment B – Domestic water right application submitted by Rick Kolbeck

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Dale A. Rodman, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

DOMESTIC WATER RIGHT APPLICATION
Application No. 20123001-TD

WATER RESOURCES RECEIVED
MAR 8 2012
12:39 PM
KS DEPT OF AGRICULTURE

(Please type or print)

A. **Domestic Water Right Applicant:** RICK AND DEBRA KOLBECK
10930 LONG WIND ROAD

Telephone Number: 620-255-5301 E-mail Address: KOLBECKIP@FAIRPOINT.NET

B. **Date Domestic Use of Water Began** (or will begin): PRIOR TO 1948
(See Definitions on next page)

C. **Source of Supply:** (1) X groundwater, name of basin ~~Ogallala Aquifer~~ Arkansas River
or (2) _____ surface water, name of stream _____

D. ***Location of Point of Diversion** (well, dam, pumpsite, spring or stream):

(1) Section 27, Township 28 South, Range 25 (East)(West), of 6th P.M. Ford County, Kansas. Distance from southeast corner of section. _____ feet north, _____ feet west.

(2) Section _____, Township _____ South, Range _____ (East)(West), _____ County, Kansas. Distance from southeast corner of section. _____ feet north, _____ feet west.

*You may apply for only one point of diversion on each form, but if livestock drink from a stream, list legal description of the points where stream enters and leaves your property.

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

_____
(name, address and telephone number)

RECEIVED
MAR 8 2012
Garfield Field Office
Division of Water Resources

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 _____, 20____. _____
Applicant's Signature

E. **Description of Use:**

1. 1 Household of 3 persons and irrigation of 2 acres of lawn, garden and orchard at UNKNOWN/20 gallons per minute.
2. _____ Livestock drink from stream in pasture.
3. 15 Livestock drink from stock tank filled by a well at UNKNOWN/156PM g.p.m.
4. _____ Livestock drink from pond or stock tank filled by pond.
5. _____ Livestock drink from spring or stock tank filled by spring.
6. 30 Other (explain) WISH TO EXPAND HOGS OPERATION TO 45 HEAD POSSIBLY MORE AT LATER DATE. ADDITIONAL 10 GPM

DWR 1-100.10 (Revised 02/16/2011)

3-29-12
EAD

Attachment B – Domestic water right application submitted by Rick Kolbeck

F. **Livestock** - If domestic right is for livestock, how many head were being watered when use first began and how many are currently being watered?

Year use began (1998)		Year application filed (2012)	
Cattle		Cattle	
Horses	4	Horses	1
Sheep	UNKNOWN	Sheep	
Hogs	+5	Hogs	30
Other		Other	

G. **Pasture** - How many acres of pasture are contiguous to the well, spring, stream or pond? 6 acres. Is this native pasture? (Yes) No (circle one). How many acres of pasture does it take to support one cow? UNKNOWN acres.

ATTACHMENTS

1. Attach a plat, topographic map or aerial photo showing the location of (a) the stream, pond or well and (b), if for livestock, the location of the pasture contiguous to the well, pond, or stream. Show section, township and range, scale and north arrow.

2. If domestic use began prior to the date of this application, please attach affidavits from three competent disinterested persons or other information (i.e. driller's log, driller's contract, dated photos), substantiating the information on this form.

Name and Address of Domestic Water Right Owner, if different from applicant.

Signature of domestic right applicant — Date: 2-29-2012

DEFINITIONS

"Domestic uses" means "the use of water by any person or by a family unit or household for household purposes, or for the watering of livestock, poultry, farm and domestic animals used in operating a farm, and for the irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns. "K.S.A. 82a-701(c).

"Household purposes" means "the use of water by a person for cooking, cleaning, washing, bathing, human consumption, restroom facilities or other uses normally associated with the operation of a household. Household purposes includes the use of one and one-half acre-feet of water or less per calendar year by an industrial user, restaurant, hotel, motel, church, camp, correctional facility, educational institution or similar entity for household purposes." K.A.R. 5-1-1(n).

FOR OFFICE USE ONLY: Maximum Rate _____ Annual Quantity _____

WATER RESOURCES RECEIVED
MAR 8 2012
KS DEPT OF AGRICULTURE

RECEIVED
MAR 07 2012
Stafford Field Office
Division of Water Resources

Attachment C– Supplemental Field Inspection

KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File No 20123001-TD (360.01) **DATE: 8/29/2012**

FROM: Cameron R Conant CRC 8/25/12 **RE:** Approval of Application & Certificate

(SUPPLEMENTAL FIELD INSPECTION)

On 7/18/2012 I performed a Supplemental Field Inspection for 360.01. Mr. Kolbeck was not satisfied with the original tested rate of 22.7gpm from one well and opted to utilize both wells to supply the rate of diversion he deemed adequate for his domestic uses. According to Rick, both wells can be operated at the same time and they are plumbed in a manner that allows both wells to pump water through the installed water meter. At the time of the test Rick said that both wells have the exact same equipment in them (20gpm submersible electric pumps). It was also determined that the pressure gauge used during the original FIR was broken and it has been replaced with a gauge that is assumed to be working properly (see supplemental FIR for pressure details).

Using the installed water meter to record gallons pumped, it was determined that both wells pumping together yielded a maximum of 41gpm based on 3 separate 5 minute timed tests with varying hydrants/faucets on (see supplemental FIR for details).

After the test, Rick indicated that he was alright with the tested rate of 41 gallons per minute but wanted it to be known that he was not happy that he needed two wells to produce the desired rate. He said he used to be able to pump 30gpm from one well.

After discussion with Water Commissioner Jeff Lanterman and Water Appropriation Program Manager Lane Letourneau it was determined that this should be considered a battery of two wells with a geo-center.

After completing the Field Inspection and Supplemental Field Inspection we feel that a reasonable rate, quantity, and priority date can be assigned to this application. Based on the information gathered, this domestic application should be certified for a rate of diversion of 41 gallons per minute and a total quantity not to exceed 1,615,479 gallons (4.96 AF) per year with a previously established priority date of May 27, 1948, and should cover the ~10 acres of farmstead shown on the FIR map.

SCANNED

Attachment C– Supplemental Field Inspection

Kansas Department of Agriculture
Division of Water Resources

SUPPLEMENTAL FIELD INSPECTION

Application File No. 360.01 Inspection Date 7/18/12 Firm KDA-DWR-Stafford Field Office

Owner of authorized place of use Rick and Debra Kolbeck Phone No. (620) 255-5301

Why is the applicant requesting retest: The FIR completed on 5/9/12 verified a rate of 22.7gpm. The applicant was not satisfied with the tested rate from only one well and has decided to utilize a second well to increase the total rate.

Has the well or irrigation system been modified/adjusted in any way since the previous test? YES

If yes, explain how and when On July 15, 2012 Rick Kolbeck began using the second domestic well on the property. The second well has been plumbed in a manner that allows the rate from both wells to be quantified by using the installed meter and a timed test.

* This well was in place during original FIR on 5/9/12. Applicant did not want to use it at that time RR.

Point of Diversion location: Geocenter (battery of wells calculations) Sec. 27, T. 28S, R. 25 W

Approximately 266 ft. North and 3,574 ft. West of SE corner of Sec. 27

How were distances determined? from GPS footages on 5/9/12 FIR Latitude _____ Longitude _____

GENERAL INFORMATION ON IRRIGATION SYSTEM:

☐ **Center Pivot**

Manufacturer _____ Model _____ Serial No. _____

Drive: ☐ Water ☐ Electric Length of Pivot Arm _____ Acres Irr. _____

Pivot Design GPM _____ at _____ p.s.i. Operating Pressure-Pivot _____ p.s.i.

Is there an end gun? Y / N Is end gun operating during test? Y / N

End Gun Model _____ Rating _____ g.p.m.

☐ **Gravity Irrigation**

Description _____

☐ **Other**

Type _____

Manufacturer _____ Model _____ Serial No. _____

☒ **Other information/unusual conditions:** *Both wells are equipped with the same size/type of pump-see 5/9/12 FIR for pump info. Rick is unsatisfied with the need to use two wells at this time to meet his domestic needs. In the past he was able to satisfy his domestic needs with only one well that he said produced 30gpm. Rick has a senior water right in the area and does not want to have to continue adding wells supply his domestic needs.

POWER UNIT INFORMATION: *See 5/9/12 FIR

Manufacturer _____ Model _____ HP _____

Serial No. _____ Fuel _____ Rated RPM _____

PUMP INFORMATION: *See 5/9/12 FIR

Manufacturer _____ Model _____ No. Stages _____

Serial No. _____ Size/Type _____ Rated RPM _____

Water Level Measurements: (taken at ~10:35am after the tests were complete)
Old domestic well(PT installed): 170+0.79=170.79' from slot cut in casing
Test hole drilled by Bartel: 170+3.64=173.64' from top of casing

Attach drawing of diversion works.

Person Present at test Rick Kolbeck/Lee Kolbeck (Name) Owner/Son (Relationship) (620) 255-5301 (Phone No.)

Conducted by Cameron R. Conant Assistant Water Commissioner Date 7/18/12

Approved by _____ (Signature) Water Commissioner (Title) Date 6/27/12

SCANNED

DWR 1-307 (Revised 10/30/2008)

Attachment C– Supplemental Field Inspection

TEST OF DIVERSION RATE: Location of test **timed test on installed meter**
Ppe Diameter (I.D.) _____ inches (measured)

Test No. 1 ---- Maximum Conditions
R.P.M. POWER UNIT _____
R.P.M. PUMP UNIT _____
Pressure at Pump *1 min=18psi,2=16psi,3=16psi,4=16,5=15 psi
*pressure gauge was not functioning correctly during 5/9/12 test. This is a new gauge and assumed to be accurate.

Test No. 3 ---- Maximum Conditions
R.P.M. POWER UNIT _____
R.P.M. PUMP UNIT _____
Pressure at Pump **15 dropping to 14 after 5 min** psi

Test #1 (5 hydrants)
☒ **Installed Meter Test** Meter Serial No. _____ Mfg. **Assured Automation** Model **01N31GM**
Ending **206.2** gal.
Beginning **0** gal.
Difference **206.2** gal.
Time **5.038** min.
Rate **40.93** gpm.

Test #3 (5 hydrants & kitchen/bathroom sink on)
Ending **201.7** gal.
Beginning **0** gal.
Difference **201.7** gal.
Time **5.0235** min.
Rate **40.15** gpm.

% Error Calculation: $\frac{\text{Test} - \text{Meter}}{\text{Test}} \times 100$ % error _____

The tests were completed in a series from 10:02am to 10:25am on the owners installed meter. Test#2 was performed several minutes after Test#1 and yielded a rate of 39.75gpm. Test#3 was performed several minutes after Test#2 and with different conditions as noted above. Test#1 and #3 are the two tests being used to establish the rate of 41 gallons per minute though the rate would still round up if all three tests were averaged.

☐ **Other Flowmeter** Use Supplemental Sheet (include meter identification, data and calculations).

Does owner have a meter installed? **YES**
What is the rate of diversion shown on owner's meter? _____ g.p.m.
Is meter properly installed? **Y / N**
Does meter appear to be working properly? **YES**
Brand of owner's meter is **Assured Automation** Serial No. _____

IMAGE OF PLACE OF USE, LOCATION OF DIVERSION WORKS, AND DISTRIBUTION SYSTEM.

existing meter pit that was reworked to allow both wells to pass through the same meter

Meter face picture

Broken pressure gauge from 5/9/12 test

Newly installed pressure gauge during Test#1

☐ Additional _____ Pages

Attachment D– Approval Of Application And Certificate of Appropriation For Domestic Use of Water

Kansas
Department of Agriculture
Division of Water Resources

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

phone: (620) 234-5311
fax: (620) 234-6900
www.ksda.gov/dwr

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Sam Brownback, Governor

APPROVAL OF APPLICATION

AND

CERTIFICATE OF APPROPRIATION

FOR DOMESTIC USE OF WATER

WATER RIGHT, File No. 360.01

PRIORITY DATE: May 27, 1948

WHEREAS, It has been determined by the undersigned that construction of the appropriation diversion works has been completed, that water has been used for beneficial purposes and that the appropriation right has been perfected, all in conformity with the contents of the application pursuant to the water right referred to above and in conformity with the laws of the State of Kansas.

NOW, THEREFORE, Be It Known that Jeff K. Lanterman, Water Commissioner, in accordance with the authority delegated to him by the duly appointed, qualified and acting Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture, by authority of the laws of the State of Kansas, does hereby approve in accordance with K.S.A. 82a-712 and certify in accordance with K.S.A. 82a-714 that, subject to vested rights and prior appropriation rights, the appropriator is entitled to make use of

Source: Groundwater

Drainage Basin: Arkansas River

Location of Points of Diversion A battery of two (2) wells with a geographic center located in the SW¼ SE¼ SW¼ of Section 27, more particularly described as being near a point 266 feet North and 3,574 feet West of the Southeast corner of said section in Township 28 South, Range 25 West, Ford County, Kansas.

Rate of Diversion: 41 gallons per minute

Annual Quantity: 4.96 acre-fee: (1,615,479 gallons) per calendar year

Type of Use: Domestic Use

Place of Use: an ~10 acre farmstead located in the Southern Half of the Southern Half of the Southeast Quarter of the Southwest Quarter (S½ S½ SE¼ SW¼) of Section 27, in Township 28 South, Range 25 West, Ford County, Kansas, located substantially as shown on the maps accompanying the application.

DWR 1-100.101 (Rev. 03/05/2001)

SCANNED

Attachment D– Approval Of Application And Certificate of Appropriation For Domestic Use of Water

That all diversion works 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.

The appropriator shall maintain records from which the quantity of water actually diverted during each calendar year may be readily determined. Such records may be furnished to the Chief Engineer by March 1 following the end of the previous calendar year.

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 stream flow at the appropriator's point of diversion

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77-601 et seq.) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas. The Chief Legal Counsel for the Kansas Department of Agriculture, 109 SW 9th Street, 4th Floor, Topeka, Kansas 66612, is the agency officer who will receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture, Division of Water Resources. If you have questions or would like clarification concerning this order, you may contact the Chief Engineer.

IN WITNESS WHEREOF, I have hereunto set my hand at my office at Stafford, Kansas, this 30th day of August, 2012.

Jeff K. Lanterman
Water Commissioner
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Stafford)

The foregoing instrument was acknowledged before me this 30th day of August, 2012, by Jeff K. Lanterman, Water Commissioner, Division of Water Resources, Kansas Department of Agriculture.

NOTARY PUBLIC - State of Kansas
JESSICA ENGELBRECHT
My Appt. Exp. [illegible]

Notary Public

My appointment expires:

DWR 1-100.101 (Rev. 03/05/2001)

SCANNED